

**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 ADMINISTRATIVE CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1
(OSHPD 01/25)**

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 Hospital 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 code changes was made available to the public for a 45-day comment period from April 3, 2026 until May 18, 2026. There was no subsequent public comment period.

One comment was received during the 45-day Public Comment Period. The comments were not specific to HCAI's proposed amendments in the California Administrative Code, Part 1, therefore, no change to the rulemaking submittal was necessary.

COMMENTS RECEIVED THAT WERE BEYOND SCOPE OF THE 45-DAY EXPRESS TERMS

Item General

No specific rulemaking item number was identified; the Subject referred to "Comments on 45-Day Proposed Regulations – California Administrative Code, Part 1; California Building Code, Part 2, Volumes 1 and 2; and California Existing Building Code, Part 10".

Commenter(s) and Recommendation:

Sandra O. Poole, Policy Advocate, Western Center on Law & Poverty, with input from birth center owners, the California Association of Licensed Midwives, and the American Association of Birth Centers – California Chapter.

Commentary was provided regarding Alternative Birthing Clinic and Alternative Birth Center issues in the California Building Code, Part 2, Volume 1. Specifically, clarification and rationale for terminology in Chapter 12 INTERIOR ENVIRONMENT, Section 1226.11 Alternative Birthing Clinics title to that used in the Health and Safety Code §1204(b)(4) to Alternative Birth Center; Section 1226.11.1.3 Nurse Call System and reference to a change in the HCAI/OSHPD Health Facility Checklist which is not in Title 24; and clarification in Section 1226.4.13.3 Clean Utility Room where no code changes are proposed in the 2025 Intervening Code Cycle.

Agency Response:

HCAI acknowledges the public comment letter. HCAI evaluated the comments and determined that no amendments were needed to the Final Express Terms as the commenter's suggestions are unrelated to the scope of HCAI's code change proposals in the California Administrative Code, Part 1.

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.