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# **NORTH CAROLINA REGISTER**

**VOLUME 14 • ISSUE 13 • Pages 1089 - 1217**

**January 4, 2000**

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Engineers & Land Surveyors, Examiners  
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Health and Human Services  
Nursing Home Administrators  
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Contested Case Decisions

### **PUBLISHED BY**

***The Office of Administrative Hearings  
Rules Division***

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For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

**Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.**

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116 West Jones Street (919) 733-7061  
Raleigh, North Carolina 27603-8005 (919) 733-0640 FAX  
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**Rule Review and Legal Issues**

Rules Review Commission  
1307 Glenwood Ave., Suite 159 (919) 733-2721  
Raleigh, North Carolina 27605 (919) 733-9415 FAX  
contact: Joe DeLuca Jr., Staff Director Counsel  
Bobby Bryan, Staff Attorney

**Legislative Process Concerning Rule-making**

Joint Legislative Administrative Procedure Oversight Committee  
545 Legislative Office Building  
300 North Salisbury Street (919) 733-2578  
Raleigh, North Carolina 27611 (919) 715-5460 FAX  
contact: Mary Shuping, Staff Liaison marys@ms.ncga.state.nc.us

**County and Municipality Government Questions or Notification**

NC Association of County Commissioners  
215 North Dawson Street (919) 715-2893  
Raleigh, North Carolina 27603  
contact: Jim Blackburn or Rebecca Troutman  
  
NC League of Municipalities  
215 North Dawson Street (919) 715-4000  
Raleigh, North Carolina 27603  
contact: Paula Thomas

# NORTH CAROLINA REGISTER

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**Pages 1089 - 1217**

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through December 9, 1999.

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# NORTH CAROLINA ADMINISTRATIVE CODE CLASSIFICATION SYSTEM

*The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.*

## TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
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7	Cultural Resources	Chiropractic Examiners	10
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9	Governor	General Contractors	12
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volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	non-substantial economic impact			substantial economic impact			270 <sup>th</sup> day from issue date
					end of required comment period	deadline to submit to RRC for review at next meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next meeting	first legislative day of the next regular session	
14:13	01/04/00	12/09/99	03/15/00	01/19/00	02/03/00	02/21/00	05/09/00	03/06/00	03/20/00	05/09/00	09/30/00
14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00	05/09/00	10/10/00
14:15	02/01/00	01/10/00	04/03/00	02/16/00	03/02/00	03/20/00	05/09/00	04/03/00	04/20/00	01/26/01	10/28/00
14:16	02/15/00	01/25/00	04/17/00	03/01/00	03/16/00	03/20/00	05/09/00	04/17/00	04/20/00	01/26/01	11/11/00
14:17	03/01/00	02/09/00	05/01/00	03/16/00	03/31/00	04/20/00	01/26/01	05/01/00	05/22/00	01/26/01	11/26/00
14:18	03/15/00	02/23/00	05/15/00	03/30/00	04/14/00	04/20/00	01/26/01	05/15/00	05/22/00	01/26/01	12/10/00
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15:11	12/01/00	11/07/00	02/01/01	12/18/00	01/02/01	01/22/01	05/2002	01/30/01	02/20/01	05/2002	08/28/01
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## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

### GENERAL

- The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:
- (1) temporary rules;
  - (2) notices of rule-making proceedings;
  - (3) text of proposed rules;
  - (4) text of permanent rules approved by the Rules Review Commission;
  - (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
  - (6) Executive Orders of the Governor;
  - (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
  - (8) orders of the Tax Review Board issued under G.S. 105-241.2; and
  - (9) other information the Codifier of Rules determines to be helpful to the public.

**COMPUTING TIME:** In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

### FILING DEADLINES

**ISSUE DATE:** The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

**LAST DAY FOR FILING:** The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

### NOTICE OF RULE-MAKING PROCEEDINGS

**END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:** This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

**EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:** The date of the next issue following the end of the comment period.

### NOTICE OF TEXT

**EARLIEST DATE FOR PUBLIC HEARING:** The hearing date shall be at least 15 days after the date a notice of the hearing is published.

### END OF REQUIRED COMMENT PERIOD

(1) **RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

(2) **RULE WITH SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

**DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:** The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

**FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:** This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

*This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.*

U.S. Department of Justice

Civil Rights Division

JDR:DHH:KEM:emr  
DJ 166-012-3  
99-2101

*Voting Section  
P.O. Box 66128  
Washington, D.C. 20035-6128*

September 17, 1999

George A. Weaver, Esq.  
113 East Nash Street  
Suite 404  
Wilson, NC 27893

Dear Mr. Weaver:

This refers to the creation of the Southeast Water District and the procedures for conducting the November 2, 1999, special bond election for the district in Wilson County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on July 30, 1999.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Joseph D. Rich  
Acting Chief  
Voting Section



**TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

**CHAPTER 36 - BOARD OF NURSING**

The Public Hearing date in the following notice was in error. Please note the correct date as underlined. The agency had subsequently mailed out a notice to interested parties which contained the correct public hearing date of January 20, 2000.

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Nursing intends to adopt the rules cited as 21 NCAC 36 .0701-.0705 and amend the rules cited as 21 NCAC 36 .0220-.0221, .0227, .0318, .0404-.0405. Notice of Rule-making Proceedings was published in the Register on October 1, 1999.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 1:00 p.m. on ~~January 23, 2000~~ January 20, 2000 at the Homewood Suites Hotel, 5400 Edwards Mill Road, Raleigh, NC.

**Reason for Proposed Action:** Legislation enacted in the last General Assembly - Article 9G; G.S. 90-171.80-90-17.94 and Article 9A; G.S. 90-171.43.

**Comment Procedures:** Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, NC Board of Nursing, PO Box 2129, Raleigh, NC 27602-2129. Comments must be received in the Board of Nursing office by 1:00 p.m. on January 23, 2000.

**CHAPTER 46 - NORTH CAROLINA BOARD OF PHARMACY****NARROW THERAPEUTIC INDEX DRUGS DESIGNATED BY THE NORTH CAROLINA SECRETARY OF  
HEALTH AND HUMAN SERVICES**

Pursuant to N.C.G.S. 90-85.27(4a), this is a publication from the North Carolina Board of Pharmacy of narrow therapeutic index drugs designated by the North Carolina Secretary of Health and Human Services upon the advice of the State Health Director, North Carolina Board of Pharmacy, and North Carolina Medical Board.

Carbamazepine: all oral dosage forms

Cyclosporine: all oral dosage forms

Digoxin: all oral dosage forms

Ethosuximide: all oral dosage forms

Levothyroxine sodium tablets

Lithium (including all salts): all oral dosage forms

Phenytoin (including all salts): all oral dosage forms

Procainamide Hydrochloride: all oral dosage forms

Theophylline (including all salts): all oral dosage forms

Warfarin sodium tablets

*A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.*

**TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**CHAPTER 26 - MEDICAL ASSISTANCE**

*Notice of Rule-making Proceedings is hereby given by the NDHHS - Division of Medical Assistance in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:** 10 NCAC 26H .0511 - Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 108A-25(b); 108A-54; 1915(g)

**Statement of the Subject Matter:** This rule established Medicaid Reimbursement for Intensive Home Visitation.

**Reason for Proposed Action:** In the 1999 Session of the North Carolina General Assembly, the Legislature granted the appropriations for the Intensive Home Visitation Program for Children for fiscal year 1999-2000.

**Comment Procedures:** Written comments concerning this rule-making action must be submitted to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, 2504 Mail Service Center, Raleigh, NC 27699-2504.

**Authority for the rule-making:** G.S. 13; 113-60.40; 113-60.45

**Statement of the Subject Matter:** Implementation of Prescribed Burn Act.

**Reason for Proposed Action:** A new law, the Prescribed Burning Act, was passed by the North Carolina General Assembly in May 1999. The law goes into effect on January 1, 2000. Temporary rules are required to assist in the law implementation on January 1, 2000.

**Comment Procedures:** The public is invited to make comments on the rules. Contact person: David Jarman, (919)733-2162, ext. 232.

\*\*\*\*\*

**CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY**

*Notice of Rule-making Proceedings is hereby given by the NC Wildlife Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 10F .0311, .0355 - Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 75A-3; 75A-15

**Statement of the Subject Matter:** NO WAKE ZONES

**Reason for Proposed Action:** The Vance County Board of Commissioners and the Perquimans County Board of Commissioners initiated the NO-WAKE Zones pursuant to G.S. 75A-15 to protect public safety in the area by restricting vessel speed. The Wildlife Resources Commission may adopt this rule as a temporary rule pursuant to G.S. 150B-21.1(a1) following this abbreviated notice.

**Comment Procedures:** The record will be open for receipt of written comments and must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

**CHAPTER 9 - DIVISION OF FOREST RESOURCES**

*Notice of Rule-making Proceedings is hereby given by the Department of Environment and Natural Resources in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 9C .0200, .0400 - Other rules may be proposed in the course of the rule-making process.



*This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.*

## **TITLE 2 - DEPARTMENT OF AGRICULTURE**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Structural Pest Control Committee intends to adopt 2 NCAC 34 .0330, .0509; amend rule cited as 2 NCAC 34 .0102. Notice of Rule-making Proceedings was published in the Register on November 1, 1999.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Any person may request a public hearing on the proposed rules by submitting a request in writing no later than January 19, 2000, to Carl Falco, Secretary, North Carolina Structural Pest Control Committee, PO Box 27647, Raleigh, NC 27611.

**Reason for Proposed Action:** 2 NCAC 34 .0102, .0509 - Agency staff has recommended these rule changes to allow the sale and use of certain products that protect structures from termites by creating a physical barrier.

2 NCAC .0330 - S.L. 1999-381 made numerous amendments to the Structural Pest Control Law, Article 4C of Chapter 106 of the General Statutes. Among these was the amendment of G.S. 106-65.24 to delete the term "call office" and replace it with "branch office." It also amended G.S. 106-65.25 to require the Committee to adopt rules to permit licensees to establish branch offices in addition to a home office.

**Comment Procedures:** Written comments may be submitted no later than February 3, 2000, to Carl Falco, Secretary, North Carolina Structural Pest Control Committee, PO Box 27647, Raleigh, NC 27611.

### **Fiscal Impact**

State	Local	Sub.	None
			✓

## **CHAPTER 34 - STRUCTURAL PEST CONTROL DIVISION**

### **SECTION .0100 - INTRODUCTION AND DEFINITIONS**

#### **.0102 DEFINITIONS**

For the purpose of interpretation of the rules, regulations, definitions, and requirements of the North Carolina Structural Pest Control Committee and the Structural Pest Control Law, and unless otherwise required by the context, the following

definitions shall prevail, to wit:

- (1) "Act and/or law" means the Structural Pest Control Act of North Carolina of 1955.
- (2) "Active infestation of a specific organism" means evidence of present activity by that organism, visible in, on, or under a structure, or in or on debris under the structure.
- (3) "Active ingredient" means an ingredient which will or is intended to prevent, destroy, repel, or mitigate any pest.
- (4) "Acutely toxic rodenticidal baits" means all baits that, as formulated, are classified as Toxicity Category I or II (Signal Word "Danger" or "Warning") under 40 CFR Part 156.10.
- (5) "Board of Agriculture" means the Board of Agriculture of the State of North Carolina.
- (6) "Commercial certified applicator" shall mean any certified applicator employed by a licensed individual.
- (7) "Commercial structure" means any structure which is not a residential structure; including but not limited to shopping centers, offices, nursing homes, and similar structures.
- (8) "Complete surface residual spray" means the over-all application of any pesticide by spray or otherwise, to any surface areas within, on, under, or adjacent to, any structure in such a manner that the pesticide will adhere to surfaces and remain toxic to household pests and rodents or other pests for an extended period of time.
- (9) "Continuing education units" or "CEU" means units of noncredit education awarded by the Division of Continuing Studies, North Carolina State University or comparable educational institution, for satisfactorily completing course work.
- (10) "Continuing certification unit" or "CCU" means a unit of credit awarded by the Division upon satisfactory completion of one clock hour of approved classroom training.
- (11) "Crack and crevice application" means an application of pesticide made directly into a crack or void area with equipment capable of delivering the pesticide to the target area.
- (12) "Deficient soil sample" shall mean any soil sample which, when analyzed, is found to contain less than 25 percent, expressed in parts per million (ppm), of the termiticide applied by a licensee which would be found if the termiticide had been applied at the lowest concentration and dosage recommended by the labeling.
- (13) "Department" means the Department of Agriculture

