

AMENDED IN ASSEMBLY APRIL 21, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 549

Introduced by Assembly Member Furutani

February 25, 2009

An act to amend Sections 1207, 1261.5, and 1264 of, and to add Sections 1261.7, 1261.8, 1261.9, 1261.10, 1264.1, 1264.2, 1264.3, 1264.4, and 1264.5 to, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 549, as amended, Furutani. Licensure: clinical laboratory personnel.

Existing law provides for the regulation and licensure of clinical laboratories and clinical laboratory personnel by the State Department of Public Health.

Existing law authorizes the department to issue limited clinical laboratory scientist's licenses in chemistry, microbiology, toxicology, histocompatibility, immunohematology, genetic molecular biology, cytogenetics, or other areas of laboratory specialty or subspecialty when determined necessary by the department, as specified. Existing law requires an applicant to meet various requirements in order to qualify for admission to the examination for a special clinical laboratory scientist's license.

This bill would revise these requirements by requiring an applicant to either (1) have graduated from an educational institution maintaining standards equivalent to specified accredited institutions and have one

year of full-time postgraduate specified training or experience or (2) have a doctoral degree from an accredited institution and provide evidence of completion of 2 years of postdoctoral training in a training program accredited by an approved accrediting body for the specialty, as specified. The bill would also authorize the department to issue a limited clinical laboratory scientist's license in biochemical genetics.

The bill would also, commencing January 1, 2010, require the department to issue a limited clinical laboratory scientist's license in cytogenetics, genetic molecular biology, biochemical genetics, and chemistry, to any person possessing a doctoral degree from an accredited institution who provides evidence of completing 2 years of ~~post-doctoral~~ *postdoctoral* training in a specified training program.

Existing law also requires the department to issue a clinical chemist, clinical microbiologist, clinical toxicologist, clinical molecular biologist, clinical biochemical geneticist, or clinical cytogeneticist license to each person who has applied for the license on a specified form who is also the holder of a master of science or doctoral degree in the specialty for which the applicant is seeking a license and who has met other requirements. Existing law requires the graduate education to have included 30 semester hours of coursework in the applicant's specialty.

This bill would specify that applicants possessing a doctoral degree from an accredited institution shall have the equivalent of 2 years of postdoctoral training in a training program accredited by a relevant accrediting body for the specialty and would also require each applicant to provide evidence of satisfactory performance on a specified written examination.

The bill would also, commencing January 1, 2010, require the department to issue a provisional license as a clinical cytogeneticist, clinical genetic molecular biologist, or a clinical biochemical geneticist to any person possessing a doctoral degree from an accredited institution who provides evidence of completing 2 years of postdoctoral training in a specified training program and would also require each applicant to provide evidence of satisfactory performance on a specified written examination.

Under existing law, a histocompatibility lab director, as defined, in order to be eligible for licensure, as a histocompatibility lab director, is required to provide evidence of satisfactory performance on a specified written and oral examination.

The bill would also, commencing January 1, 2010, require the department to issue a provisional license as a histocompatibility

laboratory director to any person possessing a doctoral degree from an accredited institution who provides evidence of completing 2 years of postdoctoral training in a specified training program and would also require each applicant to provide evidence of satisfactory performance on a specified written examination.

The bill would authorize the department to adopt emergency regulations with respect to some of these provisions.

The bill would make other related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1207 of the Business and Professions
2 Code is amended to read:
3 1207. (a) As used in this chapter, “clinical chemist,” or
4 “clinical microbiologist,” or “clinical toxicologist,” or “clinical
5 genetic molecular biologist,” or “clinical biochemical geneticist”
6 or “clinical cytogeneticist,” or “oral and maxillofacial pathologist”
7 means any person licensed by the department under Section 1264
8 to engage in, or supervise others engaged in, clinical laboratory
9 practice limited to his or her area of specialization or to direct a
10 clinical laboratory, or portion thereof, limited to his or her area of
11 specialization. Such a licensed person who is qualified under CLIA
12 may perform clinical laboratory tests or examinations classified
13 as of high complexity under CLIA, and shall have the duties and
14 responsibilities of a laboratory director, technical consultant,
15 clinical consultant, technical supervisor, and general supervisor,
16 as specified under CLIA, limited to his or her area of specialty or
17 subspecialty as described in subdivision (b), and shall only direct
18 a clinical laboratory providing service within those specialties or
19 subspecialties. A person licensed as a “clinical chemist,” or
20 “clinical microbiologist,” or “clinical toxicologist,” or “clinical
21 genetic molecular biologist,” or “clinical biochemical geneticist”
22 or “clinical cytogeneticist,” or “oral and maxillofacial pathologist”
23 may perform any clinical laboratory test or examination classified
24 as waived or of moderate complexity under CLIA.
25 (b) The specialty or subspecialty for each of the limited license
26 categories identified in subdivision (a), and the clinical laboratories

