

**COMMISSION ON STATE MANDATES**

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February 11, 2011

Ms. Juliana Gmur  
MAXIMUS  
2380 Houston Ave  
Clovis, CA 93611

*And Interested Parties and Affected State Agencies (See Mailing List)*

**RE: Proposed Parameters and Guidelines**  
*Domestic Violence Background Checks, 01-TC-29*  
Penal Code Section 273.75  
Statutes 2001, Chapter 713 (AB 1129)  
County of Alameda, Claimant

Dear Ms. Gmur:

The proposed parameters and guidelines for this matter are enclosed for your review and comment.

**Background**

On July 27, 2007, the Commission on State Mandates adopted and issued the Statement of Decision for the above-named program. Pursuant to Government Code section 17557, the claimant was required to submit parameters and guidelines on or before August 31, 2007. On March 30, 2008 and June 25, 2008, the Commission notified the claimant that parameters and guidelines were due and had not yet been filed. On June 26, 2008, the claimant representative notified the Commission that claimant was working with Department of Finance on a joint reasonable reimbursement methodology (RRM).

**Process for Reasonable Reimbursement Methodology**

Government Code section 17557.1 authorizes claimants and Department of Finance to notify the Commission in writing within 30 days of adoption of a Statement Decision that they will be jointly developing a RRM in lieu of parameters and guidelines. The letter of intent must include the date on which the claimant and Finance will submit a plan to ensure that costs from a representative sample of eligible local government claimants are considered in developing the RRM. The plan shall include:

- The date the claimant and Finance will submit an information update on their progress in developing the RRM.
- The date the claimant and Finance will submit the proposed RRM. This date shall be no later than 180 days after the date of the letter of intent.

Upon request of the claimant and Finance, the Commission may provide for up to four extensions of this 180-day period.

The claimant and Finance may notify the Commission at any time that they no longer intend to develop a RRM. If this occurs, the Commission shall notify claimant that they are required to submit parameters and guidelines within 30 days.

The parties have not adhered to the RRM process for this matter. Claimant indicated a plan would be submitted on August 15, 2008; however, no plan was submitted. The proposed RRM was not submitted to the Commission within 180 days, no requests for extensions were requested, and no notice to claimants requesting submittal of parameters and guidelines was issued. Therefore, since the deadline for submitting a joint RRM has passed, the Commission is setting the hearing to adopt parameters and guidelines for this program.

### **Written Comments**

To expedite the process for adopting parameters and guidelines, section 1183.12 of the Commission's regulations authorize the Commission to draft the parameters and guidelines in order to assist the claimant. The proposed parameters and guidelines drafted by Commission staff are enclosed.

Any party or interested person may file written comments on the proposed parameters and guidelines by **March 14, 2010**. Comments filed with the Commission are required to be simultaneously served on the other interested parties on the mailing list, and to be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing documents on the Commission's website. Please see the Commission's website at <http://www.csm.ca.gov/dropbox.shtml> for instructions on electronic filing. (Cal. Code Regs., tit. 2, § 1181.2.) If you would like to request an extension of time to file comments, please refer to section 1183.01, subdivision (c)(1), of the Commission's regulations.

### **Hearing**

This matter is set for hearing on **Thursday, July 28, 2011**, at 9:30 a.m. in Room 447 of the State Capitol, Sacramento, California. The final staff analysis will be issued on or about July 14, 2011. Please let us know in advance if you or a representative of your agency will testify at the hearing, and if other witnesses will appear. If you would like to request postponement of the hearing, please refer to section 1183.01, subdivision (c)(2), of the Commission's regulations.

Please contact Nancy Patton at (916) 323-8217 if you have questions.

Sincerely,



Drew Bohan  
Executive Director