- and Consumer Services of the State of North Carolina.
- (14) "Disciplinary action" means any action taken by the Committee as provided under the provisions of G.S. 106-65.28.
- (15) "Division" means the Structural Pest Control Division of the Department of Agriculture and Consumer Services of the State of North Carolina.
- (16) "Enclosed space" means any structure by whatever name known, including household structures, commercial buildings, warehouses, docks, vacant structures, and places where people congregate, such as hospitals, schools, churches, and others; railroad cars, trucks, ships, aircraft, and common carriers. It shall also mean vaults, tanks, chambers, and special rooms designed for use, being used, or intended to be used for fumigation operations.
- (17) "Enforcement agency" means the Structural Pest Control Division of the Department of Agriculture and Consumer Services of the State of North Carolina.
- (18) "EPA" means the Environmental Protection Agency of the United States Government.
- (19) "EPA registration number" means the number assigned to a pesticide label by EPA.
- (20) "Flammable pesticidal fog" means the fog dispelled into space and produced:
- (a) from oil solutions of pesticides finely atomized by a blast of heated air or exhaust gases from a gasoline engine, or from mixtures of water and pesticidal oil solutions passed through a combustion chamber, the water being converted to steam, which exerts a shearing action, breaking up the pesticidal oil into small droplets (thermal fog); or
  - (b) from oil solutions of pesticides which are forced through very narrow space by centrifugal force and atomized as they are thrown off into the air (mechanical or cold fogs).
- (21) "Fog or fogging" means micron sized particles of pesticide(s) dispersed by means of a thermal or centrifugal fogger or a pressurized aerosol pesticide.
- (22) "Fumigation" means the use of fumigants within an enclosed space, or in, or under a structure, in concentrations which may be hazardous to man.
- (23) "Fumigation crew" or "crew" means personnel performing the fumigation operation.
- (24) "Fumigation operation" means all details prior to application of fumigant(s), the application of fumigant(s), fumigation period, and post fumigation details as outlined in these Rules.
- (25) "Fumigation period" means the period of time from application of fumigant(s) until ventilation of the fumigated structure(s) is completed and the structure or structures are declared safe for occupancy for human beings or domestic animals.
- (26) "Fumigator" means a person licensed under the provisions of G.S. 106-65.25(a)(3) or certified under the provisions of G.S. 106-65.25(e)(1) to engage in or supervise fumigation operations.
- (27) "Gas-retaining cover" means a cover which will confine fumigant(s) to the space(s) intended to be fumigated.
- (28) "General fumigation" means the application of fumigant(s) to one or more rooms and their contents in a structure, at the desired concentration and for the necessary length of time to control rodents, insects, or other pests.
- (29) "Household" means any structure and its contents which are used for man.
- (30) "Household pest" means any undesirable vertebrate or invertebrate organism, other than wood-destroying organisms, occurring in a structure or the surrounding areas thereof, including but not limited to insects and other arthropods, commensal rodents, and birds which have been declared pests under G.S. 143-444.
- (31) "Household pest control" means that phase of structural pest control other than the control of wood-destroying organisms and fumigation and shall include the application of remedial measures for the purpose of curbing, reducing, preventing, controlling, eradicating, and repelling household pests.
- (32) "Inactive license" shall mean any structural pest control license held by an individual who has no employees and is not engaged in any structural pest control work except as a certified applicator or registered technician.
- (33) "Infestation of a specific organism" means evidence of past or present activity by that organism, visible in, on, or under a structure, or in or on debris under the structure.
- (34) "Inspection for a specific wood-destroying organism" means the careful visual examination of all accessible areas of a building and the sounding of accessible structural members adjacent to slab areas, chimneys, and other areas particularly susceptible to attack by wood-destroying organisms to determine the presence of and the damage by that specific wood-destroying organism.
- (35) "Inspector" means any employee of the Structural Pest Control Division of the Department of Agriculture and Consumer Services of the State of North Carolina.
- (36) "Licensed structural pest control operation," or "pest control operation," or "operator," or "licensed operator" means any person licensed under the provisions of G.S. 106-65.25(a) or unlicensed who, for direct or indirect hire or compensation is engaged in the business of controlling, destroying, curbing, mitigating, preventing, repelling, offering advice on control methods and procedures, inspecting and identifying infestations and populations of insects, rodents, fungi, and other pests within, under and on



structures of any kind, or the nearby surrounding ground areas or where people may assemble or congregate including work defined under G.S. 106-65.24(23).

- (37) "Liquefied gas aerosol" means the spray produced by the extreme rapid volatilization of a compressed and liquefied gas, to which has been added a nonvolatile oil solution containing a pesticide.
- (38) "Noncommercial certified applicator" shall mean any certified applicator not employed by a licensed individual.
- (39) "Open porch" means any porch without fill in which the distance from the bottom of the slab to the top of the soil beneath the slab is greater than 12 inches.
- (40) "Physical barrier" as used in 2 NCAC 34 .0500, means a barrier, which, by its physical properties and proper installation, is capable of preventing the passage of subterranean termites into a structure to be protected from subterranean termites.
- (40) (41) "Residential structure" means any structure used, or suitable for use, as a dwelling such as a single- or multi-family home, house trailer, motor home, mobile home, a condominium or townhouse, or an apartment or any other structure, or portion thereof, used as a dwelling.
- (41) (42) "Secretary" means the Secretary to the North Carolina Structural Pest Control Committee.
- (42) (43) "Service vehicle" means any vehicle used regularly to transport the licensee or certified applicator or registered technician or other employee or any equipment or pesticides used in providing structural pest control services.
- (43) (44) "Slab-on-ground" means a concrete slab in which all or part of that concrete slab is resting on or is in direct contact with the ground immediately beneath the slab.
- (44) (45) "Solid masonry cap" means a continuous concrete or masonry barrier covering the entire top, width and length, of any wall, or any part of a wall, that provides support for the exterior or structural parts of a building.
- (45) (46) "Space spray" means any pesticide, regardless of its particle size, which is applied to the atmosphere within an enclosed space in such a manner that dispersal of the pesticide particles is uncontrolled. Pesticidal fogs or aerosols, including those produced by centrifugal or thermal fogging equipment or pressurized aerosol pesticides, shall be considered space sprays.
- (46) (47) "Spot fumigation" means the application of a fumigant to a localized space or harborage within, on, under, outside of, or adjacent to, a structure for local household pest or rodent control.
- (47) (48) "Spot surface residual spray" means the application of pesticidal spray directly to a surface and only in specific areas where necessary and in such

a manner that the pesticidal material will largely adhere to the surface where applied and will remain toxic to household pests or rodents or other pests for which applied for an extended period of time.

- (48) (49) "Structure" means all parts of a building, whether vacant or occupied, in all stages of construction.
- (49) (50) "Structural pests" means all pests that occur in any type of structure of man and all pests associated with the immediate environs of such structures.
- (50) (51) "Sub-slab fumigation" means the application of a fumigant below or underneath a concrete slab and is considered spot fumigation.
- (51) (52) "Supervision," as used in 2 NCAC 34 .0325, shall mean the oversight by the licensee of the structural pest control activities performed under that license. Such oversight may be in person by the licensee or through instructions, verbal, written or otherwise, to persons performing such activities. Instructions may be disseminated to such persons either in person or through persons employed by the licensee for that purpose.
- (52) (53) "Telephone answering service location" means any location used for the sole purpose of receiving telephone messages including locations which utilize call forwarding or other electronic answering or messaging technology.
- (53) (54) "Termiticide(s)" (as used in these Rules) means those pesticides specified in 2 NCAC 34 .0502, Pesticides for Subterranean Termite Prevention and/or Control.
- (54) (55) "Termiticide barrier" shall mean an area of soil treated with an approved termiticide, which, when analyzed, is not deficient in termiticide.
- (55) (56) "To use any pesticide in a manner inconsistent with its labeling" means to use any pesticide in a manner not permitted by the labeling. Provided that, the term shall not include:
  - (a) applying a pesticide at any dosage, concentration, or frequency less than that specified on the labeling unless the labeling specifically prohibits deviation from the specified dosage, concentration, or frequency;
  - (b) applying a pesticide against any target pest not specified on the labeling if the application is to the site specified on the labeling, unless the EPA has required that the labeling specifically state that the pesticide may be used only for the pests specified on the labeling;
  - (c) employing any method of application not prohibited by the labeling unless the labeling specifically states that the product may be applied only by the methods specified by the labeling.
- (56) (57) "Type of treatment" means the method used to apply a pesticide formulation to a specific location, including but not limited to: space spray, crack and



- crevice, complete surface residual, spot surface residual, bait placement, or fog.
- (57) (58) "Unauthorized personnel" means any individual or individuals not given specific authorization by the licensee or certified applicator to enter areas to which access is restricted by these Rules.
- (58) (59) "Under direct supervision of" means the act or process whereby application of a pesticide is made by a competent person acting under the instructions and control of a licensee or certified applicator who is responsible for the action of that person and who is available if and when needed, even though such licensee or certified applicator is not physically present at the time and place the pesticide is applied.
- (59) (60) "Waiver" means a standard form prescribed by the Committee which will, when completed correctly, permit the licensee to deviate from or omit one or more of the minimum treatment methods and procedures for structural pests which are set forth in the Committee rules, definitions, and requirements.
- (60) (61) "Wood-destroying insect report" means any written statement or certificate issued, by an operator or his authorized agent, regarding the presence or absence of wood-destroying insects or their damage in a structure.
- (61) (62) "Wood-destroying organism" is an organism such as a termite, beetle, other insect, or fungus which may invade, inhabit, devour, or destroy wood or wood products and other cellulose material found in, on, under, in contact with, and around structures.
- (62) (63) "Wood-destroying organism report" means any written statement or certificate issued, by an operator or his authorized agent, regarding the presence or absence of wood-destroying organisms or their damage in a structure.

Authority G.S. 106-65.29.

## **SECTION .0300 - LICENSING AND CERTIFICATION**

### **.0330 BRANCH OFFICE**

- (a) A licensee shall not establish more than two branch offices in addition to his/her home office.
- (b) The licensee shall register each branch office with the Division prior to its establishment and at the time of renewal of the license on a form prescribed by the Division.
- (c) The licensee shall designate a certified applicator or applicators to supervise all structural pest control performed from the branch office.
- (d) The designated certified applicator(s) shall be a regular, full-time employee of the licensee, permanently assigned to and physically present at the branch office and shall have access to the licensee, via some method of communication, at all times.
- (e) At a minimum, the licensee shall provide the following information concerning the branch office at the time of registration and within 10 days of any change in the information:
- (1) The physical location or address of the branch office;

- (2) The mailing address of the branch office;
  - (3) The telephone number of the branch office;
  - (4) The location, branch office or home office, at which records of work and pesticides used shall be stored;
  - (5) The name of the designated certified applicator or certified applicators responsible for the supervision of the branch office; and,
  - (6) The names of all employees performing work from the branch office.
- (f) The branch office shall perform work only in the phase or phases in which the designated certified applicator, or certified applicators, holds a valid certification.
- (g) At no time shall the branch office operate for more than 10 working days without a designated certified applicator.
- (h) The licensee shall not establish any branch office more than 75 miles from the location of his/her home unless prior approval has been obtained from the Committee to locate a branch office more than 75 miles from the licensee's primary residence.
- (i) Requests to operate a branch office more than 75 miles from the licensee's primary residence shall be made in writing to the Committee and shall include a plan of supervision in addition to the information in Paragraph (e) of this Rule. At a minimum, the plan of supervision shall include:
- (1) Complete training program, including a schedule of training;
  - (2) An outline of the company organization showing the lines of supervision and responsibility, the credentials of supervisor(s) (education, experience, certification status), percentage of time devoted to supervision, methods and personnel conducting quality control;
  - (3) A description of communication capabilities and procedures between the home office and branch office and between the consumer and the branch and home offices;
  - (4) A plan to be followed in the event of emergencies such as fire, pesticide spills or other emergency.
- (j) If, at any time, the Committee determines that any branch office is not being adequately supervised, the branch office shall be closed and shall not resume operation nor shall the licensee be permitted to open any new branch office until a satisfactory plan of supervision has been approved by the Committee or until the office is made a home office.

Authority: 106-65.29.

## **SECTION .0500 - WOOD-DESTROYING ORGANISMS**

### **.0509 PHYSICAL BARRIERS FOR TERMITE CONTROL**

- (a) Physical barriers approved by the Structural Pest Control Committee may be used for the prevention and/or control of subterranean termites.
- (b) Physical barriers shall be installed in accordance with the manufacturers' recommendations by personnel certified by the manufacturer, if required or recommended by the manufacturer, or specifically trained in the installation of the approved physical

barrier.

(c) Where all possible subterranean termite entry points can be sealed with the approved physical barrier the subterranean termite treatment shall not be subject to 2 NCAC 34 .0503, for an existing structure, or 2 NCAC 34 .0505 or .0506 for new construction.

(d) Where it is not possible to seal all possible entry points with the physical barrier, all unsealed entry points shall be treated with termiticide in accordance with 2 NCAC 34 .0503, .0505 or .0506 as applicable; except that, such termiticide applications may be waived by the property owner on the Official NC Waiver of Minimum Requirements.

Authority: 106-65.29.

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**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Agriculture intends to adopt 2 NCAC 52B .0406-.0412; amend rules cited as 2 NCAC 52B .0206, .0401, .0405; and repeal rules cited as 52B 0402-.0404. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Any person may request a public hearing on the proposed rules by submitting a request in writing no later than January 19, 2000, to David S. McLeod, Secretary, North Carolina Board of Agriculture, PO Box 27647, Raleigh, NC 27611.

**Reason for Proposed Action:** Section 13.6 of Session Law 1997-237 requires the Board of Agriculture to adopt rules to provide for mandatory testing of equine for equine infectious anemia (EIA).

**Comment Procedures:** Written comments may be submitted no later than February 3, 2000, to David S. McLeod, Secretary, North Carolina Board of Agriculture, PO Box 27647, Raleigh, NC 27611.

**Fiscal Impact**

State	Local	Sub. None
		✓

**CHAPTER 52 - VETERINARY DIVISION**

**SUBCHAPTER 52B - ANIMAL DISEASE**

**SECTION .0200 - ADMISSION OF LIVESTOCK TO NORTH CAROLINA**

**.0206 IMPORTATION REQUIREMENTS: EQUINE**

(a) Horses, ponies, mules, asses, zebras, and all other equine

species may be imported into the state when accompanied by an official health certificate giving an accurate description of them and certifying that as determined by a physical examination they are free from any evidence of an infectious or transmissible disease and have not been exposed recently to any infectious or transmissible disease, and attesting that any animal over nine six months of age has passed a negative official test for equine infectious anemia within 12 months prior to entry, provided that stallions imported into North Carolina from any country where contagious equine metritis (CEM) is recognized by the U.S. Department of Agriculture to exist must also comply with requirements of Paragraph (e) of this Rule. The EIA test form shall list one horse only. Equine without a current EIA test may be imported into the state for direct shipment to a livestock market or equine sale that is approved to provide EIA testing, pursuant to 2 NCAC 52B .0410.