1 that may be directed by persons licensed in each of those
2 categories, are the following:

3 (1) For a person licensed under this chapter as a clinical chemist,
4 the specialty of chemistry and the subspecialties of routine
5 chemistry, endocrinology, clinical microscopy, toxicology, or other
6 specialty or subspecialty specified by regulation adopted by the
7 department.

8 (2) For a person licensed under this chapter as a clinical
9 microbiologist, the specialty of microbiology and the subspecialties
10 of bacteriology, mycobacteriology, mycology, parasitology,
11 virology, molecular biology, and serology for diagnosis of
12 infectious diseases, or other specialty or subspecialty specified by
13 regulation adopted by the department.

14 (3) For a person licensed under this chapter as a clinical
15 toxicologist, the subspecialty of toxicology within the specialty of
16 chemistry or other specialty or subspecialty specified by regulation
17 adopted by the department.

18 (4) For a person licensed under this chapter as a clinical genetic
19 molecular biologist, the subspecialty of molecular biology related
20 to diagnosis of human genetic abnormalities within the specialty
21 of genetics or other specialty or subspecialty specified by regulation
22 adopted by the department.

23 (5) For a person licensed under this chapter as a clinical
24 cytogeneticist, the subspecialty of cytogenetics within the specialty
25 of genetics or other specialty or subspecialty specified by regulation
26 adopted by the department.

27 (6) For a person licensed under this chapter as an oral and
28 maxillofacial pathologist, the subspecialty of oral pathology within
29 the specialty of pathology or other specialty or subspecialty
30 specified by regulation adopted by the department.

31 (7) For a person licensed under this chapter as a clinical
32 biochemical geneticist, the subspecialty of genetics or other
33 specialty or subspecialty specified by regulation adopted by the
34 department.

35 SEC. 2. Section 1261.5 of the Business and Professions Code
36 is amended to read:

37 1261.5. (a) The department may issue limited clinical
38 laboratory scientist's licenses in chemistry, microbiology,
39 toxicology, histocompatibility, immunohematology, biochemical
40 genetics, genetic molecular biology, cytogenetics, or other areas

1 of laboratory specialty or subspecialty when determined to be
2 necessary by the department in order for licensure categories to
3 keep abreast of changes in laboratory or scientific technology.
4 Whenever the department determines that a new limited clinical
5 laboratory scientist license category is necessary, it shall adopt
6 regulations identifying the category and the areas of specialization
7 included within the category.

8 (b) To qualify for admission to the examination for a special
9 clinical laboratory scientist's license, an applicant shall have met
10 the requirements of either paragraph (1) or (2).

11 (1) (A) Have graduated from a college or university maintaining
12 standards equivalent, as determined by the department, to those
13 institutions accredited by the Western Association of Schools and
14 Colleges or an essentially equivalent accrediting agency with a
15 baccalaureate or higher degree with a major appropriate to the
16 field for which a license is being sought.

17 (B) Have one year of full-time postgraduate training or
18 experience in the various areas of analysis in the field for which
19 a license is being sought in a laboratory that has a license issued
20 under this chapter or which the department determines is equivalent
21 thereto.

22 (2) Have a doctoral degree from an accredited institution and
23 provide evidence of completion of two years of postdoctoral
24 training in a training program accredited by an approved accrediting
25 body for the specialty. Each applicant shall also provide evidence
26 of satisfactory performance on a written examination approved by
27 the department relevant to each limited clinical laboratory
28 scientist's license. The following accrediting bodies shall be
29 ~~deemed approved~~ *considered appropriate* for the purposes of this
30 paragraph:

31 (A) The American Board of Medical Microbiology.

