

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE DEPARTMENT OF HEALTH CARE ACCESS AND INFORMATION/
OFFICE OF STATEWIDE HOSPITAL PLANNING AND DEVELOPMENT
REGARDING THE 2025 CALIFORNIA BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2 VOLUME 1
(OSHPD 04/24)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The Department of Health Care Access and Information (HCAI)/Office of Statewide Health Planning and Development (OSHPD) has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

The Department of Health Care Access and Information (HCAI)/Office of Statewide Hospital Planning and Development (OSHPD) has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

HCAI does not have authority to propose regulations that would impact local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for

making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public for a 45-day comment period from September 6, 2024 until October 21, 2024. HCAI received one comment during the 45-day comment period.

COMMENTS RECEIVED DURING THE 45-DAY COMMENT PERIOD

ITEM 1

CHAPTER 1 SCOPE AND ADMINISTRATION

DIVISION I CALIFORNIA ADMINISTRATION, SECTION 1.1 GENERAL

Commenter(s) and Recommendation:

Mia Marvell, Supervisor of the Building Standards Unit at HCAI recommends amending the language to include “Department of Health Care Access and Information (HCAI)” to clarify that HCAI is the enforcing agency.

Agency Response:

In response to the comment HCAI amended **Section 1.1.3.2**. After the 45-day comment period, HCAI made an editorial correction to its Final Express Terms. Department of Health Care Access and Information was misplaced in front of CDPH. It has been moved in front of the Office of Statewide Hospital Planning and Development.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

HCAI has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation. The proposed regulations will not have a cost impact to private persons.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

HCAI has determined that the proposed regulations will not have an adverse economic impact on small businesses. The proposed regulations are technical modifications that will provide clarification and consistency within the code.