(b) No health certificate will be required for horses, ponies, mules and asses which are consigned to a race track or entering the state temporarily for the purpose of exhibition, provided such animals are accompanied by certificates verifying a negative test for equine infectious anemia within 12 months prior to entry.

(c) Horses, ponies, mules, asses, and all other equine species may be imported into the state without having passed a negative official test for equine infectious anemia provided that each animal bears a permanent type oil base red paint mark on its loin area with the mark being a minimum of three inches by three inches and that such animals move directly to a point approved by the State Veterinarian for the purpose of sale for slaughter only.

(d) ~~Untested horses which have been paint marked as prescribed in this Section may be moved directly to any sales barn which holds regularly scheduled, advertised sales for slaughter horses.~~

(e) ~~(c)~~ Any stallion imported into North Carolina from any country where CEM is recognized by the U.S. Department of Agriculture to exist shall be accompanied by a written permit from the State Veterinarian, and shall be placed under quarantine by a representative of the State Veterinarian upon arrival. Prior to being used for breeding, he shall be treated by or under the direct supervision of an accredited veterinarian licensed to practice in North Carolina, according to the procedure prescribed in the Federal Register/Vol. 45, No. 3/Friday, January 4, 1980/Rules and Regulations/Pages 1003 through 1006 (9 C.F.R., Part 92).

(f) ~~(d)~~ For the purpose of Paragraph (e) of this Rule the following shall apply:

- (1) Stallion. A male horse other than gelding;
- (2) Breeding. Natural or artificial insemination of a mare;
- (3) CF test. A complement-fixation test on equine serum for the detection of specific antibodies of the CEM bacterium.

Authority G.S. 106-307.5; 106-405.17.

**SECTION .0400 - EQUINE INFECTIOUS ANEMIA**



(EIA)

**.0401 DEFINITIONS**

The following definitions are in effect throughout Section .0400 of this Subchapter: Section:

- (1) **Horse: Equine.** Any member of the equine family, including horses, ponies, mules, asses and other equines;
- (2) **Reactor.** ~~A horse~~ An equine over ~~nine~~ six months of age that reacts positively to an approved test for equine infectious anemia;
- (3) **Approved Test.** Any test for equine infectious anemia approved by the State Veterinarian; At present, an approved test is one recognized by Veterinary Services, APHIS, USDA;
- (4) **Date of Test.** Date blood sample is collected from the horse; equine;
- (5) **Licensed Accredited Veterinarian.** A veterinarian licensed to practice in North Carolina by the North Carolina Veterinary Medical Board; Board and accredited by the USDA;
- (6) **Exposed Horse.** ~~A horse~~ Equine. An equine which the State Veterinarian or his authorized representative has reasonable grounds to believe has been exposed to equine infectious anemia; ~~A horse~~ An equine shall be considered exposed when in the professional judgment of a state or federally employed, or accredited, veterinarian designated by the State Veterinarian Veterinarian, the horse equine has been exposed; exposed. A premise will premises may be approved by the State Veterinarian for the permanent quarantine of ~~a horse~~ an equine which is positive to an official test for equine infectious anemia when it can be determined that other horses equines will not be exposed to the disease;
- (7) **Division.** Veterinary Division of the North Carolina Department of Agriculture; Agriculture and Consumer Services;
- (8) **Dealer.** Any person who buys horses equine for his own account for the purpose of resale, or for the account of others; others;
- (9) **Public Place.** Any premises owned or operated by any governmental entity, any privately owned or operated premises open to the public, or any privately owned or operated premises where three or more equine originating from three or more premises are gathered.

Authority G.S. 106-405.17.

**.0402 DISPOSITION OF REACTORS (REPEALED)**

**.0403 EXPOSED HORSES (REPEALED)**

**.0404 REPORT OF TEST RESULTS (REPEALED)**

Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6.

**.0405 FEES FOR BLOOD TEST**

(a) A person submitting a blood sample to the Division to be tested for EIA equine infectious anemia (EIA) shall pay a fee of three ~~four~~ dollars (~~\$3.00~~) (\$4.00) per sample.

(b) ~~The Division shall not test a blood sample for EIA unless the payment is submitted along with the sample.~~

Authority G.S. 106-405.17.

**.0406 EIA TEST REQUIRED**

(a) All equine more than six months of age entering North Carolina for any purpose other than for immediate slaughter shall be accompanied by a copy of the certificate of test from a laboratory approved by the USDA showing the animal to be negative to an approved test for equine infectious anemia (EIA) within the past 12 months, except as provided in 2 NCAC 52B .0410. (See 2 NCAC 52B .0206 for other importation requirements.)

(b) No equine more than six months of age shall be sold, offered for sale, traded, given away, or moved for the purpose of change of ownership unless accompanied by the original official negative test for EIA administered within 12 months prior to sale or movement, except that equine which are offered for sale at auction markets or sales may have a blood sample drawn at the market by the market's veterinarian at the seller's expense. In such cases, the equine may be sold and transferred contingent upon receipt of an official negative EIA test.

(c) All equine brought to or kept at any public stables or other public place for exhibition, recreation or assembly shall be accompanied by either the original or a copy of an official negative test for EIA administered within the previous 12 months. The owner, operator or person in charge of any public stables or other public place where equine are brought or kept for exhibition, recreation or assembly shall not permit an equine to remain on the premises without the test required by this Rule.

Authority G.S. 106-405.17.

**.0407 TESTING FOR EIA**

(a) Equine tested for equine infectious anemia (EIA) must be completely and accurately identified by a licensed, accredited veterinarian, using the official test form provided by the office of the State Veterinarian.

(b) Only one form shall be utilized by the testing veterinarian for each equine to be tested. Any distinctive markings and their location on the animal such as brands, tattoos, stars, snips, stockings, or other markings shall be noted on the official chart.

(c) Equine receiving on-farm or private treaty test shall not be sold or ownership otherwise transferred until the results of the equine infectious anemia test performed on the animal are returned. Positive test results shall automatically result in the quarantine of the animal without further notice at the premises of the owner or where the test was conducted.

(d) All test results shall be reported to the office of the State Veterinarian. Tests conducted at an approved laboratory within the state shall be reported on official forms supplied by the Division. Licensed, accredited veterinarians submitting samples



for testing in U.S. Department of Agriculture approved laboratories outside of North Carolina shall supply a copy of the test record to the office of the State Veterinarian within five days upon receipt of the test results from the testing laboratory.

(e) The owner or manager of a market or sale shall announce, prior to the sale or auction, that all equines not accompanied by either the original or a copy of an official negative test for EIA will be tested. Each buyer of such equine at the sale or auction shall sign an agreement to maintain such equine at a specified location until notified of the results of the test. Equine that prove negative to the test may move in normal trade channels. Owners of equine that react to the test must comply with 2 NCAC 52B .0408.

*Authority G.S. 106-405.17.*

#### **.0408 POSITIVE REACTORS**

(a) Equine testing positive to an approved test for equine infectious anemia (EIA) may have a confirmatory retest by a representative of the State Veterinarian within 15 days of the initial test. If there is no retest within 15 days from notification, the right to retest is forfeited and the equine shall be euthanized or branded immediately.

(b) If not euthanized, reactors must be branded on the left side of the neck with the characters '55A' and the official reactor number assigned by the Division. The owner of the reactor must submit the equine for branding by a representative of the State Veterinarian within 15 days of the confirmatory test.

(c) A reactor shall be isolated, euthanized or sold for slaughter within seven days of branding. Reactors shall be subject to the following disposition, at the option of the owner:

- (1) With approval of the State Veterinarian or his designated representative, the equine may be sold for slaughter to bona fide slaughter buyers. EIA reactors must be permitted on VS Form 1-27 by a representative of the State Veterinarian for movement from farm to an approved slaughter establishment or research facility when, in the State Veterinarian's judgment, it can be done without risk of exposure of other equine;
- (2) Quarantine of the infected, branded, equine until death in an isolation facility on the owner's premises or elsewhere, approved by an authorized representative of the State Veterinarian. A written quarantine will be issued for each equine. Minimum standards for an approved isolation facility shall be a plot or pasture located a minimum of 880 yards from any other equine enclosure, or other equine, except another known EIA reactor. Owners of infected, branded equine shall not sell, barter, trade or give away these equine except as provided in this Rule.

*Authority G.S. 106-405.17.*

#### **.0409 ADJACENT OR EXPOSED EQUINE**

When an equine is found positive by an approved equine

infectious anemia (EIA) test and an EIA retest by state personnel, all equine on the same premises (farm, pasture, or stable), and all other equine located on adjacent farms, pastures, or stables within 880 yards shall be required to be officially tested by state regulatory personnel or a licensed, accredited veterinarian. All exposed equine, as defined in 2 NCAC 52B .0401(6), shall be quarantined until officially tested and found negative to the EIA test 60 days after removal of the reactor.

*Authority G.S. 106-405.17.*

#### **.0410 MARKET AND SALE RESPONSIBILITY**

(a) Livestock markets and all others conducting sales of equine shall:

- (1) Send a written request for approval of all sales to the State Veterinarian at least two weeks prior to sale; and
- (2) Obtain written approval from the State Veterinarian prior to conducting the sale.

(b) Livestock markets or equine sales offering to provide equine infectious anemia (EIA) testing must employ a licensed, accredited veterinarian, approved by the State Veterinarian.

(c) Livestock markets or sales that have approved, permanent facilities and staff, including an approved licensed, accredited veterinarian, may handle equine that do not have a negative test, provided each such equine is tested as provided in these Rules.

(d) Livestock markets and all others conducting sales of equine shall have check-in procedures, including at least the following:

- (1) See that the correct name and mailing address of the owner is on the "check-in" form, along with the license number of the vehicle that transported the animal;
- (2) Apply a backtag or paint number at "check-in" and note it on the "check-in" form;
- (3) See that all EIA test records are collected and presented to the market veterinarian or representative of the State Veterinarian for verification prior to the sale.

(e) Equine shall be presented to the market or sale veterinarian if testing is required, and assistance shall be provided for drawing blood samples for the EIA test.

(f) The market or sale management shall maintain records of sales for a minimum of two years, so that animals that react positively to the EIA test may be traced.

(g) Those managing the sale shall not permit the sale of equine on the premises except through the market or sale.

(h) Non-compliance with these Rules is grounds for revocation of approval to conduct sales.

*Authority G.S. 106-405.17.*

#### **.0411 MARKET OR SALE VETERINARIANS**

(a) Market or sale veterinarians shall:

- (1) Collect blood samples of five cubic centimeters in an approved tube with proper identification of each equine presented for test;

(2) Properly identify each equine tested on a Department of Agriculture and Consumer Services form as to name, age, sex, breed, color and markings, brands, tattoos, scars, etc.; and

(3) Mail blood and form to an approved laboratory by the end of the next business day following the sale.

(h) Each market veterinarian involved in the equine infectious anemia (EIA) program shall have a signed approval from the State Veterinarian.

Authority G.S. 106-405.17.

#### **.0412 SLAUGHTER SALES**

Market or sale operators who wish to conduct a sale of equine only for slaughter without EIA testing must obtain prior approval from the State Veterinarian and sign an agreement to comply with the terms of this Rule and any specific terms that the State Veterinarian may direct.

Authority G.S. 106-405.17.

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### **TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Social Service Commission intends to adopt rules cited as 10 NCAC 42A .0801 - .0810, 42E .1501, .1502, 42V .0108, 42Z .1001, 47B .0204, .0407; amend rules cited as 10 NCAC 42E .0801, 47B .0103. Notice of Rule-making Proceedings was published in the Register on September 15, 1999.

**Proposed Effective Date:** July 17, 2000

**A Public Hearing** will be conducted at 10:00 am on January 19, 2000 in Room 832 at the Albemarle Building, 325 N. Salisbury Street, Raleigh, NC.

**Reason for Proposed Action:** 10 NCAC 42A .0801 - .0810 - Legislation enacted by the 1999 Session of the General Assembly (session law 1999-237) requires county departments of social services to implement a resident evaluation program for applicants and recipients of the State/County Special Assistance for Adults program.

10 NCAC 42E .0801, .1501 - .1502, 42Z .1001 - The 1999 Session of the General Assembly amended G.S. 131D-6 by adding a new subsection that require adult day care programs that provide, advertise, market, or otherwise promotes itself as providing special care services for person with Alzheimer's Disease or other dementias, a mental health disability, or other special needs disease or conditions to disclose in writing their policies and procedures the aspects and qualities of the care that composes "special care" to the Department and persons seeking services.

10 NCAC 42V .0108 - Legislation enacted by the 1999 Session

of the General Assembly established time frames for county departments of social services to initiate Adult Protective evaluations. The current rules governing this program need either to be repealed or amended to reflect this new legislative provision, and a new rule needs to be adopted to implement the new legislation.

10 NCAC 47B .0103, .0204, .0407 - Legislation enacted by the 1999 Session of the General Assembly (session law 1999-237) requires county departments of social services to implement a resident evaluation program for applicants and recipients of the State/County Special Assistance for Adults program.

**Comment Procedures:** Anyone who wishes to comment may do so by contacting Ms. Sharnese Ransome, APA Coordinator, Division of Social Services, 2401 Mail Service Center, Raleigh, NC 27699-2401; (919)733-3055. Verbal comments will be heard during the public hearing. Written comments must be received by Mrs. Ransome not later than February 3, 2000.

