

DEPARTMENT OF CONSUMER AFFAIRS  
**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS**  
**DIVISION 39.**  
**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
**Fees**

**NOTICE IS HEREBY GIVEN** that the California Board of Occupational Therapy (hereafter Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

### **PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

### **WRITTEN COMMENT PERIOD**

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than 5:00 pm on May 26, 2026**, or must be received by the Board at the hearing, should one be scheduled.

### **AUTHORITY AND REFERENCE**

Pursuant to the authority vested by sections 122, 144, 163.5, and 2570.20 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 134, 144, 161, 462, 703, 2570.5, 2570.9, 2570.10, 2570.11, 2570.16, and 2570.17, the Board is considering amending section 4130 of title 16 of the California Code of Regulations (CCR)<sup>1</sup>.

### **INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

#### Summary of Existing Laws and Effect of the Proposed Action

The Board is the regulatory entity that oversees and regulates the practice of occupational therapy in the State of California. Existing law, BPC section 2570.25,

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<sup>1</sup> All CCR references are to Title 16 unless otherwise noted.

mandates protection of the public shall be the highest priority of the Board in exercising its licensing, regulatory, and disciplinary functions.

Existing law, BPC Section 2570.20, establishes that the Board shall administer, coordinate, and enforce the Occupational Therapy Practice Act (BPC sections 2570 - 2572, the "Act") and shall adopt rules necessary to effectuate the purpose of the Act. BPC section 2570.16 prescribes and establishes the statutory limits for the fees that the Board may charge and collect for each of the professions under the regulatory jurisdiction of the Board.

This regulatory proposal will amend section 4130 of Division 39 of the CCR, increasing the Board's renewal fees. This will in turn affect the delinquency fees which are one-half of the renewal fees. Similarly, initial license fees will be amended because they are prorated based on the renewal fees. The purpose of amending CCR section 4130 is to address the structural imbalance in the Board's fund and to ensure future fiscal solvency so the Board can maintain its level of service, enforcement, and public protection. Analysis of the Board's fund condition confirms the Board must implement budgetary adjustments by addressing fees among all professions it regulates to protect the Board's fund from becoming insolvent in Fiscal Year (FY) 2028-29.

The Board is seeking to increase the fees charged and collected by the Board for an initial license and renewal of a license. The fee increases are necessary to help alleviate the structural imbalance that the Board is facing, due in part to the rising cost of operational expenses, while ensuring that the Board has sufficient funding to meet its consumer protection mandate and mission.

### **Anticipated Benefits of Proposal**

This regulatory proposal will benefit the health and welfare of California residents as it allows the Board to continue to protect consumers through licensing and enforcement activities. This regulatory proposal does not affect worker safety or the state's environment. This regulatory proposal seeks to amend the Board's fee schedule in CCR section 4130 to help ensure the Board has sufficient funding to meet its consumer protection mandate while also meeting the Board's mission to protect the public's safety and property by promoting standards for competence and integrity through licensing and regulating the Board's professions.

The Board anticipates the proposed fee structure will help reduce the structural imbalance of the Board's fund. This will help the Board remain solvent, align fees with the full cost of operational services, and facilitate the effective administration of the Board while meeting the needs of the public, applicants, and licensees. The proposed fees will apply to the initial and renewal of licenses that expire after the effective date of the regulatory amendments and all other specified fees apply as of the effective date of the regulatory amendments.

The Board must take immediate action to raise the regulatory fees it collects to

increase the Board's revenue and have funding available to continue the Board's daily functions, enforcement, and licensing operations without interruption.

### **Evaluation of Consistency and Compatibility with Existing State Regulations**

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

### **INCORPORATION BY REFERENCE**

There are no forms or documents incorporated by reference.

### **DISCLOSURES REGARDING THIS PROPOSED ACTION**

#### **FISCAL IMPACT ESTIMATES**

#### **Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:**

The Board estimates the proposed regulations will increase revenues by approximately \$497,000 per year and up to \$4.97 million over a ten-year period.

Because the Board currently charges the fee types being adjusted in this proposal and performs workload associated with these programs and fees, no additional workload and costs are anticipated.

