
AGENDA ITEM 4A

Action

December 18, 2014 Commission Meeting

**Proposed Innovation (INN) Regulations:
Responses to Public Comment**

Summary: The Commission will consider comments from the public on changes made to proposed Innovation (INN) regulations on October 23, 2014.

The 45-day public comment period on the Mental Health Services Oversight and Accountability Commission (MHSOAC or Commission) INN regulations concluded at 5:00 p.m. on August 28, 2014. On October 23, 2014, the Commission voted on responses to the public comments received during the 45-day public comment period, including staff recommendations for changes to proposed INN regulations and staff recommendations to reject some public comments and retain the original language adopted by the Commission on November 21, 2013.

At the October 23, 2014 meeting, the Commission voted to modify the language of the original regulations. This modification resulted in a 15-day public comment period that ended on November 17, 2014. At its December 18, 2014, meeting, the Commission will be presented with comments received during this additional public comment period. The Commission will also be presented with Staff's recommended responses to the public comments, including proposed modifications to the language of proposed INN regulations and the rationale for the modifications.

The enclosed document, "Matrix of Public Comments with Staff's Recommended Responses," is structured to provide the information that the Office of Administrative Law (OAL) needs: public comment, the response (i.e. accept or reject the public comment), the action taken (i.e. proposed changes to the language in the proposed regulations or retain

existing language with not change), and rationale for the response. For your convenience, enclosed also are (1) a copy of the original proposed INN regulations that were approved by the Commission and published in July 2014 by OAL in the Notice Registry and (2) a copy of the proposed INN regulations that includes all changes that the Commission made in October 2014 and which were the subject of the 15-day notice.

The MHSOAC will vote on whether to accept Staff's recommendations related to changes to proposed INN regulations from the 15-day comment period: (1) reject some changes suggested by the public comments; and (2) accept some suggestions and modify the language of the proposed regulation sections.

Enclosures: (1) Recommended Changes to Proposed INN Regulations in response to public comments regarding changes made by the Commission in October 2014; (2) Matrix of Public Comments with Staff's Recommended Responses; (3) Page Index for the Matrix of Public Comments; (4) Index of Public Commenters; (5) Original Proposed INN regulations as published in July 2014.

Handouts: PowerPoint handout will be made available at the meeting.

Recommended Action: Accept Staff's recommendations.

Presenters: Filomena Yeroshek, Chief Counsel; and Dr. Deborah Lee, Consulting Psychologist.

Motions:

(1) The Commission adopts Staff's suggested changes to proposed Innovation Regulations; and

(2) The Commission adopts Staff's rejections of public comments to proposed Innovation regulations as set forth in the "Matrix of Public Comment with Staff's Suggested Responses."