#### **Fiscal Impact**

State	Local	Sub.	None
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✓	✓		
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10 NCAC 42A .0801 - .0810

✓ ALL OTHERS

### **CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT**

#### **SUBCHAPTER 42A - ADULT PLACEMENT SERVICES**

#### **SECTION .0800 - ADULT CARE HOME RESIDENT EVALUATION SERVICES**

#### **.0801 DEFINITIONS**

As used in this Subchapter, the following terms have the meaning specified:

- (1) "Adult Care Home" is defined in G.S. 131D-2.
- (2) "Facility" means an adult care home licensed under G.S. 131D-2, or a combination home licensed under G.S. 131E, Article 6, Part A, or an entity licensed under G.S. 122C, Article 2.
- (3) "Special Assistance" means the financial assistance program which helps eligible individuals pay for the cost of care in adult care homes licensed under G.S. 131D-2, combination homes licensed under G.S. 131E, Article 6, Part A, and entities licensed under G.S. 122C, Article 2. The Special Assistance payment rate is set by the General Assembly. The categories of Special Assistance are:
  - (a) Special Assistance for the Aged (SAA) is for eligible individuals 65 years of age and older;
  - (b) Special Assistance for the Disabled (SAD) is for eligible individuals 18 to 64 years of age who are disabled according to Social Security or state disability standards; and
  - (c) Special Assistance for the Blind (SAB) is for eligible individuals who are legally blind.



*Authority G.S. 143B-153; S.L. 1999-237.*

**.0802 AVAILABILITY OF THE SERVICE**

County departments of social services shall assure the availability of Medicaid funded Adult Care Home Resident Evaluation Services to Special Assistance applicants and recipients.

*Authority G.S. 143B-153; S.L. 1999-237.*

**.0803 DEFINITION OF THE SERVICE**

Adult Care Home Resident Evaluation Services is a group of interrelated activities conducted by a qualified resident evaluator which includes:

- (1) Conducting an initial evaluation, using the Resident Assessment Instrument for Adult Care Homes, of individuals applying for and receiving Special Assistance to determine the level of care needed;
- (2) Using the initial evaluation to identify those Special Assistance applicants and recipients who require further evaluation regarding the need for treatment of mental illness or habilitation services or referral to other community based services or both;
- (3) Referring Special Assistance applicants and recipients to community based services and coordinating referrals to community based services for Special Assistance recipients with the adult care home staff;
- (4) Referring Special Assistance applicants and recipients identified through the initial evaluation or a subsequent re-evaluation to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional for a comprehensive evaluation of, and if indicated, the provision of treatment for mental illness or habilitation services;
- (5) Conducting annual re-evaluations of Special Assistance recipients to determine the ongoing level of care needed;
- (6) Working with the adult care home to identify Special Assistance recipients who pose a serious threat to other residents and immediately arranging for an initial evaluation of the individual's condition and need for treatment of mental illness or habilitation services;
- (7) Working with Special Assistance applicants and recipients, applicants' and recipients' families or responsible parties or any combination of these individuals, and adult care home staff to recognize and accept the need for referral to and treatment or habilitation, if indicated, by the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;
- (8) Notifying the adult care home of the mental health or developmental disabilities findings from the initial evaluation and their responsibility to work with the

area mental health, developmental disabilities, substance abuse services authority or another qualified mental professional to meet the mental health treatment or habilitation needs of Special Assistance applicants and recipients;

- (9) Securing or reviewing other information or both to assist in the determination of level of care and the need for referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;
- (10) Determining that evaluations are conducted, and if indicated, treatment or habilitation plans are developed by the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional for Special Assistance applicants and recipients referred for evaluation of the need for treatment or habilitation services;
- (11) Determining that the adult care home's plan of care for the Special Assistance applicant or recipient is consistent with the results of the mental health or developmental disabilities evaluation and treatment or habilitation plan; and
- (12) Providing technical assistance to adult care homes on conducting functional assessments and developing care plans to meet Special Assistance applicant and recipient needs.

*Authority G.S. 143B-153; S.L. 1999-237.*

**.0804 TARGET POPULATION**

All Special Assistance applicants and recipients shall have an evaluation to determine the level of care needed, which shall be conducted by a qualified resident evaluator as set forth in 10 NCAC 42A .0809, using the Resident Assessment Instrument for Adult Care Homes.

*Authority G.S. 143B-153; S.L. 1999-237.*

**.0805 RESIDENT EVALUATION INSTRUMENT**

The Resident Assessment Instrument for Adult Care Homes shall be used to evaluate all Special Assistance applicants and recipients, and for subsequent re-evaluations.

*Authority G.S. 143B-153; S.L. 1999-237.*

**.0806 EVALUATION AND REFERRAL**

(a) Resident evaluators shall complete the Resident Assessment Instrument for Adult Care Homes prior to admission for all Special Assistance applicants, except when emergency placement in a facility is necessary for a disabled adult in need of protective services as specified in G.S. 108A-101(e).

(b) In order to complete the Resident Assessment Instrument for Adult Care Homes, the resident evaluator shall observe the Special Assistance applicant or recipient to determine the level



of care needed and obtain information from one or more of the following:

- (1) the applicant or recipient;
- (2) the applicant's or recipient's family or legally responsible party;
- (3) facility staff; or
- (4) others knowledgeable about the applicant's or recipient's condition or diagnosis.

(c) Using the Resident Assessment Instrument for Adult Care Homes, along with any other pertinent information about a Special Assistance applicant or recipient's condition or diagnosis, the resident evaluator shall make a determination to refer the individual for evaluation of, and if indicated, the provision of treatment for mental illness or habilitation services by the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional.

(d) Referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional shall be made within 24 hours of completing the Resident Assessment Instrument for Adult Care Homes when there is substantial danger of harm to the Special Assistance applicant or recipient or to other residents in the adult care home and within 72 hours of completing the Resident Assessment Instrument for Adult Care Homes for all other Special Assistance applicants or recipients.

(e) The resident evaluator shall refer the Special Assistance applicant or recipient to the area authority responsible for providing mental health, developmental disabilities, and substance abuse services in the county where the adult care home is located or to another qualified mental health professional.

(f) The adult care home shall be notified about the referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional. Mental health findings from the initial evaluation or any subsequent re-evaluation shall be made available to the adult care home so that these findings can be incorporated into the resident's plan of care.

(g) The resident evaluator shall re-evaluate Special Assistance recipients at least every 12 months using the Resident Assessment Instrument for Adult Care Homes.

Authority G.S. 143B-153; S.L. 1999-237.

#### **.0807 TRIAGE PROCEDURE**

A triage procedure for identifying Special Assistance recipients most in need of an initial evaluation shall be developed by the county department of social services in conjunction with the area mental health, developmental disabilities, substance abuse services authority and used by resident evaluators. The procedure shall meet requirements established by the Secretary of the Department of Health and Human Services, including time frames for initial evaluations and treatment and the conditions under which another qualified mental health professional outside of the area authority shall be used.

Authority G.S. 143B-153; S.L. 1999-237.

#### **.0808 TRAINING REQUIREMENTS FOR RESIDENT EVALUATORS**

Resident evaluators hired directly by county departments of social services or through a contract with another agency or with a qualified individual shall complete training on the Resident Assessment Instrument for Adult Care Homes prior to conducting any evaluations of Special Assistance applicants or recipients.

Authority G.S. 143B-153; S.L. 1999-237.

#### **.0809 METHODS OF SERVICE PROVISION**

(a) One or more of the methods of service provision enumerated in this Paragraph shall be used to provide Adult Care Home Resident Evaluation Services.

- (1) Direct Provision. County departments of social services may employ qualified resident evaluators to provide Adult Care Home Resident Evaluation Services. The resident evaluators shall:

- (A) Meet the requirements established by the Office of State Personnel or a substantially equivalent jurisdiction approved by the State Personnel Commission for resident evaluators based on the activities set forth in Rule .0803 of this Section;
- (B) Have training in assessment and care planning for long-term-care services in residential and community care settings and training in the use of computer software to operate the Resident Assessment Instrument for Adult Care Homes;
- (C) Perform all duties and activities in accordance with the rules contained in this Section; and
- (D) Have no agreement, financial or otherwise, with a licensed facility or any relationship with a facility that could give rise to a conflict of interest.

- (2) Contract with Another Agency. County departments of social services may establish a written contract with another agency to provide Adult Care Home Resident Evaluation Services. Resident evaluators employed through a written contract shall:

- (A) Meet the requirements established by the Office of State Personnel or a substantially equivalent jurisdiction approved by the State Personnel Commission for resident evaluators based on the activities set forth in Rule .0803 of this Section;
- (B) Have training in assessment and care planning for long-term-care services in residential and community care settings and training in the use of computer software to operate the Resident Assessment Instrument for Adult Care Homes;
- (C) Perform all duties and activities in accordance with the rules contained in this Section; and
- (D) Have no agreement, financial or otherwise,

with a licensed facility or any relationship with a facility that could give rise to a conflict of interest.

- (3) Contract with a Qualified Individual. County departments of social services may establish a written contract with a qualified individual to provide Adult Care Home Resident Evaluation Services. Individuals under contract with a county department of social services to provide this service shall:

- (A) Meet the requirements established by the Office of State Personnel or a substantially equivalent jurisdiction approved by the State Personnel Commission for resident evaluators based on the activities set forth in Rule .0803 of this Section;
- (B) Have training in assessment and care planning for long-term-care services in residential or community care settings and training in the use of computer software to operate the Resident Assessment Instrument for Adult Care Homes;
- (C) Perform all duties and activities in accordance with the rules contained in this Section; and
- (D) Have no agreement, financial or otherwise, with a licensed facility or any relationship with a facility that could give rise to a conflict of interest.

(b) A written contract with another agency or with a qualified individual shall be established in accordance with rules set forth in 10 NCAC Chapter 36. Copies of these rules may be obtained from the Office of Administrative Hearings, Post Office Drawer 27447, Raleigh, NC 27611-7447, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule.

Authority G.S. 143B-153; S.L. 1999-237.

#### **.0810 CASE RECORD**

A record shall be kept in the county department of social services of jurisdiction for each client receiving Adult Care Home Resident Evaluation Services and must include:

- (1) Documentation of request or authorization for services;
- (2) Documentation of client eligibility;
- (3) Documentation of consent for release and sharing of information;
- (4) A copy of the completed initial evaluation using the Resident Assessment Instrument for Adult Care Homes documenting the need for adult home level of care;
- (5) Copies of all re- evaluations using the Resident Assessment Instrument for Adult Care Homes;
- (6) Documentation of any and all referrals, including those to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;

- (7) Documentation of any additional information used to verify the need for referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;
- (8) Documentation that an evaluation is conducted, and if indicated, a treatment or habilitation plan is developed when the client is referred to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;
- (9) Documentation that the adult care home's plan of care for the client is consistent with the results of the evaluation and treatment or habilitation plan when the client is referred to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional; and
- (10) Documentation notifying the client of service reduction, denial or termination.

Authority G.S. 143B-153; S.L. 1999-237.

### **SUBCHAPTER 42E - ADULT DAY CARE STANDARDS FOR CERTIFICATION**

#### **SECTION .0800 - DEFINITION OF TERMS**

##### **.0801 DEFINITIONS**

(a) "Adaptable Space" means space in a facility that can be used for several purposes with little effort and without sacrificing safety and health standards; for example, an activities room that is used for crafts in the morning, used to serve lunch and used for exercise activities in the afternoon.

(b) "Adult" is an individual 18 years of age or older.

(c) "Alzheimer's Disease" is a progressive, degenerative disease that attacks the brain and results in impaired memory, thinking and behavior. Characteristic symptoms of the disease include gradual memory loss, impaired judgement, disorientation, personality change, difficulty in learning and loss of language skills.

(d)(e) "Ambulatory" refers to a person who is fully mobile and does not need the continuing help of a person or object for support (except a walking cane).

(e)(d) "Capacity" is the number of participants for which a day care program is certified.

(f)(e) "Caretaker" is an adult who regularly provides an impaired adult with continuous supervision, assistance with preparation of meals, assistance with housework and assistance with personal grooming.

(g)(f) "Certification" is the process whereby an adult day care program is approved as meeting adult day care standards.

(h)(g) "Certifying agency" is the Department of Human Resources, Division of Social Services: Health and Human Services, Division of Aging.

(i)(h) "Day Care Center" means a day care program operated



in a structure other than a single family dwelling.

(j)(i) "Day Care Home" means a day care program for two to six people operated in a single family dwelling.

(k)(j) "Group Process" means at least three persons engaged in a common activity that can bring pleasure, satisfaction and improvement to all members.

(l)(k) "Institution" is a facility that is established to serve a particular purpose and is required by state law to be provided and maintained by the state and any facility defined in federal regulations as an institution. In North Carolina, the list of institutions includes but is not necessarily limited to: general hospitals, state psychiatric hospitals, state centers for the retarded, skilled nursing facilities, and intermediate care facilities.

(m) "Mental health disability" is a severe, lifelong, chronic condition that is due to a mental or physical impairment or a combination of mental and physical impairments.

(n)(l) "Non-ambulatory" refers to a person who is bedfast.

(o)(m) "Nursing Care" is skilled nursing care or intermediate care.

(p)(n) "Operator" is the person responsible for management of a day care home.

(q) "Other special needs disease or condition" refers to a diagnosis, disease or disability, such as AIDS/HIV, that benefits from monitoring or oversight in a supervised setting.

(r)(q) A "Physical Therapy Program" is a series of activities prescribed by a licensed physical therapist or activities administered under the supervision of a physical therapist.

(s)(p) "Program Director" is the person responsible for program planning, development and implementation in a day care center.

(t) "Related disorders" means dementing or memory impairing conditions characterized by irreversible memory dysfunction.

(u)(q) "Semi-ambulatory" refers to a person who needs and uses the assistance of objects such as a wheelchair, crutches, walker, or other appliance or the support of another person on a regular and continuing basis to move about.

