

21 NCAC 61 .0901 is adopted as published in in 35:16 NCR 1812 with changes as follows:

**21 NCAC 61 .0901            RULE WAIVERS**

~~In light of the State of National Emergency declared by President Trump as a result of the COVID-19 Virus, (a) If the Governor declares a state of emergency issued under G.S. 166A-19.3(19), the Board has determined to may waive at its discretion certain~~ the following provisions in its ~~rules, as set forth in this Rule:~~ rules:

- (1) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0201(a)(4) that requires each applicant for an initial license to provide a copy of current certification in Basic Life Support (BLS);
- (2) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0201(b)(1) that states that for applicants who have not practiced respiratory care for a period of time greater than one year, but less than five years, the applicant must provide evidence of twelve hours of continuing education, that meet the requirements of 21 NCAC 61 .0401, for each full year of inactivity;
- (3) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0204(a)(4) that requires following the late renewal of any license, an additional late fee of seventy-five dollars (\$75.00);
- (4) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0302(c) that requires each applicant for renewal to provide proof of completion of continuing education requirements as established in this Chapter;
- (5) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0302(e) that requires each applicant for renewal to provide a copy of current certification in Basic Life Support (BLS);
- (6) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61.0302(f) that requires licenses lapsed in excess of 24 months shall not be renewable;
- (7) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0305(b) that requires an individual licensed on inactive status to convert his or her license to active status by payment of the renewal fee and late fee and provide evidence of the completion of a minimum of 12 hours of continuing education that meets the requirements of 21 NCAC 61 .0401 for each full year of inactivity;
- (8) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0401(a) for continuing education requirements; ~~requirements, and shall renew licenses without compliance with this provision;~~
- (9) ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0401(e) that requires a licensee to be subjected to a random audit for proof of compliance with the Board's requirements for continuing education; and

1           (10)   ~~The Board shall waive the~~ The requirement for licensure set forth in 21 NCAC 61 .0401(f) that  
2                       requires continuing education audits be submitted to the Board no later than 30 days of receipt of  
3                       the audit notice.

4   ~~(b) The exceptions in this~~ waivers granted pursuant to this Rule shall only apply during the effective period of the  
5                       state of emergency.

6   ~~(c) Waivers granted pursuant to this Rule will be posted on the Board's website at~~ [www.ncrcb.org](http://www.ncrcb.org).

7  
8   *History Note:     Authority G.S. 90-652(1); 90-652(2); 90-652(9); 90-652(11); 90-652(13);*

9                       *Emergency Adoption Eff. March 30, 2020;*

10                      *Temporary Adoption Eff. June 1, 2020.*

11                      *Temporary Adoption Expired March 12, 2021;*

12                      *Eff. June 1, 2021.*