

The Rulemaking Process

The Board of Registered Nursing (Board) must follow the [rulemaking procedures](#) specified in the Administrative Procedure Act (APA) and regulations adopted by the Office of Administrative Law (OAL) when promulgating a regulation. In addition, the Board works directly with the [Department of Consumer Affairs](#) and the [Business, Consumer Services and Housing Agency](#) throughout the process. The entire process is lengthy and may take one year or longer.

Once the Board approves the initial proposed text, Board staff prepare the initial rulemaking package that is submitted for a comprehensive pre-review and approval by the following agencies which may take six months or longer:

1. Department of Consumer Affairs (DCA) – Legal Office
2. Department of Consumer Affairs (DCA) – Budget Office
3. Department of Consumer Affairs (DCA) – Legislative and Regulatory Review
4. Business, Consumer Services and Housing Agency (BCSH)

Once these agencies review and approve the initial rulemaking package, a “Notice of Proposed Action” is published and disseminated by [OAL](#) and the [Board](#). This begins a 45-day comment period to allow the public time to submit written comments. At the close of the 45-day period, a regulation hearing may be held to allow for oral comments to be submitted. After the comment period has ended and any testimony recorded, the Board will review the comments and determine if changes are necessary in the text in response to the comments.

If changes are made, the modified text must be noticed for a 15-day comment period, followed by a board review of the comments, and possible modification of the proposed regulation again (no additional regulation hearing is scheduled). If significant changes are made, the Board may start a new rulemaking process with a new 45-day comment period. The Board may withdraw a proposed rulemaking package at any time.

Whenever changes are made following a 15-day comment period, the process repeats until no additional changes are made by the Board. After any comment period, when the Board declines to modify the regulation, the Board adopts the regulation and directs staff to compile the rulemaking file.

Once the Board adopts the final regulation text, Board staff prepare a final rulemaking package that is submitted for final review and approval by the following agencies, a process that may take six months or longer.

1. Department of Consumer Affairs (DCA) – Legal Office
2. Department of Consumer Affairs (DCA) – Legislative and Regulatory Review
3. Business, Consumer Services and Housing Agency (BCSH)
4. [Department of Finance](#)
5. The Office of Administrative Law

Once approved by OAL, the regulation becomes effective on the first day of the following quarter, unless the Board requests and is granted an earlier effective date by OAL. Additional information can be found on the [OAL](#) website and by checking out the Regulations section of the [BRN](#) website.