

**DEPARTMENT OF STATE HOSPITALS
REQUEST FOR EARLY EFFECTIVE DATE**

California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of Mental Health
Chapter 16. State Hospital Operations
Article 7. Admissions

The Department of State Hospitals (DSH or the Department) is requesting, pursuant to Government Code section 11343.4, subdivision (b)(3), that the effective date of these regulations be earlier than the next quarterly basis of January 1, 2018. DSH requests that the Office of Administrative Law (OAL) approve these regulations to be effective immediately upon filing with the Secretary of State.

The Department's request is based on the following good cause. These regulations were initially adopted as emergency regulations on September 16, 2016 and subsequently re-adopted twice as emergency regulations on March 15, 2017 and June 6, 2017. The regulations pertain to the admission process of defendants found Incompetent to Stand Trial (IST defendants) who are committed to the Department by the court. The regulations aim to streamline and standardize the admission process by addressing the patient queue and making clear which documents the court and county must provide to DSH to facilitate admission. As a result, the regulations are anticipated to decrease wait time for admission overall, reduce court and administrative costs and time, and continue to provide and maintain equity in the admission of IST defendants throughout the state. A delay in the effective date of these regulations could potentially cause an upset to the admission process newly instituted by the emergency regulations. Moreover, a delay could also potentially cause confusion since the emergency regulations have been modified since having been published in the California Code of Regulations. For this reason, the Department requests that the effective date be immediately upon filing with the Secretary of State to maintain a streamlined and uniform admission process, without confusion between the emergency regulations text and the final regulations text.

Good cause existing, DSH respectfully requests that, upon review, OAL approve the effective date of these regulations to be immediately effective upon filing with the Secretary of State.