

G.S. 150B-21.3A Report for 21 NCAC 61, RESPIRATORY CARE BOARD												
Agency - Respiratory Care Board												
Comment Period -08/07/2024 to 10/7/2024												
Date Submitted to APO - June 27, 2025												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS	21 NCAC 61 .0101	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0103	DEFINITIONS	Amended Eff. July 1, 2018	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0104	CODE OF ETHICS	Eff. July 1, 2018	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 -- APPLICATION FOR LICENSE	21 NCAC 61 .0201	APPLICATION PROCESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0202	EXEMPTIONS	Readopted Eff. July 1, 2016	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0203	INTERVIEWS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0204	FEES	Amended Eff. June 1, 2019	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0205	BACKGROUND INVESTIGATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 -- LICENSING	21 NCAC 61 .0301	LICENSE NUMBER: DISPLAY OF LICENSE	Amended Eff. July 1, 2018	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0302	LICENSE RENEWAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0303	LICENSE WITH PROVISIONAL ENDORSEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0305	INACTIVE STATUS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0306	LICENSE BY RECIPROCITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0307	GROUND'S FOR LICENSE DENIAL OR DISCIPLINE	Amended Eff. July 1, 2018	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0308	CONTINUING DUTY TO REPORT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0309	SCHEDULE OF CIVIL PENALTIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0310	CIVIL PENALTY PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - CONTINUING EDUCATION REQUIREMENTS FOR LICENSE HOLDERS	21 NCAC 61 .0401	CONTINUING EDUCATION REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - GENERAL	21 NCAC 61 .0501	CHANGE OF ADDRESS OR BUSINESS NAME	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0502	ADVERTISING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	SECTION .0600 - RULES	21 NCAC 61 .0601	PETITIONS FOR ADOPTION, AMENDMENT OR REPEAL OF RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0602	PROCEDURE FOR ADOPTION OF RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0604	DECLARATORY RULINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - ADMINISTRATIVE HEARING PROCEDURES	21 NCAC 61 .0701	APPLICABLE HEARING RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0702	RIGHT TO HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0703	REQUEST FOR HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0704	GRANTING OR DENYING HEARING REQUEST	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0705	NOTICE OF HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0706	CONTESTED CASES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0707	PREHEARING PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0708	PETITION FOR INTERVENTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0709	TYPES OF INTERVENTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0710	DISQUALIFICATION OF BOARD MEMBERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0711	SUBPOENAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0712	WITNESSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0713	FINAL DECISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		21 NCAC 61 .0714	PROPOSALS FOR DECISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 -- INVESTIGATIVE PROCESS	21 NCAC 61 .0801	RECEIVING AND PROCESSING COMPLAINTS	Eff. July 1, 2018	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	SECTION .0900 -- NATIONAL EMERGENCY RESPONSE WAIVERS FOR CERTAIN RULES	21 NCAC 61 .0901	RULE WAIVERS	Eff. June 1, 2021	Necessary	No	NA	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt