



2020 West El Camino Avenue, Suite 800
Sacramento, CA 95833
hcai.ca.gov



NOTIFICATION OF PROPOSED EMERGENCY REGULATORY ACTION November 28, 2023

PROMOTION OF COMPETITIVE HEALTH CARE MARKETS; HEALTH CARE AFFORDABILITY; COST AND MARKET IMPACT REVIEWS (CMIR)

To All Interested Parties:

Government Code section 11346.1 (a)(2) requires that, at least five (5) working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), an adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to OAL, OAL shall allow interested persons five (5) calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency action. If approved, OAL will file the regulations with the Secretary of State, and **the emergency regulations will become effective for five years, pursuant to Health and Safety Code section 127501.2**. During the period in which the regulations are effective as emergency regulations, the Department of Health Care Access and Information (HCAI), Office of Health Care Affordability (OHCA) (collectively HCAI-OHCA) will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

Attached to this notice is the specific regulatory language of the proposed emergency action and the Finding of Emergency, which is also available on the HCAI website, at <https://hcai.ca.gov/about/laws-regulations/#health-care-affordability>

HCAI-OHCA plans to file the Emergency Rulemaking Package with OAL at least five working days after the date of this notice, above. If you wish to comment on the Finding of Emergency or the proposed emergency regulation, both HCAI-OHCA and OAL must receive comments within five calendar days of OHCA's filing with OAL. During an emergency filing of proposed regulations, it is HCAI-OHCA's right to respond to any public comment received in the five-day public comment period.

Comments should be sent simultaneously to:

Megan Brubaker
Department of Health Care Access and Information
Office of Health Care Affordability
2020 West El Camino Avenue, Suite 1200, Sacramento CA 95833
CMIR@hcai.ca.gov

and

Office of Administrative Law Reference Attorney
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
FAX: (916) 323-6826
staff@oal.ca.gov

The comment must state that it is about an emergency rulemaking action currently under OAL review and include the topic of the emergency.

If you have any questions, please contact Megan Brubaker at the HCAI-OHCA address above.