

## TITLE 16. STATE BOARD OF GUIDE DOGS FOR THE BLIND

NOTICE IS HEREBY GIVEN that the State Board of Guide Dogs for the Blind (hereinafter "board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held on **February 8, 2010 at 1625 N. Market Blvd., Trinity Room (S-307), Sacramento, CA 95834 at 9:00 AM**. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office **no later than** February 8, 2010 or **must be received by the board at the hearing**. The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 7208 and 7210.7 of the Business and Professions Code, and to implement, interpret or make specific Sections 7200.7 and 7210.7 of said Code, the board is considering changes to Division 22 of Title 16 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 7200.7, as modified by SB 475 (Chapter 51, Statutes 2009), gives the board the authority to set a school renewal payment via regulation. Business and Professions Code section 7208 authorizes the board to govern the operation of schools which furnish guide dogs and train blind persons to use guide dogs.

1. Adopt section 2262.1.

Effective January 1, 2010, Business and Professions Code section 7200.7 mandates the board adopt via regulation the amount a guide dog school pays the Guide Dogs for the Blind Fund for the renewal of a school license. Effective January 1, 2010, the law requires payment by April 30 for school renewals.

This regulation would set the fee in regulation. In particular, section 2262.1 would prescribe the amount each guide dog school pays to the board annually to be 0.00425 of their total annual expenses.

2. Amend section 2276.

Existing law authorizes the board to govern the operation of schools and instructors. Existing regulations specify that each school provide a minimum of 80 hours of instruction over a four week period except for those persons who have

previously received such instruction who are only required to receive a minimum of 40 hours over a two week period. The current regulation also prescribes a maximum number of hours of training during each time frame. The proposed regulations would amend the hours of training, time frame and circumstances when training may stop, and where the training may occur.

As proposed, the amendments to 2276 would accomplish four things: one, divide the type of training into two categories, in-harness and theory; two, the minimum number of training hours would be reduced and the time frames—within which to give the training hours—would be reduced; three, individualized training provided to the client and when training may cease; four, instruction may be conducted in the most appropriate venue which may either be in-residence (at the school), at home, or a combination of both. The changes will also align the board's standards more closely with international training standards.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 - 17630 Require Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The guide dog schools would be impacted by the slight increase in fees to the board. The schools/instructors may save money on client training – allowing fewer hours.

Effect on Housing Costs: None

## EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations would not affect small businesses because the affected guide dog schools are non-profit organizations.

## CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## INITIAL STATEMENT OF REASONS AND INFORMATION

The board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the State Board of Guide Dogs for the Blind at 1625 N. Market Blvd., Suite S 202, Sacramento, California 95834.

## AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

## CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Antonette Sorrick, Executive Officer

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Website Access: Materials regarding this proposal can be found at  
[www.guidedogboard.ca.gov](http://www.guidedogboard.ca.gov).