

Generally, for all these rules, why does the N.C. Register show words underlined (indicating the underlined words were added to the rules) that already exist within the original versions of these rules in the N.C. Administrative Code?

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0108

DEADLINE FOR RECEIPT: Friday, September 13, 2024.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In line 1, replace “adopted” with “amended”.

*In your History Note, line 7, move “June 17, 2024” to the end of line 6 with a semicolon.
In line 8, delete “Amended Eff. changed from June 17, 2024” and move “January 1, 2025” up to line 7.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: August 29, 2024

1 21 NCAC 66 .0108 is adopted as published with changes in 38:24 NCR page 1652-1653 as follows:

2

3 **21 NCAC 66 .0108 FEES**

4 The following fees established by the Board shall be paid in advance to the Board:

5 (1) Veterinary License

6 (a) Issuance or Renewal \$170.00

7 (b) North Carolina License Examination \$250.00

8 (c) Late Renewal Fee \$50.00

9 (d) Reinstatement \$100.00

10 (2) Veterinary Technician Registration

11 (a) Issuance or Renewal \$50.00

12 (b) North Carolina Veterinary Technician Examination \$50.00

13 (c) Late Renewal Fee \$50.00

14 (d) Reinstatement \$100.00

15 (3) Professional Corporation Certificate of Registration

16 (a) Issuance or Renewal \$160.00

17 (b) Late Renewal Fee \$50.00

18 (c) Reinstatement \$100.00

19 (4) Limited Veterinary License

20 (a) Issuance or Renewal \$170.00

21 (b) Late Renewal Fee \$50.00

22 (c) Reinstatement \$100.00

23 (5) Veterinary Faculty Certificate

24 (a) Issuance or Renewal \$170.00

25 (b) Late Renewal Fee \$50.00

26 (c) Reinstatement \$100.00

27 (6) Zoo Veterinary Certificate

28 (a) Issuance or Renewal \$170.00

29 (b) Late Renewal Fee \$50.00

30 (c) Reinstatement \$100.00

31 (7) Temporary Permit: Issuance \$150.00

32 (8) Veterinary Student Intern Registration: Issuance \$25.00

33 (9) Veterinary Facility Permit: Issuance or Renewal \$150.00

34 (10) Copies of Board publications, rosters, or other materials available for distribution from the Board

35 shall be free or at a minimal cost unless otherwise specifically provided by law. As used herein,

36 "minimal cost" shall mean the actual cost of reproducing the public record or public information.

37

1 *History Note: Authority 90-185(6); 90-186(6); 90-187(b); 90-187.5; 132-6.2;*
2 *Eff. February 1, 1976;*
3 *Readopted Eff. September 30, 1977;*
4 *Amended Eff. October 1, 2017; January 1, 2016; January 1, 2015; May 1, 1996; May 1, 1989;*
5 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
6 *2018;*
7 *Amended Eff. June 17, 2024.*
8 *Amended Eff. changed from June 17, 2024 to January 1, 2025.*
9

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0206

DEADLINE FOR RECEIPT: Friday, September 13, 2024.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In line 1, replace “adopted” with “amended”.

In line 20, replace the colon with a semicolon at the end of (a).

In your History Note, line 35, move “June 17, 2024; February 1, 2018” to the beginning of line 32 after “Amended Eff.”. In line 36, delete “Amended Eff. changed from June 17, 2024” and move “January 1, 2025.” up to line 35.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel

Date submitted to agency: August 29, 2024

1 21 NCAC 66 .0206 is adopted as published with changes in 38:24 NCR page 1653-1654 as follows:

2
3 **21 NCAC 66 .0206 MINIMUM STANDARDS FOR CONTINUING EDUCATION**

4 Each person holding a veterinary license, limited license, a faculty certificate, or a zoo veterinary certificate
5 (collectively referred to herein as "veterinarian") or a veterinary technician registration issued by the Board shall
6 comply with the standards in this Rule. The standards shall be a condition precedent to the renewal of a license,
7 certificate, or registration respectively. The standards are as follows:

