

**CALIFORNIA DEPARTMENT OF JUSTICE**

**TITLE 11. LAW**

**DIVISION 1. ATTORNEY GENERAL**

**CHAPTER 8.5. CONTROLLED SUBSTANCE UTILIZATION REVIEW AND  
EVALUATION (CURES)**

**NOTICE OF SECOND MODIFICATION TO TEXT OF PROPOSED REGULATIONS  
AND MODIFICATION TO DOCUMENTS INCORPORATED BY REFERENCE**

Notice published May 26, 2022

Pursuant to the requirements of Government Code section 11346.8, subdivision (c), and section 44 of Title 1 of the California Code of Regulations, the Department of Justice (Department) is providing notice of changes made to proposed regulations sections 820, 821.2, 821.4, 824.6, 825.3, 825.4, 826.6, 827.1, 827.6, 828.4, 828.6, 829.2, and 830.2. The Department is proposing changes to the following documents incorporated by reference:

1. Department of Justice (DOJ) Consent for Use of Personal Information from CURES, CURES 0001 (Orig. 07/2021)
2. DOJ CURES Information Exchange Web Service Onboarding Questionnaire, CURES 0002 (Rev. 07/2021)
3. DOJ Research Center (DOJRC) Researcher Confidentiality and Non-Disclosure (CND) Agreement, DOJRC 0003 (Orig. 07/2021)
4. CURES Information Practices Act Individual Request Form, CURES 101 (Rev. 07/2021)
5. CURES Information Practices Act Representative Request Form, CURES 201 (Rev. 07/2021)
6. DOJ CURES Information Exchange Web Service Overview (Orig. 11/2021)
7. DOJRC Researcher Data Access User Agreement, DOJRC 0002 (Orig. 07/2021)
8. DOJRC Security Variance Form for Data Access Non-Compliance of Security Requirements, DOJRC 0001 (Orig. 07/2021)

The Department is adding the following documents to be incorporated by reference:

1. NIST Special Publication 800-171, Revision 2, Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations (February 2020)
2. 45 Code of Federal Regulations part 162.103 (10-1-20 Edition)
3. 45 Code of Federal Regulations part 160.103 (10-1-20 Edition)
4. 45 Code of Federal Regulations part 164.514, subdivision (b)(2)(i), (10-1-20 Edition)

The Department is repealing the following document incorporated by reference:

1. 45 Code of Federal Regulations part 160.103 (10-1-19 Edition)

These proposed regulations and the specified associated documents incorporated by reference were originally the subject of a Notice of Proposed Rulemaking published in the California Register (Register 2021, No. 36-Z) on September 3, 2021 as file number 2021-0824-01, and the subject of a public hearing on October 20, 2021. The Department reviewed all comments received during the public comment period. In response to the public comments, and to clarify the regulations as originally proposed, on December 15, 2021, the Department posted on its website notice of modifications to the regulations and a form incorporated by reference. Public comments on the modified regulations and form were accepted until January 3, 2022. The Department has further revised the proposed regulations in response to comments from the Office of Administrative Law and to clarify the regulations, forms, and added documents incorporated by reference. A copy of the proposed changes, forms, and added documents are attached to this notice.

Changes made during this second 15-day comment period are illustrated by **bold double underline** for proposed additions and ~~**bold double strikethrough**~~ for proposed deletions.

Beginning May 26, 2022, these documents will be available for public inspection on the Department's website at <https://oag.ca.gov/jdis/regs#cures> or by request to the Department's contact information listed below.

If you have any comments regarding the proposed changes or additional documents, the Department will accept written comments between May 26, 2022 and June 12, 2022. All written comments must be submitted to the Department no later than 11:59 p.m. on June 12, 2022, and addressed to:

Department of Justice  
Justice Data and Investigative Services Bureau  
Attn: Haylee James  
P.O. Box 160447  
Sacramento, CA 95816-0608  
(916) 210-3180  
[CURESregulations@doj.ca.gov](mailto:CURESregulations@doj.ca.gov)

All written comments received by June 12, 2022, which pertain to the indicated changes and above-listed documents will be reviewed and responded to by the Department's staff as part of the compilation of the rulemaking file. Please limit your comments to the modifications to the text and above-listed documents.

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

The originally proposed regulation, this notice, the proposed changes, and other documents related to this rulemaking are available on the Department's website at <https://oag.ca.gov/jdis/regs#cures>. Other documents related to this rulemaking are available to the public upon a request to the Department using the contact information above.