

COURT REPORTERS BOARD OF CALIFORNIA

INITIAL STATEMENT OF REASONS

Hearing Date: June 11, 2015

Subject Matter of Proposed Regulations: Scope of Practice

(1) Section(s) Affected: Title 16, Section 2403(b)(3)

The Court Reporters Board of California is tasked with protection of the California consumer by oversight of the court reporting industry. With this regulation amendment the Board seeks to correct an inconsistency in language.

Specific Purpose of each adoption, amendment, or repeal

1. Problem being addressed: There is a lack of clarity regarding the notification requirements referred to in the existing regulation, creating confusion for some licensees.
2. Anticipated benefits from this regulatory action: By making specific the language with regard to notification of expedited transcript orders, the expressed confusion will be alleviated. Having a clear regulation will enable the licensee to understand his/her duties and obligations and help the Board with its enforcement efforts.

Factual Basis/Rationale

1. Upon the passage in 2014 of the Scope of Practice Regulations, a request for clarification was received by the Board as regards the notification requirements as reflected in the existing regulation. This amendment would make specific the language with regard to requests for expedited delivery, thus alleviating any confusion in the industry.

Underlying Data

No technical, theoretical or empirical studies were relied upon.

Business Impact

X

This regulation will not have a significant adverse economic impact on businesses. This initial determination is based on the following facts or evidence/documents/testimony:

The regulation change is technical in nature, intended only to clarify the definition of the scope of practice of court reporting.

This regulation may have a significant adverse economic impact on businesses. It might impact the following types of businesses:

It would impose the following reporting, recordkeeping, or other compliance requirements: _____

Description of alternatives which would lessen any significant adverse impact on business (which includes small business):

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the state of California because it is a technical change offered for clarification within the industry.
- It will not create new business or eliminate existing businesses within the state of California because it is a technical change offered for clarification within the industry.
- It will not affect the expansion of businesses currently doing business within the state of California because the change to the section is for clarification only.
- This regulatory proposal benefits the health and welfare of California residents because it reduces confusion as to the duties and obligations of a court reporter, allowing the Board to be more efficient with regards to its enforcement efforts.
- This regulatory proposal does not affect worker safety because it does not directly involve the workplace.
- This regulatory proposal does not affect the state’s environment because it is a technical change offered for clarification within the industry.

<p>Proposed after January 1, 2013:</p> <p><u>Economic Impact for “Major Regulations”</u></p> <p>____n/a____ Standardized Regulatory Analysis</p>
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Specific Technologies or Equipment

- This regulation does not mandate the use of specific technologies or equipment.
- This regulation mandates the use of specific technologies or equipment. Such mandates or prescriptive standards are required for the following reasons:

Consideration of Alternatives

Alternative No. 1: Allow the status quo to remain.

This alternative allows the existing confusion among some licensees to remain. A lack of clarity may result in inconsistent practice within the court reporting industry, which makes it difficult for consumers to know what to expect as well as complicating enforcement efforts by the Board.

Alternative No. 2: Clarification of existing statutes can be made via the regulatory process. This alternative is good for the industry as it alleviates any confusion, which is important to the California consumer as it ensures the Board will be able to fully investigate complaints and act on violations. The proposed change by amendment to the regulation is the best alternative.