- 8 (1) A veterinarian shall earn 20 continuing education credit hours for the calendar year license renewal
9 period. A maximum of ~~five~~ ten hours may be obtained pursuant to courses described in Item (3) of
10 this Rule.
- 11 (2) A registered veterinary technician shall earn 12 continuing education credit hours for the two-
12 calendar year registration renewal period. A maximum of ~~four~~ six hours may be obtained pursuant
13 to course described in Item (3) of this Rule.
- 14 (3) One continuing education hour may be earned for each hour of independent self-study courses,
15 prerecorded webinars, audio conferences, and non-interactive on-line presentations by approved
16 continuing education credit providers.
- 17 (4) One continuing education credit hour may be earned for each hour of in-person attendance or live
18 interactive attendance at courses presented by approved continuing education credit providers.
- 19 (5) A live interactive presentation shall:
20 (a) include instant or synchronous two-way communication:
21 (b) provide access to both technical personnel and professional faculty, as well as interactivity
22 among participants for the exchange of questions and answers via instant messaging or a
23 moderated teleconference, and
24 (c) document the level of participation by keeping a record of the participant's activity in
25 asking or answering questions during the presentation and the score of any examination
26 administered at the end or the presentation.
- 27 (6) A veterinarian or registered veterinary technician may request and be granted an extension of time,
28 not to exceed six months, to satisfy the continuing education requirement if the veterinarian or
29 registered veterinary technician provides evidence of a circumstance that prevents the veterinarian
30 or registered veterinary technician from being able to obtain continuing education. The Board shall
31 consider any evidence submitted of a circumstance preventing the veterinarian or registered
32 veterinary technician from being able to obtain continuing education on a case-by-case basis.
- 33 (7) If the Board finds that the circumstance that was the basis for non-compliance with the continuing
34 education requirement justified the non-compliance, the Board may exempt that individual from
35 completing the unearned portion of the continuing education for that renewal period.
- 36 (8) Continuing education credits hours may be earned from courses, programs, or materials presented
37 or approved by the following providers:

- 1 (a) the American Veterinary Medical Association (AVMA);
- 2 (b) the American Animal Hospital Association (AAHA);
- 3 (c) the North Carolina Veterinary Medical Association (NCVMA);
- 4 (d) the United States Department of Agriculture-Animal and Plant Health Inspection Service;
- 5 (e) the American Association of Veterinary State Boards' (AAVSB) Registry of Approved
- 6 Continuing Education (RACE); and
- 7 (f) academies, schools, or colleges of veterinary medicine.

8 These providers are designated herein as "approved continuing education credit providers." The
9 Board shall consider additional courses, presentations, or materials eligible for approval for
10 continuing education credit hours, provided that the individual seeking the credit furnishes the Board
11 with information to establish that the content of the course, presentation, or material are sufficiently
12 educational for veterinarians or registered veterinary technicians. Board approval for continuing
13 education credits for such additional courses, presentations, or materials shall be obtained prior to
14 attendance or participation; however, the Board shall waive the requirement of prior approval if
15 illness, injury, or natural disaster prevented the individual from obtaining the prior approval.

- 16 (9) Each veterinarian and registered veterinary technician shall keep a file containing the three most
17 recent renewal periods of the content of courses submitted to the Board for continuing education
18 credit hours.
- 19 (10) A veterinarian licensed in the year of graduation from a veterinary medical college is not required
20 to earn continuing education credit hours to be eligible for license renewal for the next renewal
21 period.
- 22 (11) A veterinary technician registered in the year of graduation from a veterinary medical technology
23 program is not required to earn continuing education credit hours to be eligible for registration
24 renewal for the next renewal period.
- 25 (12) A veterinarian or veterinary technician serving in the armed forces of the United States and to whom
26 an extension of time to file a tax return is granted pursuant to G.S. 105-249.2 is granted the same
27 extension of time to comply with the continuing education requirement of this Rule.

28
29 *History Note: Authority G.S. 90-185(6); 90-186(1); 93B-15;*
30 *Eff. February 1, 1976;*
31 *Readopted Eff. September 30, 1977;*
32 *Amended Eff. June 1, 2003; May 1, 1996; May 1, 1989; January 1, 1987;*
33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
34 *2018;*
35 *Amended Eff. June 17, 2024; February 1, 2018.*
36 *Amended Eff. changed from June 17, 2024 to January 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0901

DEADLINE FOR RECEIPT: Friday, September 13, 2024.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In line 1, replace “adopted” with “amended”.

In line 6, the N.C. Register uses the word “Section” instead of “Subchapter”. Which is intended?