32 (B) The American Board of Clinical Chemistry.

33 (C) The American Board of Medical Genetics.

34 (D) The Canadian Council of Medical Genetics.

35 (E) The American Academy of Clinical Toxicology.

36 (F) Any board approved by the United States Department of
37 Health and Human Services pursuant to paragraph (3) of subsection
38 (b) of Section 493.1443 of Title 42 of the Code of Federal
39 Regulations.

1 (c) Written documentation from the accredited training program
2 indicating an applicant's completion of the program shall constitute
3 sufficient evidence for the purposes of subdivision (b).

4 (d) Whenever a limited clinical laboratory scientist's license is
5 established for a specific area of specialization, the department
6 may issue the license without examination to applicants who had
7 met standards of education and training, defined by regulations,
8 prior to the date of the adoption of implementing regulations.

9 (e) The department shall adopt regulations to implement this
10 section.

11 SEC. 3. Section 1261.7 is added to the Business and Professions
12 Code, to read:

13 1261.7. (a) Commencing January 1, 2010, the department shall
14 issue a limited clinical laboratory scientist's license in cytogenetics
15 to any person possessing a doctoral degree from an accredited
16 institution who provides evidence of completing two years of
17 postdoctoral cytogeneticist training in a training program accredited
18 by a relevant accrediting body for the specialty. Written
19 documentation from the accredited training program indicating an
20 applicant's completion of the program shall constitute sufficient
21 evidence for this purpose. Each applicant shall also provide
22 evidence of satisfactory performance on a written examination
23 administered by the National Credentialing Agency for Laboratory
24 Personnel in the specialty of cytogenetic scientist. Written
25 documentation from the National Credentialing Agency for
26 Laboratory Personnel indicating an applicant's satisfactory
27 performance on the written examination shall constitute sufficient
28 evidence for this purpose.

29 (b) Nothing in this section shall alter the licensure requirements
30 for a limited clinical laboratory scientist pursuant to Section 1261.5.

31 SEC. 4. Section 1261.8 is added to the Business and Professions
32 Code, to read:

33 1261.8. (a) Commencing January 1, 2010, the department shall
34 issue a limited clinical laboratory scientist's license in genetic
35 molecular biology to any person possessing a doctoral degree from
36 an accredited institution who provides evidence of completing two
37 years of postdoctoral molecular biologist training in a training
38 program accredited by a relevant accrediting body for the specialty.
39 Written documentation from the accredited training program
40 indicating an applicant's completion of the program shall constitute

1 sufficient evidence for this purpose. Each applicant shall also
2 provide evidence of satisfactory performance on a written
3 examination administered by the National Credentialing Agency
4 for Laboratory Personnel in the specialty of genetic molecular
5 biologist scientist. Written documentation from the National
6 Credentialing Agency for Laboratory Personnel indicating an
7 applicant's satisfactory performance on the written examination
8 shall constitute sufficient evidence for this purpose.

9 (b) Nothing in this section shall alter the licensure requirements
10 for a limited clinical laboratory scientist pursuant to Section 1261.5.

11 SEC. 5. Section 1261.9 is added to the Business and Professions
12 Code, to read:

13 1261.9. (a) Commencing January 1, 2010, the department shall
14 issue a limited clinical laboratory scientist's license in biochemical
15 genetics to any person possessing a doctoral degree from an
16 accredited institution who provides evidence of completing two
17 years of postdoctoral training in a biochemical genetics training
18 program accredited by a relevant accrediting body for the specialty.
19 Written documentation from the accredited training program
20 indicating an applicant's completion of the program shall constitute
21 sufficient evidence for this purpose. Each applicant shall also
22 provide evidence of satisfactory performance on a written
23 examination administered by the National Credentialing Agency
24 for Laboratory Personnel in the specialty of biochemical geneticist
25 scientist. Written documentation from the National Credentialing
26 Agency for Laboratory Personnel indicating an applicant's
27 satisfactory performance on the written examination shall constitute
28 sufficient evidence for this purpose.

29 (b) Nothing in this section shall alter the licensure requirements
30 for a limited clinical laboratory scientist pursuant to Section 1261.5.

