

**STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION**

**FINAL STATEMENT OF REASONS AND
UPDATED INFORMATIVE DIGEST**

Subject Matter of Regulations: Official Medical Fee Schedule - Physician Services

**TITLE 8, CALIFORNIA CODE OF REGULATIONS
Section 9789.11**

The Acting Administrative Director of the Division of Workers' Compensation, pursuant to the authority granted by Labor Code Sections 59, 133, 4603.5, 5307.1, and 5307.3 has amended Section 9789.40 of Article 5.3 of Chapter 4.5, Subchapter 1, of Title 8, California Code of Regulations:

Section 9789.11 Physician Services Rendered on or After July 1, 2004

UPDATED INFORMATIVE DIGEST

The Administrative Director incorporates the Informative Digest prepared in this matter. There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Regulatory Action.

UPDATE OF INITIAL STATEMENT OF REASONS

The Administrative Director incorporates the Initial Statement of Reasons prepared in this matter. The purposes and rationales for the regulations as set forth in the Initial Statement of Reasons continue to apply. There were no changes to the proposed regulations as published in the California Regulatory Notice Register.

THE FOLLOWING SECTIONS WERE AMENDED FOLLOWING THE PUBLIC HEARING:

None

UPDATE OF MATERIAL RELIED UPON

Additional documents beyond those identified in the Initial Statement of Reasons, relied upon by the Administrative Director or taken into consideration when finalizing the regulation, include:

1. Public comments submitted before the end of the public comment period.
2. Transcript of testimony of the January 24, 2007, public hearing.

CONSIDERATION OF ALTERNATIVES

The Division considered all comments submitted during the public comment periods, and made modifications based on those comments to the regulations as initially proposed. The Administrative Director has now determined that no alternatives proposed by the regulated public or otherwise considered by the Division of Workers' Compensation would be more effective in carrying out the purpose for which these regulations were proposed, nor would they be as effective as and less burdensome to affected private persons and businesses than the regulations that were adopted.

SUMMARY OF COMMENTS RECEIVED AND RESPONSES THERETO CONCERNING THE REGULATIONS ADOPTED

The summaries and responses to comments of each organization or individual which were received during the 30 day comment period or testified at the public hearing are contained in the rulemaking file and are incorporated by reference herein.

The public comment period was as follows:

A comment period on proposed regulations: December 14, 2006 through January 24, 2007.