In your History Note, line 16, delete “Eff. Date changed from June 17, 2024” and add “Amended Eff.” before “January 1, 2025”.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: August 29, 2024

1 21 NCAC 66 .0901 is adopted as published with changes in 38:24 NCR page 1654 as follows:
2

3 **SECTION .0900 – VETERINARY FACILITY PERMITS**
4

5 **21 NCAC 66. 0901 DEFINITIONS**

6 In addition to the terms set forth in G.S. 90-181, the following definitions apply to this Subchapter:

- 7 (1) "Owner" means the person whose business provides services that constitute the practice of
8 veterinary medicine as defined by G.S. 90-181(6).
9 (2) "Facility" means any physical location, including mobile units, in which the practice of veterinary
10 medicine occurs.
11 (3) "Veterinary Facility Permit" means a document authorizing an owner to operate a facility which
12 engages in the practice of veterinary medicine.
13

14 *History Note: Authority G.S. 90-185(6); 90-186(8);*
15 *Eff. Date June 17, 2024.*
16 *Eff. Date changed from June 17, 2024 to January 1, 2025.*
17

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0902

DEADLINE FOR RECEIPT: Friday, September 13, 2024.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In line 1, replace “adopted” with “amended”.

On pg. 2, on lines 25-26, replace the comma and period with semicolons. In line 27, replace the colon with a semicolon.

In your History Note, line 33, delete “Eff. Date changed from June 17, 2024” and add “Amended Eff.” before “January 1, 2025”.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: August 29, 2024

1 21 NCAC 66 .0902 is adopted as published with changes in 38:24 NCR page 1655 as follows:

2
3 **21 NCAC 66 .0902 VETERINARY FACILITY PERMITS**

4 (a) Any person who owns a business which operates a facility providing services that constitute the "practice of
5 veterinary medicine" on a full, part-time, or temporary basis shall have a veterinary facility permit issued by the Board
6 prior to offering or delivering any veterinary medical services to the public. Veterinary or Veterinary Technician
7 teaching programs offering services to the public shall have a veterinary facility permit.

8 (b) As a condition of any veterinary facility permit issued by the Board, the owner shall designate a supervising
9 veterinarian.

10 (c) The Board shall issue a veterinary facility permit to an owner after the owner submits an application, pays the
11 veterinary facility permit fee, and passes a facility inspection. The Board shall inspect the veterinary facility to ensure
12 compliance with Rules .0207 and .0208 of this Chapter if an inspection has not been performed in the last two years.
13 It is the responsibility of the owners to ensure that the veterinary facility meets the minimum veterinary facility
14 standards in Rules .0207 and .0208 of this Chapter.

15 (d) The application for a veterinary facility permit shall be on a form prescribed by the Board and available on the
16 Board's website. The application shall contain:

- 17 (1) the owner's name, physical address, mailing address, email address, and telephone number;
18 (2) proposed or existing name of the facility, as set forth in G.S. 90-181.1, physical address, mailing
19 address, email address, and telephone number; and
20 (3) designation of a supervising veterinarian of the facility subject to the provisions of Rules .0903 of
21 this Section.

22 (e) Each veterinary facility permit shall be renewed yearly. The veterinary facility must have passed an inspection
23 pursuant to Rule .0207(b)(16) of this Chapter within the 24 months prior to issuance of renewal.

24 (f) Each veterinary facility that is identified by a separate physical address or that is located at the same physical
25 address as another veterinary facility but has different owners or supervising veterinarians shall be a separate
26 veterinary facility requiring a separate veterinary facility permit. The physical address for a veterinary facility shall
27 be the primary business location.

28 (g) The owner shall notify the Board within 10 business days of any changes in contact information.

29 (h) The owner shall notify the Board in writing of a planned change in the ownership or in the supervising veterinarian
30 of the veterinary facility at least 20 business days prior to the planned change.

31 (i) In the event of an owner's inability to maintain the facility's compliance with Chapter 90 of the General Statutes
32 and the rules of this Chapter, the Board shall be notified within 10 business days by an owner, or if the owner is unable
33 to do so as a result of physical inability, the supervising veterinarian, or a member of the veterinary facility's staff.

34 (j) In the event that the Board is notified that the owner to whom a facility permit is issued is dissolved voluntarily,
35 administratively, or by operation of law; suspended by the NC Department of Revenue; or has its certificate of
36 authority revoked by the NC Secretary of State, the Board shall also suspend the permit issued to the owner. The

1 suspension shall remain in effect until the suspension has been lifted by NC Department of Revenue, or the person
2 has been reinstated by the NC Secretary of State, or both.