31 SEC. 6. Section 1261.10 is added to the Business and
32 Professions Code, to read:

33 1261.10. (a) Commencing January 1, 2010, the department
34 shall issue a limited clinical chemist scientist license to any person
35 possessing a doctoral degree from an accredited institution who
36 provides evidence of completing two years of postdoctoral training
37 in clinical chemistry in a training program accredited by a relevant
38 accrediting body for the specialty. Written documentation from
39 the accredited training program indicating an applicant's
40 completion of the program shall constitute sufficient evidence for

1 this purpose. Each applicant shall also provide evidence of
2 satisfactory performance on a written examination administered
3 by the American Society for Clinical Pathology, the National
4 Registry in Certified Chemistry, the American Board of Clinical
5 Chemistry, or other certification agency approved by the
6 department. Written documentation from the certification agency
7 indicating an applicant's satisfactory performance on the written
8 examination shall constitute sufficient evidence for this purpose.

9 (b) Nothing in this section shall alter the licensure requirements
10 for a limited clinical laboratory scientist pursuant to Section 1261.5.

11 SEC. 7. Section 1264 of the Business and Professions Code is
12 amended to read:

13 1264. The department shall issue a clinical chemist, clinical
14 microbiologist, clinical toxicologist, clinical molecular biologist,
15 clinical biochemical geneticist, or clinical cytogeneticist license
16 to each person who has applied for the license on forms provided
17 by the department, who is a lawful holder of a master of science
18 or doctoral degree in the specialty for which the applicant is
19 seeking a license and who has met such additional reasonable
20 qualifications of training, education, and experience as the
21 department may establish by regulations. The department shall
22 issue an oral and maxillofacial pathologist license to every
23 applicant for licensure who has applied for the license on forms
24 provided by the department, who is a registered Diplomate of the
25 American Board of Oral and Maxillofacial Pathology, and who
26 meets any additional and reasonable qualifications of training,
27 education, and experience as the department may establish by
28 regulation.

29 (a) The graduate education shall have included 30 semester
30 hours of coursework in the applicant's specialty.

31 (1) Applicants possessing only a master of science degree shall
32 have the equivalent of one year of full-time, directed study or
33 training in procedures and principles involved in the development,
34 modification or evaluation of laboratory methods, including
35 training in complex methods applicable to diagnostic laboratory
36 work. Each applicant must have had one year of training in his or
37 her specialty in a clinical laboratory acceptable to the department
38 and three years of experience in his or her specialty in a clinical
39 laboratory, two years of which must have been at a supervisory
40 level. The education shall have been obtained in one or more

1 established and reputable institutions maintaining standards
2 equivalent, as determined by the department, to those institutions
3 accredited by an agency acceptable to the department. The
4 department shall determine by examination that the applicant is
5 properly qualified. Examinations, training, or experience
6 requirements for specialty licenses shall cover only the specialty
7 concerned.

8 (2) (A) Applicants possessing a doctoral degree from an
9 accredited institution shall have the equivalent of two years of
10 postdoctoral training in a training program accredited by a relevant
11 accrediting body for the specialty. Written documentation from
12 the accredited training program indicating an applicant's
13 completion of the program shall constitute sufficient evidence for
14 this purpose. Each applicant shall also provide evidence of
15 satisfactory performance on a written examination in the applicant's
16 specialty administered by an appropriate accrediting body. Written
17 documentation from the ~~National Credentialing Agency for~~
18 ~~Laboratory Personnel~~ *accrediting body* indicating an applicant's
19 satisfactory performance on the written examination shall constitute
20 sufficient evidence for this purpose.

21 (B) For purposes of this subdivision, the following accrediting
22 bodies shall be ~~deemed~~ *considered* appropriate accrediting bodies.
23 ~~Postdoctoral training programs approved by these accrediting~~
24 ~~bodies shall be deemed approved by the department.~~

- 25 (i) The American Board of Medical Microbiology.
- 26 (ii) The American Board of Clinical Chemistry.
- 27 (iii) The American Board of Bioanalysis.
- 28 (iv) The American Board of Medical Laboratory Immunology.
- 29 (v) The American Board of Forensic Toxicology.
- 30 (vi) The American Board of Medical Genetics.
- 31 (vii) The Canadian Council of Medical Genetics.
- 32 (viii) The American Academy of Clinical Toxicology.
- 33 (ix) The American Board of Pathology.
- 34 (x) The American Board of Histocompatibility and
35 Immunogenetics.

