

## **FINAL STATEMENT OF REASONS**

**There has been no changes or updates to the Initial Statement of Reasons.**

**Summary and Response to Comments Received During the Initial Notice Period of April 5, 2013 through June 3, 2013.**

COMMENT Number 1: Della Ging asked if there was anything about charging IDL time for doctor's appointments.

RESPONSE: There is nothing in the regulations about medical appointments. There is no proposed change to 599.758 (Medical Eligibility Determination), which states; eligibility for benefits shall be contingent upon the certification of disability by State Compensation Insurance Fund.

COMMENT Number 2: Coby Pizzotti commented that the proposed change from 264 days to 2080 is a reduction of roughly 4 days of eligibility. He wanted to know the reason for such a change.

RESPONSE: CalHR does not agree that there is a reduction in IDL eligibility. Government Code 19871 provides up to 52 weeks of the benefit (to be used within two years from the first date of disability). 52 weeks times 40 hours per week (for fulltime employees) = 2080 hours. 264 days is not mentioned in any current or proposed regulations.

COMMENT Number 3: Sherry Wilson spotted a mistake in the text of the proposed regulations in Section 599.757 (Eligibility Period) the hours are written as 080 and should be 2080. She also had a question about tracking the first 22 days, currently missing only 1 hour during the first 22 days counts as 1 day of eligibility. With the change to tracking hours, is that going to change? Will 1 hour now count as 1 hour and not 1 day towards the first 22 days? And finally she asked if we were going to update the STD 618s to clarify hours instead of days?

RESPONSE: CalHR thanks Sherry for catching that typographical error. Clearly we meant to type 2080 hours NOT 080 hours. Secondly, with the proposed change of tracking hours instead of days, the first 22 days will be counted as 176 hours (for fulltime employees), so yes, 1 hour of lost time during the first 22 days will count as 1 hour against the first 176 hours of the total 2080 hours of eligible benefits. Finally, CalHR does not intend to update the STD 618s form.

COMMENT Number 4: Brian Caldeira sent an acknowledgment of receipt of the Notice of Proposed Rulemaking, and informed CalHR that the correspondence was forwarded to the legal department. There were no further comments from Mr. Calderia or anyone else at SEIU.

RESPONSE: None required.

COMMENT Number 5: Linda Willat thinks there might be a typo regarding the specific number of hours (should be 2080 but reads 080).

RESPONSE: CalHR thanks Linda for catching that typographical error.

**The text of the Proposed Regulation 599.757 (Eligibility Period) was corrected from 080 hours to 2080 hours. No other changes were made.**

### **Alternatives Determination**

CalHR determined that no alternative would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected persons than the proposed regulation.

### **Local Mandate Determination**

The proposed regulations do not impose any mandate on local agencies or school districts.