3 (k) The Board may issue a temporary veterinary facility permit to the owners of a veterinary facility for a period of
4 35 business days to allow the owners to address and resolve violations of the rules of this Chapter, particularly, Rules
5 .0207 and .0208 of this Chapter, discovered during the veterinary facility inspection. However, the Board shall not
6 issue a temporary veterinary facility permit if the violations present a danger to the health or safety of the public or
7 animals. Upon request of the owner, the Board may extend a temporary permit for an additional period of no more
8 than 35 business days, as long as satisfactory progress has been made as determined by the Board. In the event of the
9 death of an owner, the permit remains valid for ~~35~~ 50 business days from the date of the death of the owner, so long
10 as the facility continues to have an active, supervising veterinarian registered with the Board.

11 (l) The following are exempt from the requirement for a veterinary facility permit:

- 12 (1) those exempted by licensure under G.S. 90-187.10;
- 13 (2) a veterinary facility owned and operated by the State of North Carolina, a political subdivision
14 thereof, or the federal government, so long as the facility does not offer or provide veterinary
15 services to the public; or
- 16 (3) a temporary veterinary facility established as a result of an emergency declared by the Governor of
17 North Carolina.

18 (m) A person operating without a veterinary facility permit is subject to the provisions of G.S. 90-187.13.

19 (n) The veterinary facility permit shall be displayed by the owners at the facility at a location viewable by the public.
20 Veterinary facility permits for mobile facilities shall be available upon request.

21 (o) An owner or supervising veterinarian shall provide a copy of medical records maintained pursuant to Rule .0207
22 of this Chapter within 10 business days of receipt of a request by a current or former patient's owner. The veterinary
23 facility may charge the patient's owner the actual cost of reproducing the records as a reasonable fee.

24 (p) Owners shall post on any existing veterinary facility website home page:

- 25 (1) The facility's name, address, and telephone number,
- 26 (2) The facility's regular business hours.
- 27 (3) Availability of after-hours emergency care at the facility; and
- 28 (4) If after-hours emergency care is not available, the name, address, and telephone number of an after-
29 hours emergency provider.

30
31 *History Note: Authority G.S. 90-185; 90-186(2); 90-186(8); 90-186(9);*
32 *Eff. June 17, 2024.*
33 *Eff. Date changed from June 17, 2024 to January 1, 2025.*
34
35

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0903

DEADLINE FOR RECEIPT: Friday, September 13, 2024.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made

In line 1, replace "adopted" with "amended".

In line 20, the N.C. Register uses the phrase "Board Rule .903(d)" instead of "Paragraph (d) of this Rule". Which is intended?

In your History Note, line 24, delete "Eff. change from June 17, 2024" and add "Amended Eff." before "January 1, 2025".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel

Date submitted to agency: August 29, 2024

1 21 NCAC 66 .0903 is adopted as published with changes in 38:24 NCR page 1655-1656 as follows:

2

3 **21 NCAC 66 .0903 SUPERVISING VETERINARIAN**

4 (a) The owners of a veterinary facility shall designate a supervising veterinarian who shall be responsible for
5 informing the owners as to the instances of non-compliance with 21 NCAC 66 .0207 and 21 NCAC 66 .0208 at the
6 veterinary facility.

7 (b) The supervising veterinarian shall be currently licensed by and in good standing with the Board.

8 (c) The owners may designate an interim supervising veterinarian to serve for a period not to exceed ~~25~~ 50 business
9 days.

10 (d) A veterinarian may be a supervising veterinarian at more than one veterinary facility. At each veterinary facility
11 that is open for 159 hours or less per month, the supervising veterinarian shall be physically onsite for a minimum of
12 25 percent of the total time a veterinary facility is open. At each veterinary facility that is open for 160 hours or more
13 per month, the supervising veterinarian shall be physically onsite at each veterinary facility for a minimum of 40 hours
14 per month. Electronic or handwritten documentation stating the dates and times that the supervising veterinarian was
15 present at the veterinary facility shall be maintained by the supervising veterinarian at each individual facility and
16 made available by the owner, supervising veterinarian, or the staff at each facility at the time of inspection or
17 investigation by the Board.

