

## **THE FULL PROCESS FOR REGULATION ADOPTION**

- A. The need for consideration of new or amended regulations affecting environmental laboratories is determined by:
  - 1) Statutory requirements
  - 2) Changes in laboratory technology
  - 3) Need for improvements or revisions in regulatory procedures
  - 4) Clarification of current regulations
  - 5) Requests/Petitions from the public or regulated industry for changes.
- B. When a need is identified, LFS will post on its web site a brief summary of the need and will commence developing a preliminary draft.
- C. When the preliminary draft is documented, the draft will be posted on LFS's web site.
- D. Any comments received from the public or regulated industry will be considered prior to submitting a request to the DHS Office of Regulations for a regulation proposal tracking number. The tracking number consists of the letter "R" followed by a number indicating the sequence of the proposal in the DHS regulations for the year initiated (xx), and a number consisting of the last two digits of the year of initiation. If the proposal is an emergency regulation proposal, the letter "E" (R-xx-yy E) is appended as a suffix.
- E. When LFS has developed a formal draft, it will be submitted to the Office of Regulations for review.
- F. The Office of Regulations reviews the draft to determine suitability and compliance with the Administrative Procedure Act and Office of Administrative Law requirements, then forwards a copy of the proposal to the Office of Legal Services. Any suggested changes from the Office of Regulations are referred back to LFS for consideration and change.
- G. The Office of Legal Services reviews the draft. Any suggested changes are referred back to LFS for consideration and change.
- H. The Office of Regulations forwards the draft (including any changes accepted by LFS thus far) to the Budget Section for review. Any questions and/or suggested changes are referred back to LFS for consideration and change.
- I. After the Budget Section has reviewed and accepted the draft, it is forwarded to the Health and Welfare Agency for review and approval.
- J. After approval by the Health and Welfare Agency, the draft is forwarded to the Department of Finance (DOF) for approval, if any fiscal impact is involved.

***Following DOF approval, the proposal is transmitted by Office of Regulations to the Director for either approval of the formal public notice, or for adoption and subsequent public notice (if an emergency regulation).***