State of California
Office of Administrative Law

In re:
Department of Corrections and Rehabilitation

Regulatory Action:

Title 15, California Code of Regulations

Adopt sections: 3418
Amend sections:
Repeal sections:

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL Matter Number: 2026-1002-02

OAL Matter Type: Regular (S)

In this rulemaking action, the Department of Corrections and Rehabilitation adopts a new section to address the annual tuberculosis screening requirement, pursuant to Penal Code section 6007.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 11/16/2026.

Thanh Huynh

Digitally signed by Thanh Huynh
Date: 2026.11.16 09:17:40 -08'00'

Date: November 16, 2026

Thanh Huynh
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Jeffrey Macomber, Secretary
Copy: Robin Hart

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REGULAR

STATE OF CALIFORNIA - OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATION SUBMISSION

(See instructions on reverse)

STD. 400 (REV. 01-2013)

For use by Secretary of State only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

NOV 16 2026

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2026-0127-06	2026-1002-02S	

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMINISTRATIVE LAW

Electronic Submission

OFFICE OF ADMIN. LAW
2025 OCT 2 - 3:12

RECVED DATE	PUBLICATION DATE
01/27/2026	02/06/2026
NOTICE	REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
California Department of Corrections and Rehabilitation

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
Tuberculosis Testing	15	3418	02/06/2026

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
[X] Notice re Proposed Regulatory Action [ ] Other	Robin Hart	(916) 691-0323	

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	[ ] Approved as Submitted [ ] Approved as Modified [ ] Disapproved/ Withdrawn	2026,06-2	2/6/26

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
Tuberculosis Testing	

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT: 3418
	AMEND:
TITLE(S): 15	REPEAL:

3. TYPE OF FILING

- [X] Regular Rulemaking (Gov. Code §11346)
- [ ] Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- [ ] Emergency (Gov. Code, §11346.1(b))
- [ ] Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- [ ] Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- [ ] Emergency Readopt (Gov. Code, §11346.1(h))
- [ ] File & Print
- [ ] Other (Specify) _____
- [ ] Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- [ ] Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- [ ] Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- [X] Effective on filing with Secretary of State
- [ ] §100 Changes Without Regulatory Effect
- [ ] Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- [ ] Department of Finance (Form STD. 399) (SAM §6660)
- [ ] Fair Political Practices Commission
- [ ] State Fire Marshal
- [ ] Other (Specify) _____

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Robin Hart	916-896-6780		Robin.Hart@cdcr.ca.gov

8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

SIGNATURE OF AGENCY HEAD OR DESIGNEE	DATE
DocuSigned by: Jeffrey Macomber	9/30/2026

TYPED NAME AND TITLE OF SIGNATORY

Jeffrey Macomber, Secretary, California Department of Corrections and Rehabilitation

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 16 2026

Office of Administrative Law

FINAL TEXT OF REGULATIONS

In the following, ~~strikethrough~~ indicates deleted text and <u>underline</u> indicates added, amended, or moved text.

California Code of Regulations, Title 15, Division 3, Adult Institutions, Programs, and Parole

Chapter 1. Rules and Regulations of Adult Operations and Programs

Subchapter 5. Personnel

Article 2. Employees

New Section 3418 is adopted to read:

<u>Section 3418. Employee Tuberculosis Testing.</u>

<u>(a) During the first seven calendar days of employment at an institution, employees required to provide a certificate showing they are free of active tuberculosis (TB) pursuant to Penal Code (PC), Section 6007(a), who have not yet provided certification may:</u>

<u>(1) Participate in onboarding and training pending submission of their certification.</u>

<u>(2) Have baseline TB testing completed by an Employee Health Program Registered Nurse (EHP RN) or by a community provider if it was not conducted during pre-employment. If the test results are positive and:</u>

<u>(A) The test was completed by the EHP RN, the EHP RN shall provide a copy of the results to the employee.</u>

<u>(B) The employee has symptoms that are consistent with active pulmonary TB, the hiring authority, or designee, shall direct the employee to leave institution grounds and to consult with their medical provider for a chest x-ray and evaluation to determine they are negative for active pulmonary TB. The employee shall not be permitted to return to the institution until their symptoms have resolved, and a medical provider has ruled out active pulmonary TB. This evaluation must include a chest x-ray that is negative for active pulmonary TB, and the employee shall provide this to the department.</u>

<u>(C) The employee is asymptomatic, the hiring authority, or designee, shall direct the employee to consult with their medical provider for a chest x-ray and evaluation to determine they are negative for active pulmonary TB. The employee may continue to work on institution grounds but shall not perform any job duties within licensed units (as defined in Title 15, Chapter 2, section 3999.98) until they provide the department with results of a chest x-ray that is negative for active pulmonary TB.</u>

<u>(b) The EHP RN shall facilitate annual TB screenings pursuant to PC Section 6007.</u>

<u>(1) If further evaluation is clinically indicated, the employee shall be directed to consult with their medical provider.</u>

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 6006, 6006.5 and 6007, Penal Code.