(v) "Special care services" are services by a certified adult day care center that promotes itself as providing programming, activities or care specifically designed for persons with Alzheimer's Disease or related disorders, mental health disabilities, or other special needs diseases or conditions.

(w)(r) "Supervising agency" is the county department of social services in the county in which the day care program is located. The county department is responsible for seeing that certification standards are met on an on-going basis and for making a recommendation to the Division of Social Services Aging regarding certification.

(x)(s) A "Participant" is a person enrolled in an adult day care program.

(y)(t) A "Senior Center" is a community or neighborhood facility for the organization and provision of a broad spectrum of services including health, social, nutritional and educational services and a facility for recreational and group activities for older persons. (Administration on Aging definition)

Authority G.S. 143B-153; S.L. 1999-334.

## SECTION .1500 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS, MENTAL HEALTH DISABILITIES OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE CENTERS

### .1501 DISCLOSURE

The rules of this Chapter are established to govern the disclosure requirements for adult day care programs that provide or promote special care services for persons with Alzheimer's or other dementias, mental health disabilities, or other special needs diseases or conditions. Only those centers that meet these requirements may advertise or represent themselves as providing special care services as defined in Rule 10 NCAC 42E .0801.

Authority G.S. 143B-153; G.S. 131D-6; S.L. 1999-334.

### .1502 POLICIES AND PROCEDURES

Adult Day Care Centers shall assure that written special care services policies and procedures are established, implemented by staff and available for review within the center. In addition to all applicable policies and procedures for adult day care centers, there should be policies and procedures that address:

- (1) The philosophy of the special care service which includes a statement of mission and objectives regarding the specific population to be served by the center which shall address, but not be limited to, the following:
  - (a) a safe, secure, familiar and consistent environment that maintains and encourages the use of skills for daily living;
  - (b) a structured program of daily activities that allows for flexibility to respond to the needs, abilities, and preferences of participants;
  - (c) individualized service plans that stress the maintenance of participant's abilities and promote the highest possible level of physical and mental functioning; and
  - (d) methods of behavior management which preserve dignity through design of the physical environment, physical exercise, social activity, appropriate medication administration, proper nutrition and health maintenance.
- (2) The process and criteria for enrollment in and discharge from the service.
- (3) A description of the special care services offered by the center.
- (4) Participant assessment and service planning, including opportunity for family involvement in the service planning and the implementation of the service plan, including responding to changes in the participant's condition.
- (5) Safety measures addressing specific dangers such as wandering, ingestion, falls, smoking, and aggressive



behavior.

- (6) Lost or missing participants.
- (7) Staff to participant ratios in the special care service to meet the needs of participants.
- (8) mount and content areas of staff training both at orientation and annually based on the special care needs of the participants.
- (9) Physical environment and design features that address the needs of the participants. These features can encompass an entire center if the center promotes itself as providing special care or any section separated by closed doors from the rest of the center and advertised especially for special care of participants.
  - (a) Center or section exit doors may be locked only if the locking devices meet the requirements outlined in the N.C. State Building Code for special locking devices;
  - (b) Where exit doors are not locked, a system of security monitoring shall be provided.
- (10) Activities based on personal preferences and needs of the participants that focus on the individual's interests and abilities.
- (11) Opportunity for involvement of families in participant care, if applicable.
- (12) The availability of or information on family support groups and other community services.
- (13) Additional costs and fees to the participant for the special services provided.

Authority G.S. 143B-153; G.S. 131D-6; S.L. 1999-334.

## SUBCHAPTER 42V - PROTECTIVE SERVICES FOR ADULTS

### SECTION .0100 - GENERAL

#### .0108 DEFINITIONS

(a) Immediately" as specified in G.S. 108A-103(d), shall mean responds with no delay as soon as a county department of social services receives a report that:

- (1) an adult is alleged to be disabled as defined in G.S. 108A-101(d);
- (2) an adult is alleged to be abused, neglected, or exploited as defined in G.S. 108A-101(a), (j), or (m); and
- (3) an adult is alleged to be in need of protective services as defined in G.S. 108A-101(e).

(b) "A life threatening situation" shall be considered an emergency as defined in G.S. 108A-101(g).

Authority G.S. 143B-153; S.L. 1999-334.

## SUBCHAPTER 42Z - ADULT DAY HEALTH STANDARDS FOR CERTIFICATION

## SECTION .1000 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS, MENTAL HEALTH DISABILITIES, OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE CENTERS

### .1001 DISCLOSURE

Disclosure standards as set forth in 10 NCAC 42E .1502 shall control for this Chapter.

Authority G.S. 143B-153; G.S. 131D-6; S.L. 1999-334.

## CHAPTER 47 -STATE/COUNTY SPECIAL ASSISTANCE

### SUBCHAPTER 47B - ELIGIBILITY DETERMINATION

#### SECTION .0100 - APPLICATION PROCESS

#### .0103 ELIGIBILITY DETERMINATION PROCESS

The following steps shall be followed in eligibility determination:

- (1) Each eligibility factor shall be reviewed;
- (2) A home visit (or a visit to the domiciliary care facility, if a home visit is not appropriate) shall be made unless one of the following exceptions applies:
  - (a) The applicant resides in a state institution (mental hospital or retardation center). In this case, information shall be obtained from a responsible person or staff member of the institution.
  - (b) The applicant resides in a domiciliary care facility in a county other than his county of residence. In this case, information shall be obtained from a responsible person or the county department in the county where the facility is located.
- (3) The applicant shall be asked whether he receives Supplemental Security Income benefits. If he has not applied, he shall be asked to apply immediately. The State/County Special Assistance application shall be held until a disposition is made.
- (4) The applicant or the applicant's legally responsible party shall cooperate with the resident evaluation to be completed by the Adult Care Home Resident Evaluator.

Authority G.S. 143B-153. S.L. 1999-237.

#### SECTION .0200 - REDETERMINATION OF ELIGIBILITY

#### .0204 RE-EVALUATION

Eligibility re-determination shall be based on verification that a re-evaluation has been completed at least every 12 months

using the Resident Assessment Instrument for Adult Care Homes and other supportive information which documents the need for care in an adult care home licensed under G.S. 131D-2, a combination home licensed under G.S. 131E, Article 6, Part A, or a facility licensed under G.S. 122C, Article 2.

Authority G.S. 143B-153; S.L. 1999-237.

## SECTION .0400 - ELIGIBILITY FACTORS

### .0407 EVALUATION

Eligibility for State/County Special Assistance for Adults shall be determined based on verification that an evaluation has been completed using the Resident Assessment Instrument for Adult Care Homes and other supportive information which documents the need for care in an adult care home licensed under G.S. 131D-2, a combination home licensed under G.S. 131E, Article 6, Part A, or a facility licensed under G.S. 122C, Article 2.

Authority G.S. 143B-153; S.L. 1999-237.

\*\*\*\*\*

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Medical Care Commission intends to adopt the rules cited as 10 NCAC 42B .1213-.1214, .2406, .2501-.2503, .2601; 42C .2013-.2015, .2506, .3801-.3810, .3901-.3903, .4001; 42D .1303-.1304, .1412-.1416, .1831, .1901-.1910, .2001-.2011, .2101-.2102, .2201-.2203, .2301, amend the rules cited as 10 NCAC 42B .1201, .1407, .1707, .1803; 42C .2005, .2011-.2012, .2207, .2214, .2302, .3401-.3402, .3701, .3703; 42D .1301, .1402, .1407, .1410-.1411, .1503, .1605, .1804, .1821; and repeal the rules cited as 10 NCAC 42B .1212; 42C .2501, .2505, .2703; 42D .1302, .1401. Notice of Rule-making Proceedings was published in the Register on September 15, 1999.

**Proposed Effective Date:** July 1, 2000

**Public Hearings** will be conducted on:

**January 24, 2000 at 1:00 p.m.**  
Carlton Watkins Training Room  
3500 Ellington Street  
Charlotte, NC

**January 25, 2000 at 1:00 p.m.**  
Mountain AHEC - Classroom #4  
501 Biltmore Avenue  
Asheville, NC

**February 2, 2000 at 1:00 p.m.**  
Edwin W. Monroe Conference Center  
Pamlico Room  
2000 Venture Tower Drive  
Greenville, NC

**February 7, 2000 at 1:00 p.m.**  
Wake County Health Department  
Auditorium/Room 101  
10 Sunnybrook Drive  
Raleigh, NC

**Reason for Proposed Action:** Adopt permanent rules to replace the temporary rules adopted by the Secretary, DHHS, pursuant to Senate Bill 10, Senate Bill 198 and House Bill 512.

**Comment Procedures:** Written comments may be submitted to Jackie Sheppard, Assistant Director, Division of Facility Services, 2701 Mail Service Center, Raleigh, NC 27699-2701. Although the comment period ends March 6, 2000 you are encouraged to submit your written comments by 5:00 p.m. on February 7, 2000 in order to allow the Commission sufficient time to consider your comments. The Chairman may impose a time limit for speakers depending on the number of speakers.

### Fiscal Impact

State	Local	Sub.	None
✓		✓	

## CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT

### SUBCHAPTER 42B - LICENSING OF HOMES FOR DEVELOPMENTALLY DISABLED ADULTS

#### SECTION .1200 - PERSONNEL

#### .1201 PERSONNEL REQUIREMENTS

The qualifications of administrator, co-administrator, supervisor-in-charge, manager, and co-manager are as follows:

- (1) shall be an adult;
- (2) shall be a high school graduate or certified under the G.E.D. Program (applies to those employed on or after August 1, 1991);
- (3) shall be in good physical, mental and emotional health (DSS-1864); health;
- (4) shall provide written documentation about convictions of criminal offenses from the clerk of court in the county in which the conviction was made, and about any driving offenses other than minor traffic violations from the motor vehicles office;
- (5) shall earn 12 hours a year of continuing education credits related to the management of homes and training of developmentally disabled adults.

Authority G.S. 131D-2; 131D-4.5; 143B-153; 168-1; 168-9; S.L. 99-0334.

#### .1212 CERTIFICATION OF ADMINISTRATOR

Rule 10 NCAC 42D .1412 shall control for this Subchapter.

Authority G.S. 131D-2; 90-288; 143B-165; S.L. 99-0334; S.L. 99-0443.



## **.1213 QUALIFICATIONS OF MEDICATION AIDES AND THEIR SUPERVISORS**

(a) Effective February 15, 2000, staff who administer medications, hereafter referred to as medication aides, and staff who directly supervise the administration of medications shall have documentation of successfully completing the clinical skills validation portion of the competency evaluation according to Paragraph (d) and (e) of Rule .1214 of this Section prior to the administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule .1210 of this Section. Persons authorized by state occupational licensure laws to administer medications are exempt from this requirement.

(b) Effective July 1, 2000, medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall successfully pass the written examination within 90 days after successful completion of the clinical skills validation portion of a competency evaluation according to Rule .1214 of this Section. Medication aides shall also meet the staff training and competency requirements according to Rule .1210 of this Section.

(c) Medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall complete eight hours of state approved continuing education annually in medication administration.

(d) Effective July 1, 2000, persons taking the competency evaluation for medication administration shall be a high school graduate or certified under the G.E.D. program or shall have passed an alternative examination established by the Department.

(e) Training and competency validation of any unlicensed person who is to administer insulin shall be according to Rule .2404 of this Subchapter. Effective January 1, 2000, the training shall also be required for any unlicensed person who is to administer insulin.

Authority *G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

## **.1214 MEDICATION ADMINISTRATION COMPETENCY EVALUATION**

Rule 10 NCAC 42C .2014 shall control for this Subchapter.

Authority *G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

## **SECTION .1400 - ARRANGEMENT AND SIZE OF ROOMS**

### **.1407 STORAGE AREAS**

(a) The storage areas must be adequate in size and number for storage of clean linens, soiled linens, cleaning materials, household supplies, food and equipment. Refer to rules and regulations governing the sanitation and other aspects of residential care facilities.

(b) ~~Medications shall be stored separately in a cabinet or~~

~~closet as follows:~~

- ~~(1) — well-lighted, locked cabinet or closet large enough to store all medications in an orderly manner;~~
- ~~(2) — dividers installed or containers provided in the cabinet or closet to separate each resident's medications with proper labeling for each resident;~~
- ~~(3) — located off the corridor but not in bathrooms, utility room, or kitchen, due to presence of steam and variations in temperature;~~
- ~~(4) — a separate lockable box in the refrigerator shall be provided for drug storage when needed (or a separate drug-only refrigerator);~~
- ~~(5) — all external medications shall be stored separately from internal medication;~~

*G.S. 131D-2; 143B-153; 131D-4.5; 168-1; 168-9; S.L. 99-0334.*

## **SECTION .1700 - ADMISSION; TRANSFER; AND DISCHARGE POLICIES**

### **.1707 PROCEDURES FOR DISCHARGE**

Rule 10 NCAC 42C .2506 shall control for this Subchapter.

