

**COMMISSION ON STATE MANDATES**

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July 10, 2015

Lisa Mierczynski  
Department of Finance  
915 L Street  
Sacramento, CA 95814

*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

Re: **Notice of Complete Filing and Schedule for Comments**  
Mandate Redetermination Request, 14-MR-05  
*Behavioral Intervention Plans (CSM-4464)*  
California Code of Regulations, Title 5, Sections 3001 and 3052,  
as added or amended by Register 93, No. 17; Register 96, No. 8;  
Register 96, No. 32  
As Alleged to be Modified by Statutes 2013, Chapter 48 (AB 86)  
California Department of Finance, Requester

Dear Ms. Mierczynski:

On June 30, 2015 the Department of Finance filed a request to adopt a new test claim decision to supersede the prior decision on the above-named matter. Upon initial review, Commission on State Mandates (Commission) staff finds the request to be complete. The request is posted at [http://www.csm.ca.gov/pub\\_comment.shtml](http://www.csm.ca.gov/pub_comment.shtml) on the Commission's website. The Commission is now requesting parties, interested parties, and interested persons to comment on the mandate redetermination request as specified below.

**Review of Mandate Redetermination Request**

All parties, interested parties, and interested persons have the opportunity to review and provide written comments concerning the request on or before **August 10, 2015**. Requests for extensions of time may be filed in accordance with sections 1187.9(a) of the Commission's regulations.

Please focus your comments on the legal issue of whether the state's liability has been modified based on a subsequent change in law. (See generally Gov. Code § 17570 and Cal. Code Regs., tit. 2, §1190.1 et seq.)

**Rebuttal**

Pursuant to section 1190.3 of the Commission's regulations, parties and interested parties may file rebuttals to the written comments within 30 days of service of the comments.

**Tentative Hearing Date**

This matter is tentatively scheduled for hearing on **December 3, 2015**. Approximately eight to ten weeks prior to that date, Commission staff will issue the first hearing draft proposed decision for review and comment.

Ms. Lisa Mierczynski

July 10, 2015

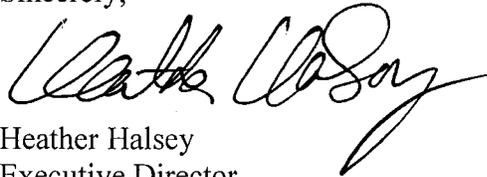
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**Process for Filing Comments**

The Commission has promulgated a mailing list of parties, interested parties, and interested persons for this mandate redetermination request which is available on the Commission's website at [www.csm.ca.gov](http://www.csm.ca.gov).

You are advised that comments filed with the Commission are required to be simultaneously served on everybody on the mailing list, and to be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing your documents on the Commission's website. For instructions on electronic filing, please see the Commission's website at [http://www.csm.ca.gov/dropbox\\_procedures.shtml](http://www.csm.ca.gov/dropbox_procedures.shtml). The comments will be posted on the Commission's website and the mailing list will be notified by electronic mail of the posting and the comment period. This procedure will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.3.

Sincerely,



Heather Halsey  
Executive Director

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On July 10, 2015, I served the:

**New Filing; and Notice of Complete Filing and Schedule for Comments**

Mandate Redetermination Request, 14-MR-05

*Behavioral Intervention Plans (CSM-4464)*

California Code of Regulations, Title 5, Sections 3001 and 3052,

as added or amended by Register 93, No. 17; Register 96, No. 8;

Register 96, No. 32

As Alleged to be Modified by Statutes 2013, Chapter 48 (AB 86)

California Department of Finance, Requester

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 10, 2015 at Sacramento, California.



Jill L. Magee

Commission on State Mandates

980 Ninth Street, Suite 300

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 7/8/15

**Claim Number:** 14-MR-05

**Matter:** Behavioral Intervention Plans (CSM-4464)

**Requester:** Department of Finance

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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