

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. BOARD OF CHIROPRACTIC EXAMINERS

PROPOSED REGULATORY LANGUAGE
Delegation of Certain Functions to the Executive Officer

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| Legend: Added text is indicated with an <u>underline</u> . Deleted text is indicated by strikeout . |
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Amend Section 306 of Article 1 of Division 4 of Title 16 of the California Code of Regulations to read as follows:

§ 306. Delegation of Certain Functions to the Executive Officer.

Except for those powers reserved exclusively to the “agency itself” as set forth under the Administrative Procedure Act (Government Code section 11500 et seq.), the power and discretion conferred by law upon the Board to order examinations pursuant to Business and Professions Code section 820; to initiate, review, and prosecute accusations and statements of issues pursuant to Government Code sections 11500 through 11529, including the authority to issue default decisions where licensees have failed to file a notice of defense or to appear at a hearing, to grant motions to vacate a default decision, or to approve settlement agreements for the revocation, surrender, or interim suspension of a license; and to perform all functions necessary to the dispatch of the business of the Board in connection with investigative and administrative proceedings under the jurisdiction of the Board ~~of the board to receive and file accusations; issue notices of hearing, statements to respondent, statements of issues, subpoenas, and subpoenas duces tecum; receive and file notices of defense; set and calendar cases for hearing; certify and deliver or mail copies of decisions; and perform other functions necessary to expedite the business of the board in connection with the conduct of the proceedings mentioned in Section 305 hereof in accordance with the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, are hereby delegated to~~ and conferred upon the Executive Officer of the Board.

NOTE: Authority cited: ~~Sections 1000 4(b) and 1000 4(e), Business and Professions Code 4, Chiropractic Initiative Act of California (Initiative Measure, Stats. 1923, p. lxxxix, § 4, as amended by Stats. 1978, ch. 307, p. 636, § 1).~~ Reference: Section 4000-3, 820, Business and Professions Code, Sections 11500–11529, Government Code, and Sections 3 and 10, Chiropractic Initiative Act of California (Initiative Measure, Stats. 1923, p. lxxxix, § 3, and p. xci, § 10, as amended by Stats. 1976, ch. 263, p. 548, § 2, and Stats. 1978, ch. 307, p. 640, § 3).