(a) ~~Discharge policies shall be in writing.~~

(b) ~~When it becomes apparent that a resident no longer needs the services of a group home, the administrator of a private for profit home will always notify the county department of social services regarding discharge. In private non-profit homes the manager will notify the board of directors or admissions committee which will in turn notify the county department of social services. In all cases the county department of social services must be notified about a discharge.~~

(c) ~~If the resident's physician determines that he needs a higher level of care, the manager must contact the admissions committee or social worker to make other plans for the resident.~~

(d) ~~The manager must notify the admissions committee or social worker if a resident requests or otherwise indicates a need for a different home.~~

(e) ~~Enter the date of discharge or transfer and the reason for leaving the licensed home in item 14 of the DSS-1865 form.~~

(f) ~~For disposition of records of residents who have left the home see Regulation .2001 of this Subchapter.~~

(g) ~~The manager shall contact the admissions committee and social worker for persons having difficulty adjusting to the change in living arrangements. If, after a reasonable time adjustment is not satisfactory, the manager may request the admissions committee or social worker to make other plans for the resident.~~

(h) ~~Also, there shall be a clearly defined system for the resident to express any grievances or complaints. An advocate for the individual shall be established; i.e., a social worker, family member or friend.~~

Authority *G.S. 131D-2; 131D-4.5; 143B-153; 168-1; 168-9; S.L. 99-0334.*

## **SECTION .1800 - MEDICAL POLICIES**



**.1803 MEDICATIONS**

(a) The group home shall have a written policy regarding medication:

- (1) The group home should have a systematic training program to help each resident become less reliant on drug administration by staff and more self-reliant regarding drug administration.
- (2) Programs designed to gradually reduce the tranquilizer intake of residents use of psychotropic medications shall be under the supervision of a qualified physician. Care should be taken to distinguish tranquilizing drugs psychotropic medications from medication used for other purposes such as for seizure control.
- (3) Medications for all residents shall be re-evaluated and re-authorized every six months by a physician.
- (4) The home administrator-manager shall be responsible for assuring that the resident complies with the prescribed drugs regimen.

(b) Regulation The rules states in 10 NCAC 42C .2703 .3800 shall control for this Section of the Subchapter.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; 168-1; 168-9; S.L. 99-0334.*

**SECTION .2400 -MISCELLANEOUS RULES**

**.2406 HEALTH CARE PERSONNEL REGISTRY**

The facility shall comply with General Statute 131E-256 and supporting 10 NCAC 3B .1001 and .1002.

*Authority G.S. 131D-2; 131D-4.5; 131E-256; 143B-165; S.L. 99-0334.*

**SECTION .2500 - ADULT HOME CARE LICENSES**

**.2501 DEFINITIONS**

Rule 10 NCAC 42C .3901 shall control for this Subchapter.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334.*

**.2502 PERSONS NOT ELIGIBLE FOR NEW ADULT CARE HOME LICENSES**

Rule 10 NCAC 42C .3902 shall control for this Subchapter.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334.*

**.2503 ADULT CARE HOMES NOT ELIGIBLE FOR LICENSE RENEWAL**

Rule 10 NCAC 42C .3903 shall control for this Subchapter.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334.*

**SECTION .2600 - EFFECTIVE DATE OF TEMPORARY RULES**

**.2601 CHANGE OF EFFECTIVE DATE OF TEMPORARY RULES**

The effective date of temporary Rules .1213, .1214, .1407, .1707, .1803, .2501, .2502, and .2503 of this Subchapter is changed to January 1, 2000.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

**SUBCHAPTER 42C - LICENSING OF FAMILY CARE HOMES**

**SECTION .2000 - PERSONNEL**

**.2005 OTHER PERSONNEL REQUIREMENTS**

(a) In addition to the personnel requirements set forth in Rules .2001, .2002, and .2006 of this Subchapter, additional competent staff must be employed, as needed, to assure good housekeeping, supervision and personal care of the residents.

(b) In homes where there are minor children, aged or infirm relatives of the administrator or other management staff residing, the number of extra staff will be determined by the capacity for which the home is licensed plus the minors and relatives who require care and supervision.

(c) The Division of Facility Services will make the final determination of the need for additional staff, based on the home's licensed capacity; the number of live-in minors and relatives requiring care; the condition, needs and ambulation capacity of the residents; and the layout of the building.

(d) Each staff member must have a well-defined job description that reflects actual duties and responsibilities, signed by the administrator and the employee.

(e) Each staff member must be able to apply all of the home's accident, fire safety and emergency procedures for the protection of the residents.

(f) Each staff member authorized by the administrator to have access to confidential resident information must be informed of the confidential nature of the information and must protect and preserve such information from unauthorized use and disclosure. G.S. 131D-2(b)(4), G.S. 131D-21(6), and G.S. 131D-21.1 govern the disclosure of such information.

(g) Each staff member is to encourage and assist the residents in the exercise of the rights guaranteed under the Adult Care Home Residents' Bill of Rights. No staff member is to hinder or interfere with the proper performance of duty of a lawfully appointed Adult Care Home Community Advisory Committee.

(h) Each staff member left alone with the residents must be 18 years or older.

(i) Within six months of the effective date of this rule, each facility shall have at least one person on the premises at all times who has successfully completed within the last 24 months a course on cardiopulmonary resuscitation (CPR) and choking management, including Heimlich maneuver, provided by the American Heart Association, the American Red Cross or a

trainer with documented certification as a trainer in these procedures. For the purpose of this rule, successfully completed means demonstrating competency, as evaluated by the instructor, in performing the Heimlich maneuver and cardiopulmonary resuscitation. Documentation of successful completion of the course shall be on file and available for review in the facility.

(i) Staff who transport residents shall maintain a valid driver's license.

(k) If licensed practical nurses are employed by the facility, there shall be continuous availability of a registered nurse consistent with Rules 21 NCAC 36 .0224 and .0225.

Note: The practice of licensed practical nurses is governed by their occupational licensing laws.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

## **.2011 STAFF COMPETENCY AND TRAINING**

(a) The facility shall assure that personal care staff and those who directly supervise them in facilities without heavy care residents successfully complete a 20 25 hour training program, including competency evaluation, approved by the Department according to Rule .2012 of this Section. For the purposes of this Subchapter, heavy care residents are those for whom the facility is providing personal care tasks listed in Paragraph (i) of this Rule. Directly supervise means being on duty in the facility to oversee or direct the performance of staff duties.

(b) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraph (i) of this Rule in facilities with heavy care residents successfully complete a 75 80-hour training program, including competency evaluation, approved by the Department according to Rule .2012 of this Section and comparable to the State-approved Nurse Aide I training.

(c) The facility shall assure that training specified in Paragraphs (a) and (b) of this Rule is successfully completed within one of the following time frames: six months after hiring for staff hired after July 1, 2000. Staff hired prior to July 1, 2000, shall have completed at least a 20 or 75-hour training program, which shall meet all the requirements of this Rule except for the interpersonal skills and behavioral interventions listed in Paragraph (i) of this Rule, within six months after hiring.

~~(1) six months after implementation of a statewide training program for staff hired before such implementation; or~~

~~(2) six months after hiring for staff hired Department of Community Colleges: after implementation of a statewide training program established by the~~

(d) The Department shall have the authority to extend the six-month time frame specified in Paragraph (c) of this Rule up to six additional months for a maximum allowance of 12 months for completion of training upon submittal of documentation to the Department by the facility showing good cause for not meeting the six-month time frame.

(e) Exemptions from the training requirements of this Rule

are as follows:

(1) The Department shall exempt staff from the 20 25-hour training requirement upon successful completion of a competency evaluation approved by the Department according to Rule .2012 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (h) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a comparable long-term care setting for a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.

(2) The Department shall exempt staff from the 75 80-hour training requirement upon successful completion of a 15-hour refresher training and competency evaluation program or a competency evaluation program approved by the Department according to Rule .2012 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a comparable long-term care setting for a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.

(3) The Department shall exempt staff from the 20 25 and 75 80-hour training and competency evaluation who are or have been licensed health professionals or ~~listed on the N.C. Nurse Aide Registry:~~ Certified Nursing Assistants.

(f) The facility shall maintain documentation of the training and competency evaluations of staff required by the rules of this Subchapter. The documentation shall be filed in an orderly manner and made available for review by representatives of the Department.

(g) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraphs (h) and (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule receive on-the-job training and supervision as necessary for the performance of individual job assignments prior to meeting the training and competency requirements of this Rule.

(h) For the purposes of this Rule, personal care tasks which require a 20 25-hour training program include, but are not limited to the following:

- (1) assist residents with toileting and maintaining bowel and bladder continence;
- (2) assist residents with mobility and transferring;
- (3) provide care for normal, unbroken skin;
- (4) assist with personal hygiene to include mouth care, hair and scalp grooming, care of fingernails, and bathing in shower, tub, bed basin;
- (5) trim hair;
- (6) shave resident;
- (7) provide basic first aid;



- (8) assist residents with dressing;
- (9) assist with feeding residents with special conditions but no swallowing difficulties;
- (10) assist and encourage physical activity;
- (11) take and record temperature, pulse, respiration, routine height and weight;
- (12) trim toenails for residents without diabetes or peripheral vascular disease;
- (13) perineal care;
- (14) apply condom catheters;
- (15) turn and position;
- (16) collect urine or fecal specimens;
- (17) take and record blood pressure if a registered nurse has determined and documented staff to be competent to perform this task;
- (18) apply and remove or assist with applying and removing prosthetic devices for stable residents if a registered nurse, licensed physical therapist or licensed occupational therapist has determined and documented staff to be competent to perform the task; and
- (19) apply or assist with applying ace bandages, TED's and binders for stable residents if a registered nurse has determined and documented staff to be competent to perform the task.

(i) For the purposes of this Rule, personal care tasks which require a ~~75~~ 80- hour training program are as follows:

- (1) assist with feeding residents with swallowing difficulty;
- (2) assist with gait training using assistive devices;
- (3) assist with or perform range of motion exercises;
- (4) empty and record drainage of catheter bag;
- (5) administer enemas;
- (6) bowel and bladder retraining to regain continence;
- (7) test urine or fecal specimens;
- (8) use of physical or mechanical devices attached to or adjacent to the resident which restrict movement or access to one's own body used to restrict movement or enable or enhance functional abilities;
- (9) non-sterile dressing procedures;
- (10) force and restrict fluids;
- (11) apply prescribed heat therapy;
- (12) care for non-infected pressure ulcers; and
- (13) vaginal douches.

(j) For purposes of this Rule, the interpersonal skills and behavioral interventions include, but are not limited to the following:

- (1) recognition of residents' usual patterns of responding to other people;
- (2) individualization of appropriate interpersonal interactions with residents;
- (3) interpersonal distress and behavior problems;
- (4) knowledge of and use of techniques, as alternatives to the use of restraints, to decrease residents' intrapersonal and interpersonal distress and behavior problems;
- (5) knowledge of procedures for obtaining consultation

and assistance regarding safe, humane management of residents' behavioral problems.

Authority *G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334.*

## **.2012 TRAINING PROGRAM AND COMPETENCY EVALUATION CONTENT AND APPROVAL**

(a) The ~~20~~ 25- hour training specified in Rule .2011 of this Section shall consist of at least ~~12~~ 15 hours of classroom instruction, and the remaining hours shall be supervised practical experience. Competency evaluation shall be conducted in each of the following areas:

- (1) personal care skills;
- (2) cognitive, behavioral and social care; care for all residents and including interventions to reduce behavioral problems for residents with mental disabilities; and
- (3) residents' rights as established by G.S. 131D-21.

(b) The ~~75~~ 80- hour training specified in Rule .2011 of this Section shall consist of at least ~~30~~ 34 hours of classroom instruction and at least ~~30~~ 34 hours of supervised practical experience. Competency evaluation shall be conducted in each of the following areas:

- (1) observation and documentation;
- (2) basic nursing skills, including special health-related tasks;
- (3) personal care skills;
- (4) cognitive, behavioral and social care; care for all residents and including interventions to reduce behavioral problems for residents with mental disabilities;
- (5) basic restorative services; and
- (6) residents' rights as established by G.S. 131D-21.

(c) The following requirements shall apply to the ~~20~~ 25 and ~~75~~ 80- hour training specified in Rule .2011 of this Section:

- (1) The training shall be conducted by an individual or a team of instructors with a coordinator. The supervisor of practical experience and instructor of content having to do with personal care tasks or basic nursing skills shall be a registered nurse with a current, unencumbered license in North Carolina and with two years of clinical or direct patient care experience working in a health care, home care or long term care setting. The program coordinator and any instructor of content that does not include instruction on personal care tasks or basic nursing skills shall be a registered nurse, licensed practical nurse, physician, gerontologist, social worker, psychologist, mental health professional or other health professional with two years of work experience in adult education or in a long term care setting; or a four-year college graduate with four years of experience working in the field of aging or long term care for adults.
- (2) A trainee participating in the classroom instruction and supervised practical experience in the setting of



the trainee's employment shall not be considered on duty and counted in the staff-to-resident ratio.

- (3) Training shall not be offered without a qualified instructor on site.
- (4) Classroom instruction shall include the opportunity for demonstration and practice of skills.
- (5) Supervised practical experience shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the trainee will be performing or supervising the personal care skills.
- (6) All skills shall be performed on humans except for intimate care skills, such as perineal and catheter care, which may be conducted on a mannequin.
- (7) There shall be no more than 10 trainees for each instructor for the supervised practical experience.
- (8) A written examination prepared by the instructor shall be used to evaluate the trainee's knowledge of the content portion of the classroom training. The trainee shall score at least 70 on the written examination. Oral testing shall be provided in the place of a written examination for trainees lacking reading or writing ability.
- (9) The trainee shall satisfactorily perform all of the personal care skills specified in Rule .2011(h) and the skills specified in Rule .2001(j) of this Section for the 20- 25-hour training and in Rule .2011(h), and (i) and (j) of this Section for the 75- 80- hour training. The instructor shall use a skills performance checklist for this competency evaluation that includes, at least, all those skills specified in Rule Rules .2011(h) and .2011(j) of this Section for the 20- 25- hour training and all those skills specified in Rule Rules .2011(h), and (i) and (j) of this Section for the 75- 80- hour training. Satisfactory performance of the personal care skills and interpersonal and behavioral intervention skills means that the trainee performed the skill unassisted; explained the procedure to the resident; explained to the instructor, prior to or after the procedure, what was being done and why it was being done in that way; and incorporated the principles of good body mechanics, medical asepsis and resident safety and privacy.
- (10) The training provider shall issue to all trainees who successfully complete the training a certificate, signed by the registered nurse who conducted the skills competency evaluation, stating that the trainee successfully completed the 20 or 75-hour training. The trainee's name shall be on the certificate. The training provider shall maintain copies of the certificates and the skills evaluation checklists for a minimum of five years.

