

TITLE 4. CALIFORNIA STATE ATHLETIC COMMISSION

NOTICE IS HEREBY GIVEN that the California State Athletic Commission (hereinafter "commission") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held:

September 12, 2016 - 10:00 a.m.
Department of Consumer Affairs
Donner Lake Room - 2nd Floor
2005 Evergreen Street
Sacramento, CA 95815

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the commission at its office not later than 5:00 p.m. **September 12, 2016**, or must be received by the commission at the hearing. The commission, upon its own motion or at the instance 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 will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Business Code section 18611 authorizes the Commission to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific sections 18611, 18640, 18725 and 18728 of the Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The CSAC is responsible for protecting the health and safety of athletes competing in the combative sports. The proposed regulation is necessary in order to have an immediate effect in providing a safer weigh-in procedure as well as testing of athletes for severe dehydration prior to a bout. It will help prevent athletes from using severe dehydration as a method to make the contracted bout weight. The proposed regulation allows the CSAC appointed ringside physicians to test athletes for dehydration and to remove a contestant from a fight if the athlete is deemed to be severely dehydrated. Also, the proposed regulation prohibits the use of intravenous therapies to regain hydration after a weigh-in.

Current laws and regulations govern hydration of athletes competing in regulated sports, including time of hydration, weigh-ins, and physical testing; however, the CSAC has determined that due to the increase in the practice of dangerous weight cutting, it is immediately necessary for the CSAC to amend its regulation, to help prevent athletes from using severe dehydration as a method to make the contracted bout weight at events regulated by the CSAC.

Revised 7/22/16

This proposal helps protect the health and safety of the participant and is necessary to maintain essential health and safety practices for athletes.

Amend Section 297: The proposed changes to section 297 provide a safer weigh in procedure for athletes competing in commission regulated sports. Currently, athletes weigh in 24 hours before the competition and often lose unsafe amounts of weight resulting in severe dehydration. This proposal would allow the commission to weigh in athletes up to 30 hours before the scheduled bout.

Adopt Section 299 (a): This proposal requires that athletes may only rehydrate orally. The use of intravenous therapies to regain weight after the weigh-in is prohibited. Any use of intravenous therapies to rehydrate shall result in the athlete being prohibited from competing.

Adopt Section 299 (b): This proposal permits the Commission to require a urine sample if needed on an athlete to test for specific gravity to determine hydration levels.

Amend Section 300: This proposal requires Commission appointed ringside physicians to test for signs of dehydration during the pre fight physical.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

The commission has conducted an evaluation for any other regulations on this area and has concluded that these are the only regulations concerning Weighing Time, Dehydration and Rehydration, and Time for Examinations. Therefore, the proposed regulations are neither inconsistent nor incompatible with any other existing state regulations.

FISCAL IMPACT ESTIMATES

Mandate on local agencies or school districts: **None.**

Cost or savings to any state agency: **None.**

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: **None.**

Other nondiscretionary cost or savings imposed on local agencies: **None.**

Cost or savings in federal funding to the state: **None.**

Cost impacts on a representative private person or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The CSAC has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: **None.**

EFFECT ON SMALL BUSINESS

The commission has determined that the proposed regulations would not affect small businesses because the proposal changes the time of weigh-ins, bans the use of intravenous therapies to regain weight after the weigh-in, and allows ringside physicians to test for dehydration prior to competition which would be done during the pre-fight physical. None of these changes will affect small businesses.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The commission has derived that this proposal will affect the State of California business environment as follows:

- Unlikely to eliminate any jobs, including for health care professionals
- Unlikely to create jobs, including for health care professionals
- Unlikely to create new businesses
- Unlikely to eliminate any existing businesses
- Unlikely to expand current business

Benefits of the Proposed Action: This proposal helps protect the health and safety of the participant and is necessary to maintain essential health and safety practices for athletes.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, 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 present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The commission has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, any document incorporated by reference and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California State Athletic Commission at 2005 Evergreen Street, Suite 2010, Sacramento, California 95815.

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 person named below or by accessing the website listed below.

CONTACT PERSON

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

Name: Sophia Cornejo
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The backup contact person is:

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Website Access: Materials regarding this proposal can be found at <http://www.dca.ca.gov/csac>.