

**State of California  
Office of Administrative Law**

**In re:**  
Board of Registered Nursing

**Regulatory Action:**

**Title 16, California Code of Regulations**

**APPROVED:**

**Adopt sections:**

**Amend sections:**

**Repeal sections:** 1410.1, 1419.2

**WITHDRAWN:**

**Adopt sections:**

**Amend sections:** 1483, 1493

**Repeal sections:**

**NOTICE OF APPROVAL IN PART AND  
WITHDRAWAL IN PART OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2022-0908-01**

**OAL Matter Type: Nonsubstantive (N)**

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This non-substantive action by the Board of Registered Nursing repeals regulations related to application processing times that were adopted to meet the requirements of the Permit Reform Act of 1981. The Permit Reform Act was repealed in 2003 (A.B. 1757 (Stats.2003, ch. 229, section 1.8)).

OAL approves the sections listed as APPROVED above pursuant to section 11349.3 of the Government Code.

The section(s) listed as WITHDRAWN above were withdrawn from OAL review pursuant to Government Code section 11349.3(c).

Please contact me at (916) 323-7465 or amy.gowan@oal.ca.gov, or the OAL Reference Attorney at (916) 323-6815, if you have any questions about the resubmittal process. You may request the return of your rulemaking record by contacting the OAL Front Desk at (916) 323-6225.

Date: October 20, 2022



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Amy R. Gowan  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: Loretta Melby, Executive Officer  
Copy: Marissa Clark

# NONSUBSTANTIVE

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW  
NOTICE PUBLICATION/REGULATION SUBMISSION

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2022-0908-01N</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Board of Registered Nursing			AGENCY FILE NUMBER (if any)

**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

OCT 20 2022

1:51 PM

OFFICE OF ADMIN. LAW  
2022 SEP 8 AM 10:13

### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<b>OAL USE ONLY</b>	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Processing Times (Repeal)		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
<b>SECTION(S) AFFECTED</b> (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT		
	AMEND per agency request <i>one</i>		
TITLE(S) 16	REPEAL 1410.1, 1419.2		
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal			
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Marissa Clark	TELEPHONE NUMBER 916-574-7438	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) marissa.clark@dca.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Loretta Melby</i>	DATE 9/7/2022
TYPED NAME AND TITLE OF SIGNATORY Loretta Melby, Executive Officer	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

OCT 20 2022

Office of Administrative Law

## BOARD OF REGISTERED NURSING

### Repeal of Title 16, California Code of Regulations, Section 1410.1

#### ~~§ 1410.1 Application Processing Times~~

~~(a) Within 90 calendar days of receipt of an application for original licensure as a registered nurse, provided under the provisions of section 2732.1 of the Code, the board shall inform the applicant in writing that it is either complete and accepted for filing or that it is deficient and what specific information or documentation is required to complete the application.~~

~~(b) Within 390 calendar days from the date of filing of a completed examination application for original licensure as a registered nurse, the board shall inform the applicant in writing of its decision regarding the application. This time period applies to applicants whose application is complete on the examination deadline date and who take the first available examination.~~

~~(c) Within 365 calendar days from the date of filing a completed application for original licensure as a registered nurse without examination, the board shall inform applicant in writing of its decision regarding the application.~~

~~(d) The board's actual time periods for processing an application for original licensure as a registered nurse, from the receipt of the initial application to the final decision, based on the two years preceding the proposal of this section were as follows:~~

<del>Application By Examination</del>	<del>Application Without Examination</del>
<del>Minimum – 127 days</del>	<del>Minimum – 11 days</del>
<del>Median – 183 days</del>	<del>Median – 62 days</del>
<del>Maximum – 387 days</del>	<del>Maximum – 332 days</del>

~~Time periods take into account section 1410.4(e) which provides for abandonment of incomplete applications after one year.~~

~~Note: Authority cited: Section 2715, Business and Professions Code; and Section 15376, Government Code. Reference: Section 2732.1, Business and Professions Code; and Section 15376, Government Code.~~

## BOARD OF REGISTERED NURSING

### Repeal of Title 16, California Code of Regulations, Section 1419.2

#### ~~§ 1419.2. Renewal Processing Times.~~

~~(a) Within 60 calendar days of receipt of a renewal form from a registered nurse, the board shall inform the nurse in writing that it is either complete and accepted for processing or that it is deficient and what specific information or documentation is required to complete the renewal form.~~

~~(b) Within 60 calendar days of receipt of a completed renewal form from a registered nurse, the board shall inform the nurse in writing of the renewal decision.~~

~~(c) The board's actual time periods for processing registered nurse renewals, from the receipt of the initial renewal form to the final decision, based on the two years preceding the proposal of this section were as follows:~~

<del>Minimum</del>	<del>-</del>	<del>9 days</del>
<del>Median</del>	<del>-</del>	<del>19 days</del>
<del>Maximum</del>	<del>-</del>	<del>107 days</del>

~~Note: Authority cited: Section 2715, Business and Professions Code; and Section 15376, Government Code. Reference: Section 2811, Business and Professions Code; and Section 15376, Government Code.~~