(d) An individual, agency or organization seeking to provide the 20 25 or 75- 80- hour training specified in Rule .2011 of this Section shall submit the following information to the Group Care Licensure Section of the Division of Facility Services:

- (1) an application which is available at no charge by contacting the Division of Facility Services, Group Care Licensure Section, Post Office Box 29530, 2708 Mail Service Center, Raleigh, North Carolina 27626-0530 27626-2708;
- (2) a statement of training program philosophy;
- (3) a statement of training program objectives for each content area;
- (4) a curriculum outline with specific hours for each content area;
- (5) teaching methodologies, a list of texts or other instructional materials and a copy of the written exam or testing instrument with an established passing grade;
- (6) a list of equipment and supplies to be used in the training;
- (7) procedures or steps to be completed in the performance of the personal care and basic nursing skills;
- (8) sites for classroom and supervised practical experience, including the specific settings or rooms within each site;
- (9) resumes of all instructors and the program coordinator, including current RN certificate numbers as applicable;
- (10) policy statements that address the role of the registered nurse, instructor to trainee ratio for the supervised practical experience, retention of trainee records and attendance requirements;
- (11) a skills performance checklist as specified in Subparagraph (c)(9) of this Rule; and
- (12) a certificate of successful completion of the training program.

(e) The following requirements shall apply to the competency evaluation for purposes of exempting adult care home staff from the 20 25 or 75- 80-hour training as required in Rule .2011 of this Section:

- (1) The competency evaluation for purposes of exempting adult care home staff from the 20 25 and 75- 80- hour training shall consist of the satisfactory performance of personal care skills and interpersonal and behavioral intervention skills according to the requirement in Subparagraph (c)(9) of this Rule.
- (2) Any person who conducts the competency evaluation for exemption from the 20 20 or 75 80-hour training shall be a registered nurse with the same qualifications specified in Subparagraph (c)(1) of this Rule.
- (3) The competency evaluation shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the participant will be performing or supervising the personal care skills.
- (4) All skills being evaluated shall be performed on humans except for intimate care skills such as perineal and catheter care, which may be performed on a

mannequin.

- (5) The person being competency evaluated in the setting of the person's employment shall not be considered on duty and counted in the staff-to-resident ratio.
- (6) An individual, agency or organization seeking to provide the competency evaluation for training exemption purposes shall complete an application available at no charge from the Division of Facility Services, Group Care Licensure Section, Post Office Box 29530, Raleigh, North Carolina 27626-0530 and submit it to the Group Care Licensure Section along with the following information:
  - (A) resume of the person performing the competency evaluation, including the current RN certificate number;
  - (B) a certificate, with the signature of the evaluating registered nurse and the participant's name, to be issued to the person successfully completing the competency evaluation;
  - (C) procedures or steps to be completed in the performance of the personal care and basic nursing skills;
  - (D) a skills performance checklist as specified in Subparagraph (c)(9) of this Rule;
  - (E) a site for the competency evaluation; and
  - (F) a list of equipment, materials and supplies.

Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334.

### **.2013 QUALIFICATIONS OF MEDICATION AIDES AND THEIR SUPERVISORS**

(a) Effective February 15, 2000, staff who administer medications, hereafter referred to as medication aides, and staff who directly supervise the administration of medications shall have documentation of successfully completing the clinical skills validation portion of the competency evaluation according to Paragraph (d) and (e) of Rule .2014 of this Section prior to the administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule 42C .2011 of this Section. Persons authorized by state occupational licensure laws to administer medications are exempt from this requirement.

(b) Effective July 1, 2000, medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall successfully pass the written examination within 90 days after successful completion of the clinical skills validation portion of a competency evaluation according to Rule .2014 of this Section. Medication aides shall also meet the staff training and competency requirements according to Rule .2011 of this Section.

(c) Medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall complete eight hours of state approved continuing education annually in medication

administration.

(d) Effective July 1, 2000, persons taking the competency evaluation for medication administration shall be a high school graduate or certified under the G.E.D. program or shall have passed an alternative examination established by the Department.

(e) Training and competency validation of any unlicensed person who is to administer insulin shall be according to Rule .3703 of this Subchapter. Effective January 1, 2000, the training shall also be required for any unlicensed person who is to administer insulin.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L.99-0334.

### **.2014 MEDICATION ADMINISTRATION COMPETENCY EVALUATION**

(a) The competency evaluation for medication administration shall be conducted according to guidelines established by the Department and shall consist of a written examination and a clinical skills evaluation. The guidelines will be available at no charge by contacting the Division of Facility Services, Group Care Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708.

(b) An individual shall score at least 90% on the written examination which shall be a standardized examination established by the Department.

(c) A certificate of successful completion of the written examination shall be issued to each participant successfully completing the examination. A copy of the certificate shall be maintained and available for review in the facility. The certificate is transferable from one facility to another as proof of successful completion of the written examination.

(d) The clinical skills validation portion of the competency evaluation shall be conducted by a registered nurse or a registered pharmacist consistent with their occupational licensing laws and who has a current unencumbered license in North Carolina. This validation shall be completed for those medication administration tasks to be performed in the facility. Competency validation by a registered nurse is required for unlicensed staff who perform any of the personal care tasks related to medication administration specified in regulation Rule .3703 of this Subchapter.

(e) The Medication Administration Skills Validation Form shall be used to document successful completion of the clinical skills validation portion of the competency evaluation for those medication administration tasks to be performed in the facility employing the medication aide. Copies of this form may be obtained at no cost by contacting the Group Care Licensure Section, Division of Facility Services, 2708 Mail Service Center, Raleigh, NC 27699-2708. The completed form shall be maintained and available for review in the facility and is not transferable from one facility to another.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L.99-0334.

### **.2015 HEALTH CARE PERSONNEL REGISTRY**

The facility shall comply with G.S. 131E-256 and supporting



10 NCAC 3B .1001 and .1002.

*G.S. 131D-2; G.S. 131D-4.5; 131E-256; 143B-165; S.L. 99-0334.*

## **SECTION .2200 - ARRANGEMENT AND SIZE OF ROOMS**

### **.2207 STORAGE AREAS**

(a) Storage areas must be adequate in size and number for separate storage of clean linens, soiled linens, food and food service supplies, and household supplies and equipment.

(b) There must be separate locked areas for storing cleaning agents, bleaches, pesticides, and other substances which may be hazardous if ingested, inhaled or handled. Cleaning supplies must be supervised while in use.

(c) The following shall apply to the storage of drugs:

- (1) All drugs (prescription and non-prescription drugs; including topical preparations) must be stored in a locked cabinet or closet that is ventilated at the rate of two cubic feet per minute for each square foot of floor area and is lighted to provide 30 foot-candles of light at floor level and is located other than in the bathroom, kitchen or laundry areas;
- (2) This locked cabinet or closet must be large enough to store all drugs in an orderly manner. Dividers are to be installed or containers provided in the cabinet or closet to separate each resident's drugs with proper labeling for each resident;
- (3) Drugs for external use must be stored in a designated area separate from internal drugs;
- (4) Drugs requiring refrigeration must be stored in a separate locked box in the refrigerator or in a lockable drug-only refrigerator, capable of maintaining a temperature range of 36 degrees F (2 degrees C) to 46 degrees F (8 degrees C);
- (5) First aid supplies must be immediately available and stored separately in a secure and orderly manner, out of the sight of residents and the general public; and
- (6) Drugs may be stored in the resident's room for his self-administration upon the written approval and instructions of the prescriber. The home must take reasonable precautions to assure that they are stored and maintained in a safe and secure manner to protect against contamination, spillage, misidentity and pilferage. In establishing a means for safe storage with the resident and the prescriber, the home must take into account the status of the residents and others living in the home, the degree to which the resident needs immediate access to the drug, and the potential harm of the drug should it be misused.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

### **.2214 BUILDING SERVICE EQUIPMENT**

(a) The building and all fire safety, electrical, mechanical, and

plumbing equipment must be maintained in a safe and operating condition.

(b) There must be an approved central heating system sufficient to maintain 75 degrees F (24 degrees C) under winter design conditions. Built-in electric heaters, if used, must be installed or protected so as to avoid hazards to residents and room furnishings. Unvented fuel burning room heaters and portable electric heaters are prohibited.

(c) Air conditioning or at least one fan per resident bedroom and living and dining areas must be provided when the temperature in the main center corridor exceeds 88 80 degrees F (31 26.7 degrees C).

(d) The hot water tank must be of such size to provide an adequate supply of hot water to the kitchen, bathrooms, and laundry. The hot water temperature at all fixtures used by residents must be maintained at a minimum of 100 degrees F (38 degrees C) and must not exceed 116 degrees F (46.7 degrees C).

(e) All resident areas must be well lighted for the safety and comfort of the residents. The minimum lighting required is:

- (1) 30 foot-candle power for reading;
- (2) 10 foot-candle power for general lighting; and
- (3) 1 foot-candle power at the floor for corridors at night.

(f) Where the bedroom of the live-in staff is located in a separate area from residents' bedrooms, an electrically operated sounding device must be provided connecting each resident bedroom to the live-in staff bedroom. The resident call switches, must be such that they can be activated with a single action and remain on until switched off by staff. The call switch must be within reach of resident lying on his bed.

*Authority G.S. 131D-2; 143B-153; S.L. 99-0334.*

## **SECTION .2300 - SERVICES**

### **.2302 HEALTH CARE**

(a) The administrator is responsible for providing occasional or incidental medical care, such as providing therapeutic diets, rotating positions of residents confined to bed, and applying heat pads.

(b) The resident or his responsible person is to be allowed to choose a physician to attend to him.

(c) Immediate arrangements must be made by the administrator with the resident or his responsible person for the resident to secure another physician when he cannot remain under the care of his own physician. The name, address and telephone number of the resident's physician is to be recorded on the Resident Register.

(d) If a resident is hospitalized, a completed FL-2 or patient transfer form must be obtained before the resident can be readmitted to the facility.

(e) Between annual medical examinations there may be a need for a physician's care. The resident's health services record is to be used by the physician to report any drugs prescribed and any treatment given or recommended for minor illnesses.

(f) All contacts (office, home or telephone) with the resident's physician are to be recorded on the resident's health services

record which is to be retained in the resident's record in the home. The physician's orders shall be included in the resident's health services record including telephone orders initiated by staff and signed by the physician within 15 30 days from the date the order is given.

(g) The use of a physical restraint refers to the application of a mechanical device to a person to limit movement for therapeutic or protective reasons, excluding siderails for safety reasons. Residents shall be physically restrained only as provided for in the Declaration of Residents' Rights, G.S. 131D-21(5), and in accordance with the following:

- (1) The use of physical restraints is allowed only with a written order from a licensed physician. If the order is obtained from a physician other than the resident's attending physician, the attending physician shall be notified of the order within seven days.
- (2) In emergency situations the administrator or supervisor-in-charge shall make the determination relative to necessity for the type and duration of the physical restraint to use until a physician is contacted. Contact shall be made within 24 hours.
- (3) The physician shall specify in the restraint order the medical need for the physical restraint, the type to be used, the period of time it is to be used, and the time intervals it is to be checked, loosened, or removed.
- (4) The current order for the physical restraint shall be on or attached to Form FL-2 or Form MR-2 (upon entering the home) or the Report of Health Services to Residents Form, or approved equivalent (for subsequent orders).
- (5) The physician ordering the physical restraint shall update the restraint order at a minimum of every six months.
- (6) If the resident's physician changes after admission to the home, the physician who is to attend the resident shall update and sign the existing restraint order.
- (h) The administrator must have specific written instructions recorded as to what to do in case of sudden illness, accident, or death of a resident.
- (i) There must be an adequate supply of first aid supplies available in the home for immediate use.
- (j) The administrator must make arrangements with the resident, his responsible person, the county department of social services or other appropriate party for appropriate health care as needed to enable the resident to be in the best possible health condition.