36 (b) The department may issue licenses without examination to
37 applicants who have passed examinations of other states or national
38 accrediting boards whose requirements are equal to or greater than
39 those required by this chapter and regulations established by the
40 department. The evaluation of other state requirements or

1 requirements of national accrediting boards shall be carried out
2 by the department with the assistance of representatives from the
3 licensed groups. This section shall not apply to persons who have
4 passed an examination by another state or national accrediting
5 board prior to the establishment of requirements that are equal to
6 or exceed those of this chapter or regulations of the department.

7 (c) The department may issue licenses without examination to
8 applicants who had met standards of education and training, defined
9 by regulations, prior to the date of the adoption of implementing
10 regulations.

11 (d) The department shall adopt regulations to conform to this
12 section.

13 SEC. 8. Section 1264.1 is added to the Business and Professions
14 Code, to read:

15 1264.1. (a) Commencing January 1, 2010, the department shall
16 issue a provisional license as a clinical cytogeneticist to any person
17 possessing a doctoral degree from an accredited institution who
18 also provides evidence of completing two years of postdoctoral
19 training in cytogenetics in a training program accredited by a
20 relevant accrediting body for that specialty. Written documentation
21 from the accredited training program indicating an applicant
22 completed the program shall constitute sufficient evidence for this
23 purpose. Each applicant shall also provide evidence of satisfactory
24 performance on a written examination administered by the
25 American Board of Medical Genetics or the Canadian Council of
26 Medical Genetics in the specialty of cytogenetics. Written
27 documentation from either of these bodies indicating an applicant's
28 satisfactory performance on the written examination shall constitute
29 sufficient evidence for this purpose.

30 (b) Each person licensed pursuant to this section shall work
31 under the supervision of a laboratory director. If the licensee is
32 qualified under CLIA, he or she may perform clinical laboratory
33 tests or examinations classified as of high complexity under CLIA,
34 and shall have the duties and responsibilities of a technical
35 supervisor and general supervisor, as specified under CLIA, limited
36 to the specialty of cytogenetics.

37 (c) Any person licensed pursuant to this section shall be eligible
38 for licensure as a laboratory director within the meaning of Section
39 1209, upon the completion of two years of experience supervising
40 or performing clinical laboratory tests or examinations in clinical

1 cytogenetics in a clinical laboratory that possesses a certificate
2 issued under CLIA for performing high-complexity testing,
3 provided his or her license is not then suspended or revoked.

4 SEC. 9. Section 1264.2 is added to the Business and Professions
5 Code, to read:

6 1264.2. (a) Commencing January 1, 2010, the department shall
7 issue a provisional license as a clinical genetic molecular biologist
8 to any person possessing a doctoral degree from an accredited
9 institution who also provides evidence of completing two years of
10 postdoctoral training in molecular biology in a training program
11 accredited by a relevant accrediting body for that specialty. Written
12 documentation from the accredited training program indicating an
13 applicant completed the program shall constitute sufficient
14 evidence for this purpose. Each applicant shall also provide
15 evidence of satisfactory performance on a written examination
16 administered by the American Board of Medical Genetics or the
17 Canadian Council of Medical Genetics in the specialty of molecular
18 biology. Written documentation from either of these bodies
19 indicating an applicant's satisfactory performance on the written
20 examination shall constitute sufficient evidence for this purpose.

21 (b) Each person licensed pursuant to this section shall work
22 under the supervision of a laboratory director. If the licensee is
23 qualified under CLIA, he or she may perform clinical laboratory
24 tests or examinations classified as of high complexity under CLIA,
25 and shall have the duties and responsibilities of a technical
26 supervisor and general supervisor, as specified under CLIA, limited
27 to the specialty of genetic molecular biology.

28 (c) Any person licensed pursuant to this section shall be eligible
29 for licensure as a laboratory director within the meaning of Section
30 1209, upon the completion of two years of experience supervising
31 or performing clinical laboratory tests or examinations in genetic
32 molecular biology in a clinical laboratory that possesses a
33 certificate issued under CLIA for performing high-complexity
34 testing, provided his or her license is not then suspended or
35 revoked.

