



Gavin Newsom, Governor  
State of California  
Health and Human Services Agency  
**DEPARTMENT OF MANAGED HEALTH CARE**  
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**DATE:** May 6, 2019

**ACTION:** Notice of 5<sup>th</sup> Comment Period  
Title 28, California Code of Regulations

**SUBJECT:** Financial Solvency of Risk Bearing Organizations, Amending Sections 1300.75.4, 1300.75.4.1, 1300.75.4.2, 1300.75.4.5, 1300.75.4.7, 1300.75.4.8, and 1300.76 in Title 28, California Code of Regulations; Control No. 2017-5216.

**PUBLIC PROCEEDINGS:**

Pursuant to Government Code section 11346.8(c) and California Code of Regulations, Title 1, section 44, notice is hereby given that the Director of the Department of Managed Health Care ("Department") is making available to the public the text of the modified regulations, Financial Solvency of Risk Bearing Organizations, amending sections 1300.75.4, 1300.75.4.1, 1300.75.4.2, 1300.75.4.5, 1300.75.4.7, 1300.75.4.8, and 1300.76 in title 28, California Code of Regulations. **Modifications to the original text are noted by bold italicized underline and bold italicized strikeout. Please note there are no modifications to the forms incorporated by reference during this 5<sup>th</sup> comment period; however, a general information document has been added for each of the three forms. The general information documents are noted by single underline.**

The modified text is the result of information received during the 4<sup>th</sup> comment period that ended on January 22, 2019. The Department determined that the noticed changes are sufficiently related to the original text so that the public was adequately placed on notice that the changes could result from the originally proposed regulatory action. Please limit comments during the 5<sup>th</sup> comment period to only changes made during the 5<sup>th</sup> comment period.

**WRITTEN COMMENT PERIOD:**

Any interested person, or his or her authorized representative, may submit written statements, arguments or contentions (hereafter referred to as comments) relating to the proposed regulatory action by the Department. Comments must be received by the Department, Office of Legal Services, **by 5 p.m. on May 21, 2019**, which is hereby designated as the close of the written comment period.

Please address all comments to the Department of Managed Health Care, Office of Legal Services, Attention: Regulations Coordinator. Comments may be transmitted by regular mail, fax, email or via the Department's website:

Website: <http://www.dmhc.ca.gov/LawsRegulations.aspx#open>  
Email: [regulations@dmhc.ca.gov](mailto:regulations@dmhc.ca.gov)  
Mail: Department of Managed Health Care  
Office of Legal Services  
Attn: Regulations Coordinator  
980 9<sup>th</sup> Street, Suite 500  
Sacramento, CA 95814  
Fax: (916) 322-3968

Please note: if comments are sent via the website, email or fax, there is no need to send the same comments by mail delivery. All comments, including via the website, email, fax or mail, should include the author's name and a U.S. Postal Service mailing address so the Department may provide commenters with notice of any additional proposed changes to the regulation text.

Please identify the action by using the Department's rulemaking title and control number in any of the above inquiries: **Financial Solvency of Risk Bearing Organizations, Control No. 2017-5216.**

**CONTACTS:** Inquiries concerning the proposed adoption of these regulations may be directed to:

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**AVAILABILITY OF DOCUMENTS:**

The Department has prepared and has available for public review the Initial Statement of Reasons, text of the proposed regulation and all information upon which the proposed regulation is based ("rulemaking file"). This information is available by request to the Department of Managed Health Care, Office of Legal Services, 980 9<sup>th</sup> Street, Sacramento, CA 95814, Attention: Regulations Coordinator.

The Notice of Proposed Rulemaking Action, the proposed text of the regulation, and the Initial Statement of Reasons are also available on the Department's website at <http://www.dmhca.ca.gov/LawsRegulations.aspx#open> under the heading "Open Pending Regulations."

You may obtain a copy of the final statement of reasons once it has been prepared by making a written request to the Regulation Coordinator named above.

**AVAILABILITY OF MODIFIED TEXT:**

The full text of any modified regulation, unless the modification is only non-substantial or solely grammatical in nature, will be made available to the public at least 15 days before the date the Department adopts the regulation. A request for a copy of any modified regulation(s) should be addressed to the Regulations Coordinator. The Director will accept comments via the Department's website, mail, fax or email on the modified regulation(s) for 15 days after the date on which the modified text is made available. The Director may thereafter adopt, amend or repeal the foregoing proposal substantially as set forth without further notice.