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Section

November 18, 2020

Candy Herring, Administrative Rules Program Manager
Sean Mueller, Acting Administrative Rules Program Manager
Secretary of State
Administrative Rules Program
1700 Broadway, Suite 300
Denver, CO 80290-1700

RE: Rules and Regulations for Audiology Permanent Rules
Tracking Nos. 2020-00668 and 2020-00889, NON-SUBSTANTIVE
CORRECTIONS TO RULES OTHERWISE KNOWN AS 3 CCR 711-2 ON
BEHALF OF THE OFFICE OF AUDIOLOGY LICENSURE

Dear Program Manager Herring and Acting Program Manager Mueller:

I reviewed the rules under Secretary of State Tracking No. 2020-00668, adopted October 21, 2020, effective December 15, 2020, concerning Rule 1.6. This rule was amended pursuant to the authority granted to the Office of Audiology Licensure under sections 12-20-204, 12-210-109(4), 12-210-202(1)(e), and 24-4-103, C.R.S. This is not the opinion of the Colorado Attorney General concerning the rule. The rule in 2020-00668 contains an inadvertent non-substantive error. Specifically, due to a spacing mistake, the text of Rule 1.6(A) was published above the letter (A) and a hanging (2) appeared to indicate a Rule 1.6(A)(2) without text.

The typographical or non-substantive errors have been corrected, as reflected in submission 2020-00889, as follows:

1. The text of Rule 1.6(A) has been placed in the appropriate location.
2. Subsection (2) of Rule 1.6(A) has been deleted since there is no longer a subsection (2).

It is the opinion of this Assistant Attorney General that the errors in the rules under tracking no. 2020-00668 are non-substantive. The errors appear to be inadvertent mistakes. Such mistakes constitute non-substantive error and are correctable under section 24-4-103(11)(d)(II), C.R.S. Correcting the error by submitting to the Secretary of State a corrected version of the rules adopted on October 21, 2020 does not change the substantive content of the regulation, nor does it change the effective date of the

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regulation. The rules under tracking number #2020-00889 now reflect the above non-substantive corrections.

Please call me if you have questions or concerns in this regard.

Sincerely,

FOR THE ATTORNEY GENERAL

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CC: Zen Mayhugh, Program Director for the Office of Audiology Licensure.