36 SEC. 10. Section 1264.3 is added to the Business and
37 Professions Code, to read:

38 1264.3. (a) Commencing January 1, 2010, the department shall
39 issue a provisional license as a clinical biochemical geneticist to
40 any person possessing a doctoral degree from an accredited

1 institution who also provides evidence of completing two years of
2 postdoctoral training in biochemical genetics in a training program
3 accredited by a relevant accrediting body for the specialty. Written
4 documentation from the accredited training program indicating an
5 applicant completed the program shall constitute sufficient
6 evidence for this purpose. Each applicant shall also provide
7 evidence of satisfactory performance on a written examination
8 administered by the American Board of Medical Genetics or the
9 Canadian Council of Medical Genetics in the specialty of
10 biochemical genetics. Written documentation from either of these
11 bodies indicating an applicant's satisfactory performance on the
12 written examination shall constitute sufficient evidence for this
13 purpose.

14 (b) Each person licensed pursuant to this section shall work
15 under the supervision of a laboratory director. If the licensee is
16 qualified under CLIA, he or she may perform clinical laboratory
17 tests or examinations classified as of high complexity under CLIA,
18 and shall have the duties and responsibilities of a technical
19 supervisor and general supervisor, as specified under CLIA, limited
20 to the specialty of biochemical genetics.

21 (c) Any person licensed pursuant to this section shall be eligible
22 for licensure as a laboratory director within the meaning of Section
23 1209, upon the completion of two years of experience supervising
24 or performing clinical laboratory tests or examinations in clinical
25 biochemical genetics in a clinical laboratory that possesses a
26 certificate issued under CLIA for performing high-complexity
27 testing, provided his or her license is not then suspended or
28 revoked.

29 SEC. 11. Section 1264.4 is added to the Business and
30 Professions Code, to read:

31 1264.4. (a) Commencing January 1, 2010, the department shall
32 issue a provisional license as a histocompatibility laboratory
33 director to any person possessing a doctoral degree from an
34 accredited institution who also provides evidence of completing
35 two years of postdoctoral training in histocompatibility and
36 immunology in a training program accredited by a relevant
37 accrediting body for the specialty. Written documentation from
38 the accredited training program indicating an applicant completed
39 the program shall constitute sufficient evidence for this purpose.
40 Each applicant shall also provide evidence of satisfactory

1 performance on a written examination administered by the
2 American Board of Histocompatibility and Immunogenetics in the
3 specialty of histocompatibility. Written documentation from that
4 board indicating an applicant's satisfactory performance on the
5 written examination shall constitute sufficient evidence for this
6 purpose.

7 (b) Each person licensed pursuant to this section shall work
8 under the supervision of a laboratory director. If the licensee is
9 qualified under CLIA, he or she may perform clinical laboratory
10 tests or examinations classified as of high complexity under CLIA,
11 and shall have the duties and responsibilities of a technical
12 supervisor and general supervisor, as specified under CLIA, limited
13 to the specialty of histocompatibility and immunology.

14 (c) Any person licensed pursuant to this section shall be eligible
15 for licensure as a histocompatibility laboratory director pursuant
16 to Section 1209.1, upon the completion of two years of experience
17 supervising or performing clinical laboratory tests or examinations
18 in histocompatibility and immunology in a clinical laboratory that
19 possesses a certificate issued under CLIA for performing
20 high-complexity testing, provided his or her license is not then
21 suspended or revoked.

22 SEC. 12. Section 1264.5 is added to the Business and
23 Professions Code, to read:

24 1264.5. The department may adopt emergency regulations in
25 accordance with the Administrative Procedure Act (Chapter 3.5
26 (commencing with Section 11340) of Part 1 of Division 3 of Title
27 2 of the Government Code) to implement Sections 1264, 1264.1,
28 1264.2, 1264.3, and 1264.4 if the department deems necessary to
29 implement these sections. The adoption of the regulations shall be
30 considered by the Office of Administrative Law to be necessary
31 for the immediate preservation of the public peace, health and
32 safety, or general welfare. The emergency regulations shall be
33 submitted to the Office of Administrative Law for filing with the
34 Secretary of State and publication in the California Code of
35 Regulations, and shall be replaced with final, permanent regulations
36 within 120 days following the date of their adoption.