

FINDING OF EMERGENCY

Health and Safety Code (HSC) Section 124977(d) authorizes the California Department of Public Health to adopt emergency regulations to implement and make specific this Subchapter 9 (Testing For Heritable Disorders) Group 6 (California Biobank Program) in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. HSC Section 124977(d) (1) specifies that the adoption shall be deemed an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, these emergency regulations shall not be subject to the review and approval of the Office of Administrative Law (OAL). Notwithstanding Sections 11346.1 and 11349.6 of the Government Code, the Department shall submit these regulations directly to the Secretary of State for filing. The regulations shall become effective immediately upon filing by the Secretary of State. The regulations shall be subject to public hearing within 120 days of filing with the Secretary of State and shall comply with Sections 11346.8 and 11346.9 of the Government code. HSC Section 124977(d) specifies that the Office of Administrative Law shall provide for the printing and publication of these regulations in the California Code of Regulations and these regulations shall not be repealed by OAL and shall remain in effect until revised or repealed by the Department.