

**OFFICE OF HEALTH CARE AFFORDABILITY  
PROMOTION OF COMPETITIVE HEALTH CARE MARKETS;  
HEALTH CARE AFFORDABILITY;  
COST AND MARKET IMPACT REVIEWS**

**Title 22, California Code of Regulations (CCR), Sections 97431,  
97438, and 97442**

**Section 100 CHANGES WITHOUT REGULATORY EFFECT**

Pursuant to Title 1, Division 1, Chapter 1, Article 2, Section 100(b)(3), of the CCR, the Department of Health Care Access and Information, Office of Health Care Affordability (OHCA) submits this written statement explaining why the proposed amendments to sections 97431, 97438, and 97442 of Article 1, Chapter 11.5, Division 7, of Title 22, CCR, do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision.

Subject to the approval of the Office of Administrative Law, OHCA would add to, revise, or delete text in the CCR as follows:

1. Insertion of “or CMIR” in section 97431(b).

OHCA requests insertion of “or CMIR” in section 97431(b) as a generally-accepted abbreviation of “cost and market impact review.” Since the regulations use “CMIR,” OHCA wants to define the term in the first instance where “cost and market impact review” is used. The change does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element. (Cal. Code Regs., tit. 1, § 100, subd. (a).)

2. Deletion of space before “Transactions” in section 97431(j)(1).

OHCA requests deletion of the space before “Transactions” in section 97431(j)(1). This was an inadvertent error and does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element. (Cal. Code Regs., tit. 1, § 100, subd. (a).)

3. Insertion of “of the Code” in section 97438(d)(2).

OHCA requests insertion of “of the Code” in section 97438(d)(2) to clarify the statutory reference. This change does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element as it inserts a cross-reference. (Cal. Code Regs., tit. 1, § 100, subd. (a)(4).)

4. Deletion of “e” and replacement with “a” in section 97442(a).

OHCA requests deletion of “e” and replacement with “a” in section 97442(a) as a corrected reference. The original draft text was split into multiple sections during OAL’s review of the emergency regulations and the originally referenced material moved. This change does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element as it corrects a cross-reference. (Cal. Code Regs., tit. 1, § 100, subd. (a)(4).)

5. Deletion of “f” and replacement with “c” in section 97442(d).

OHCA requests deletion of “f” and replacement with “c” in section 97442(d) as a corrected reference. The original draft text was split into multiple sections during OAL’s review of the emergency regulations and the originally referenced material moved. This change does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element as it corrects a cross-reference. (Cal. Code Regs., tit. 1, § 100, subd. (a)(4).)