18 (e) The owners of a veterinary facility may designate more than one supervising veterinarian for a veterinary facility,
19 in which case the onsite physical presence of each of the supervising veterinarians at the veterinary facility shall be
20 counted toward satisfaction of the onsite physical presence requirement of Paragraph (d) of this Rule.

21

22 *History Note: Authority G.S. 90-185(6); 90-186(9);*

23 *Eff. June 17, 2024.*

24 *Eff. change from June 17, 2024 to January 1, 2025.*

25

26

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0904

DEADLINE FOR RECEIPT: Friday, September 13, 2024.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made

In line 1, replace “adopted” with “amended”.

In (b), (1)-(3), are all of these subsections requirements for the Board to take action without a hearing? Or is only one required to be found for the Board to act?

In your History Note, line 31, delete “Eff. changed from June 17, 2024” and add “Amended Eff.” before “January 1, 2025”.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel

Date submitted to agency: August 29, 2024

1 21 NCAC 66 .0904 is adopted as published with changes in 38:24 NCR page 1656 as follows:

2
3 **21 NCAC 66 .0904 DISCIPLINE VETERINARY FACILITY PERMITS**

4 (a) The Board shall investigate any complaint within its jurisdiction. The investigation and any resulting hearings
5 shall be conducted pursuant to Sections .0600 and .0700 of the Chapter. Following an investigation and the owner's
6 opportunity to be heard, the Board may:

- 7 (1) revoke or suspend a veterinary facility permit issued under this Chapter;
8 (2) discipline the owner of a facility permitted under this Chapter in accordance with the disciplinary
9 measures set forth in Sections .0600 and .0700 of this Chapter;
10 (3) deny a veterinary facility permit required by G.S. 90-186(8) and the rules of this Chapter based on
11 violations of Board Rules including but not limited to Rules .0207 and .0208 of this Chapter.

12 For the purpose of this Rule, references to licensee or registrant in the provisions of Sections .0600 and .0700 of this
13 Chapter are treated as references to owner and permittee. References to license are treated as references to facility
14 permit.

15 (b) The Board may suspend, revoke, or deny issuance of a veterinary facility permit, without hearing, if:

- 16 (1) A veterinary facility has not had a supervising veterinarian or an interim supervising veterinarian
17 serving in that capacity for more than ~~five~~ fifteen business days.
18 (2) The Board obtains a summary emergency order pursuant to the provisions of G.S. 90-186(3).
19 (3) The owners of the veterinary facility have failed to notify the Board after 10 business days of a
20 change in ownership of the facility or change in the supervising veterinarian.

21 (c) An owner shall cease to operate a veterinary facility as of the date the Board notifies the owner of the revocation
22 of his or her veterinary facility permit. Within 24 hours of receiving notification of revocation, an owner shall display
23 the following information at the facility and through any existing medium of communication with the public, such as
24 social media, a telephone answering system, or facility website:

- 25 (1) information that the veterinary facility is closed;
26 (2) the means by which clients may obtain their animal's medical records; and
27 (3) notice of the Board's revocation of the facility permit.

28
29 *History Note: Authority G.S. 90-185(6); 90-186(8); 90-186(9);*

30 *Eff. June 17, 2024.*

31 *Eff. changed from June 17, 2024 to January 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0905

DEADLINE FOR RECEIPT: Friday, September 13, 2024.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

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In reviewing this Rule, the staff recommends the following changes be made

In line 1, replace "adopted" with "amended".

In your History Note, line 24, delete "Eff. changed from June 17, 2024" and add "Amended Eff." before "January 1, 2025".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel

Date submitted to agency: August 29, 2024

1 21 NCAC 66 .0905 is adopted as published with changes in 38:24 NCR page 1656 as follows:

2

3 **21 NCAC 66 .0905 REINSTATEMENT AFTER REVOCATION OF FACILITY PERMIT**

4 Any person whose facility permit been suspended or revoked pursuant to the provisions of Rule .0904 of this Section
5 may apply for reinstatement subject to any terms and conditions contained in the final agency decision issued by the
6 Board upon revoking or suspending the person's facility permit. The Board may conduct an inspection prior to
7 reinstatement to determine if the terms and conditions stated in the final agency decision have been addressed.

8

9 *History Note: Authority G.S. 90-185(6); 90-186(8); 90-186(9);*

10 *Eff. June 17, 2024.*

11 *Eff. changed from June 17, 2024 to January 1, 2025.*

12

13