The Board estimates one-time information technology (IT) costs of \$1,000 to update cashiering and accounting software. Any IT costs will be absorbed within existing resources.

The regulations do not result in any costs or savings in federal funding to the state.

#### **Nondiscretionary Costs/Savings to Local Agencies:**

None

#### **Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement:**

None

#### **Mandate Imposed on Local Agencies or School Districts:**

None

## Significant Effect on Housing Costs:

None

## BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulations will not have a significant statewide adverse economic impact on businesses, including the ability to compete with other businesses in California, because the fee increases are considered to be minor compared to the income of most applicants and licensees in this profession.

**Cost Impact on Representative Private Person or Business:** The regulations will increase Board fees as follows:

### Occupational Therapists:

- Initial License fees: Prorated per CCR 4120 (a)(1) and based on biennial renewal fees
- Biennial renewal fees (active/inactive): From \$270 to \$300
- Delinquency fees: From \$135 to \$150

### Occupational Therapy Assistants:

- Initial License fees: Prorated per CCR 4120 (a)(1) and based on biennial renewal fees.
- Biennial renewal fees (active/inactive): From \$210 to \$300
- Delinquency fees: From \$105 to \$150

The proposed regulations are estimated to increase costs to licensees by approximately \$497,000 per year and up to \$4.97 million over a ten-year period. Please see the Initial Statement of Reasons for additional information.

## RESULTS OF ECONOMIC IMPACT ANALYSIS

### Impact on Jobs/New Business:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses, or the elimination of jobs or existing businesses, or the expansion of businesses in the State of California.

### Benefits to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

This regulatory proposal will benefit the health and welfare of California residents as it allows the Board to continue to protect consumers through licensing and enforcement activities. This regulatory proposal does not affect worker safety or the state's environment. This regulatory proposal seeks to amend the Board's fee schedule in CCR section 4130 to help ensure the Board has sufficient funding to meet its consumer protection mandate while also meeting the Board's mission to

protect the public's safety and property by promoting standards for competence and integrity through licensing and regulating the Board's professions. Adoption of this proposed action will provide transparency, enhance and make more efficient the administration, coordination, and enforcement of the Occupational Therapy Practice Act and promote the Board's mandate to protect the health, safety, and welfare of California consumers.

**Business Reporting Requirements:** The regulatory action does not require businesses to file a report with the Board.

### **Effect on Small Business:**

While the Board does not have nor does it maintain data to define if any of its licensees are a "small business" as defined in Government Code section 11342.610, the Board has made an initial determination that any adverse economic impact will not be significant for small businesses, because the increased expense to any business, small or otherwise, is not more than \$15 to \$90 per year.

## **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative to the regulation has otherwise been identified and brought to its attention that would either be more effective, in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to affected private persons, than the proposal described in this Notice; or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing, relevant to the above determinations at California Board of Occupational Therapy, 1610 Arden Way, Suite 121, Sacramento, CA 95815, during the written comment period identified in this Notice, or at a hearing if such a request is made by the public.

## **AVAILABILITY OF INITIAL STATEMENT OF REASONS AND RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this Notice.

## **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulation, and any document incorporated by reference, and the initial statement of reasons, and all the information upon which the proposal is based, may be obtained from the contact person listed below.

## **AVAILABILITY OF CHANGED OR MODIFIED TEXT:**

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

## **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Persons named below or by accessing the website listed below.

## **CONTACT PERSON:**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Ranjila Sandhu  
Address: California Board of Occupational Therapy  
1610 Arden Way, Suite 121  
Sacramento, CA 95815  
Telephone No.: (916) 263-2294  
Email Address: [CBOT@dca.ca.gov](mailto:CBOT@dca.ca.gov)

The backup contact person is:

Name: Jody Quesada Novey

[Same contact information as above]

## **AVAILABILITY OF DOCUMENTS ONLINE**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, if any, as well as the Final Statement of

Reasons when completed, and modified text, if any, can be accessed through the Board website at [https://bot.ca.gov/board\\_activity/laws\\_regs/prop\\_regulations.shtml](https://bot.ca.gov/board_activity/laws_regs/prop_regulations.shtml).