*Authority G.S. 131D-2; 143B-153; 143B-165; S.L. 99-0334.*

## **SECTION .2500 - DISCHARGE POLICIES**

### **.2501 OTHER LIVING ARRANGEMENTS**

The administrator must discuss with the resident and his responsible person the need to make other plans for the resident when:

- (1) The resident's physician indicates the resident's condition has improved to the point he can live

~~outside a domiciliary facility with family or community support services;~~

- (2) ~~The resident's physician certifies that the resident needs professional nursing care or intermediate care under medical supervision. In this situation, plans for other placement must be made as soon as possible and the county department of social services will assist the administrator or resident in making arrangements for necessary care when requested;~~
- (3) ~~The resident's condition is such that he is a danger to himself or poses a direct threat to the health or safety of others;~~
- (4) ~~The resident makes a written request or otherwise indicates an earnest desire to transfer to another licensed home; and~~
- (5) ~~The resident's adjustment to the home is not satisfactory as determined by the administrator and the resident or his responsible person. This is only to be done after a reasonable period of time during which the resident was provided help with adjusting to the home. It is the responsibility of the administrator to contact the resident's responsible person and the county department of social services and request assistance to help the resident in adjusting. This request is to be made at the first indication of an adjustment problem.~~

*Authority S.L. 99-0334; G.S. 131D-2; 131D-4.5; 143B-153.*

### **.2505 REQUIREMENTS FOR DISCHARGE OR TRANSFER**

(a) ~~When a discharge or transfer is initiated by the home, the administrator must provide the resident, his family or responsible person and the county department of social services with two weeks (14 days) advance written notification citing the reason for the discharge or transfer.~~

(b) ~~When a discharge or transfer is initiated by the resident or his responsible person, the resident or his responsible person is to provide the administrator with two weeks (14 days) advance written notification.~~

(c) ~~Exceptions to the required notice are cases where a delay in discharge or transfer would jeopardize the health or safety of the resident or others in the home.~~

(d) ~~The discharge or transfer of any resident is prohibited if it would violate the rules of this Subchapter or the Domiciliary Home Residents' Bill of Rights, General Statute 131D-21.~~

(e) ~~The date of the discharge or transfer and the reason for the move are to be recorded on the Form DSS-1865, the Resident Register.~~

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

### **.2506 DISCHARGE OR TRANSFER OF RESIDENTS**

(a) A facility shall not initiate and carry out the discharge or transfer of residents except under conditions specified in this Rule. Discharge or transfer involves termination of residency in a facility and taking action to have the resident moved from the



facility. The discharge or transfer of a resident by a facility shall meet the following conditions:

- (1) the discharge or transfer is necessary for the resident's welfare because the resident's needs cannot be met in the facility;
- (2) the discharge or transfer is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the facility;
- (3) the resident's condition is such that he is a danger to himself or poses a direct threat to the health or safety of others;
- (4) the safety of individuals in the facility would otherwise be endangered;
- (5) the health of individuals in the facility would otherwise be endangered;
- (6) the resident or responsible person has failed to pay the costs of services and accommodations according to the resident contract;
- (7) the transfer or discharge is mandated under state law;  
or
- (8) the facility ceases to operate.

(b) If a facility discharges or transfers a resident, the reason for discharge or transfer shall be documented in the resident's record. Documentation shall include, but not be limited to, documentation by the resident's physician if discharge or transfer is necessary under conditions specified in subparagraph (a)(1)-(a)(3) of this Rule or a physician if discharge or transfer is necessary under the condition specified in subparagraph (a)(5) of this Rule.

(c) At least thirty days before discharging or transferring a resident, the following steps shall be taken:

- (1) The facility shall notify the resident verbally and in writing and the responsible person or contact person in writing of the facility's decision to discharge or transfer the resident. The Adult Care Home Notice of Transfer/Discharge form shall serve as the written notice of discharge or transfer and be completed by the facility and given to the resident on the same day it is dated. A copy of this notice shall be mailed or sent by facsimile to the responsible person or contact person on the same day it is dated. Failure to use and complete this specific form shall invalidate the notice of discharge or transfer. This form may be obtained at no cost from the Division of Medical Assistance, 2505 Mail Service Center, Raleigh, NC 27699-2505.
- (2) The facility shall notify the resident verbally and in writing and the responsible person or contact person in writing of the resident's right to appeal the facility's action of discharge or transfer to the Division of Medical Assistance. The Adult Care Home Hearing Request Form shall be given to the resident and a copy mailed or sent by facsimile to the responsible person or contact person simultaneously with the Adult Care Home Notice of Transfer/Discharge form as written notice of the right to appeal the facility's

action. Failure to include this specific form with the Adult Care Home Notice of Discharge/Transfer form shall invalidate the notice of discharge or transfer. The Hearing Request Form may be obtained at no cost from the Division of Medical Assistance, P.O. Box 29529, Raleigh, NC 27626-0529.

- (3) In cases where the resident has been adjudicated incompetent, the Adult Care Home Notice of Transfer/Discharge form and the Adult Care Home Hearing Request Form shall be mailed or sent by facsimile to the resident's legal representative on the same day they are dated.

- (4) The facility shall maintain a copy of the completed Adult Care Home Notice of Transfer/Discharge form and Adult Care Home Hearing Form in the resident's record.

(d) Exceptions to the 30-day notice of discharge or transfer required in Paragraph (c) of this Rule are cases in which:

- (1) a delay in discharge or transfer would jeopardize the health or safety of the resident or others in the home as documented according to Paragraph (b) of this Rule; or
- (2) the resident's condition improves sufficiently to allow for a more immediate discharge or transfer as documented by a physician.

(e) The facility shall assist residents in the discharge or transfer process to ensure safe and orderly discharge or transfer from the facility.

(f) Except in cases specified in Paragraph (d) of this Rule, the resident or the resident's responsible person may initiate an appeal of a facility's intent to discharge or transfer the resident by submitting a written request for a hearing to the Hearing Unit which is the Chief Hearing Officer and the Chief Hearing Officer's staff in the Division of Medical Assistance of the Department of Health and Human Services. The request for a hearing shall be submitted by mail, facsimile or hand delivery and must be received by the Hearing Unit within 11 calendar days from the date of the facility's notice of discharge or transfer. If the eleventh day falls on a Saturday, Sunday or legal holiday, the period during which an appeal may be requested shall run until the end of the next day which is not a Saturday, Sunday or legal holiday. The resident shall not be discharged or transferred before the final decision resulting from the appeal has been rendered.

(g) If an appeal hearing is requested, the following shall apply:

- (1) Upon timely receipt of a request for a hearing according to Paragraph (h) of this Rule, the Hearing Unit shall promptly notify the facility in writing of the request.
- (2) The facility, the resident and the resident's responsible person or contact person shall be notified by the Hearing Unit of the date, time and place of the hearing. If the hearing is to be conducted in person, it shall be held in Raleigh, North Carolina. The hearing may also be conducted by telephone as

indicated on the Hearing Request Form.

- (3) The facility administrator shall assure that all documents and records to be used at the hearing are received by the resident and responsible person or contact person and the Hearing Unit at least five working days prior to the scheduled hearing.
- (4) The Hearing Officer, who is the person designated to preside over hearings between residents and adult care home providers regarding discharges and transfers, may:
  - (A) grant continuances;
  - (B) dismiss a request for a hearing if the resident or the resident's responsible person or whoever the resident has designated to represent him fails to appear at a scheduled hearing; or
  - (C) proceed to conduct a scheduled hearing if a facility representative fails to appear at a scheduled hearing.
- (5) The Rules of Civil Procedure as contained in G.S. 1A-1 and the General Rules of Practice for the Superior and District Courts as authorized by G.S. 7A-34 and found in the Rules Volume of the North Carolina General Statutes shall not apply in any hearings held by a Division hearing officer unless another specific statute or rule provides otherwise. Division hearings are not hearings within the meaning of G.S. 150B and shall not be governed by the provisions of that Chapter unless otherwise stated in these Rules. Parties may be represented by counsel or other representative at the hearing.
- (6) The Hearing Officer's final decision shall uphold or reverse the facility's decision. Copies of the final decision shall be mailed by certified mail to the facility and the resident and the resident's responsible person.

(h) If a discharge or transfer is initiated by the resident or responsible person, the administrator may require up to a 14-day written notice from the resident or responsible person prior to the resident leaving the facility. Exceptions to the required notice are cases in which a delay in discharge or transfer would jeopardize the health or safety of the resident or others in the facility. The facility's requirement for a notice from the resident or responsible person shall be established in the facility's resident contract or house rules provided to the resident or responsible person according to Rule .2405 of this Subchapter.

Authority G.S. 131D-2; 143D-4.5; 143B-165; S.L. 99-0334.

## SECTION .2700 - MEDICAL POLICIES

### .2703 MANAGEMENT OF DRUGS

The administrator is responsible for establishing and implementing procedures for the use of drugs by residents in the home that are in accordance with the requirements presented in this Section. The administrator must consult with a pharmacist, physician, public health nurse, or other registered nurse in establishing these procedures.

- (1) Definitions.—To assure uniform understanding of these requirements, definitions in the North Carolina Pharmacy Practice Act, General Statute 90-85.3; effective July 1, 1982, are adopted by reference according to General Statute 150B-14(c).
- (2) Dispensing of Drugs:
  - (a) Drugs are to be obtained only on the written order or prescription of a practitioner licensed by law to prescribe drugs in this state;
  - (b) These signed practitioner's orders must be maintained in the facility;
  - (c) Verbal orders must be countersigned by the prescriber;
  - (d) Dispensing of drugs is restricted to registered pharmacists or other health care practitioners that are approved by the North Carolina Board of Pharmacy. Repackaging of medications; such as for temporary leave, is an act of dispensing;
  - (e) The administrator must arrange for emergency pharmaceutical services; and
  - (f) Domiciliary homes shall not be permitted to possess a stock of prescription legend drugs for general or common use.
- (3) Labeling of Drugs:
  - (a) on-prescription drugs must bear the manufacturer's label with expiration dates clearly visible;
  - (b) The container label of each prescription drug must include the following information:
    - (i) the resident identified clearly by name;
    - (ii) the name of the prescribing practitioner;
    - (iii) the most recent date of issuance;
    - (iv) the directions for use clearly stated and not abbreviated. When the prescriber's directions change or the label becomes illegible, the container must be relabeled at the refilling of the drug and not longer than 60 days;
    - (v) the serial number of a prescription;
    - (vi) the name of the drug as prescribed. If generic equivalent drugs are dispensed, the generic name is to appear on the label;
    - (vii) the strength of the drug;
    - (viii) the quantity of the drug;
    - (ix) the name, address, and telephone number of the pharmacy;
    - (x) the name of the dispensing practitioner; and
    - (xi) the expiration date and other auxiliary statements as required of the drug and as determined by the pharmacist.
- (4) Administration of Drugs:
  - (a) Drugs, including both prescription and non-prescription drugs, shall not be administered to any resident unless prior



authorization has been obtained from a person authorized by law to prescribe drugs in the State. Drugs shall be administered as prescribed.

- (b) The administrator must assure that only persons authorized in writing by a physician, registered nurse, family nurse practitioner, or physician's assistant give injections. Registered nurses and licensed practical nurses are authorized to give injections in accordance with the provisions of the Nursing Practice Act and no further authorization is required.
- (c) Specific directions for the quantity to be administered, frequency of use, duration of therapy, and route of administration must be clearly indicated by the prescriber for all drugs to be administered. These orders are to be on or attached to the FL-2 or MR-2 upon entering the home, or the DSS-1867 or the equivalent for subsequent orders.
- (d) Drugs shall be self-administered only when ordered by the resident's physician.
- (e) When self-administration has not been ordered, staff who give drugs to residents must be competent and trained to prepare and administer medications. The administrator is responsible for determining staff capability and assuring the provision of training which must at least consist of demonstrated ability to apply these Rules in this Section and the home's drug administration procedures.
- (f) The designated staff person giving the drug must observe the resident actually taking the drug and must follow any laws and regulations governing such acts.
- (g) Recording of any administration must promptly follow the direct application of the drug to the body of the resident by injection, inhalation, ingestion, or other means. Precharting is prohibited.
- (h) Medication Administration Record (MAR) of all drugs given to each resident must be kept current, recorded before the next routine administration (Example - 8 a.m. administration recorded prior to 12 noon administration), indicating each dose given and is to include the following:
  - (i) resident's name;
  - (ii) name, strength, and quantity of the drug;
  - (iii) instructions for giving drug;
  - (iv) date and time drug is administered; and
  - (v) name or initials of person giving the drug. If initials are used, a signature equivalent to those initials is to be entered on this record;
- (i) Drug administration errors and drug reactions

must be reported immediately to the practitioner who ordered the drug. An entry of the drug given and the drug reaction must be properly recorded in the drug record. A resident's refusal of a drug must be charted.

- (j) Oral solid drugs that are ordered for routine administration must be prepared for administration within 24 hours of the prescribed time for administration. The administrator must designate appropriately trained staff to be responsible for preparing the drugs for administration. PRN (as needed) drugs are not to be prepared in advance.
- (k) If drugs are prepared for administration in advance, the following procedures must be used to keep the drugs identified up to the point of administration and protect them from contamination and spillage:
  - (i) All drugs prepared for subsequent administration are to be kept enclosed in a sealed or capped container until administered. A separate container is to be used for each resident and each planned administration of the drugs;
  - (ii) The container is to be labeled with the resident's name;
  - (iii) All containers for a single planned administration are to be placed together on a separate tray or other device that keeps each planned administration separate;
  - (iv) Each tray or other device is to be labeled clearly indicating the planned time for administration;
  - (v) Trays or other devices are to be locked in the separate drug storage cabinet or closet to which only authorized persons have access; and
- (l) Liquid drugs must be poured immediately before administration.
- (5) Review of Drugs. The administrator is responsible for obtaining a review of each resident's drug regimen at least every six months. A resident's drug regimen is all drugs, both prescription and non-prescription, PRN and routine, which the resident has been taking. It also includes vitamins and nutritional supplements. The main purpose of the drug regimen review is to ensure that the resident's use of drugs is rational. The review also is to determine whether the home is complying with the orders of the resident's physician regarding the management of drugs. The review is to be performed by a pharmacist, physician, public health nurse, or other registered nurse. The administrator must assure that the resident's physician is informed of the results of the review when medical intervention is indicated. The Form FL-2, MR-2,

Form DSS-1867 or the equivalent is to be maintained by the facility to record these findings, recommendations and corrective action.

(6) ~~Storage of Drugs.~~ For requirements on storage of drugs, see Rule .2207 of this Subchapter.

(7) ~~Disposing of Drugs:~~

(a) ~~When a resident leaves the home, his drugs are to be given to him, his family, the person responsible for making the placement or returned to a registered pharmacist; and~~

(b) ~~If drugs are discontinued or outdated, or upon the death of a resident, his drugs must be returned to an approved dispensing practitioner or registered pharmacist licensed to practice in this state for documented destruction according to current federal and state laws, with corresponding records maintained by the administrator.~~

Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0034.

## SECTION .3400 - LICENSING INFORMATION

### .3401 THE LICENSE

(a) The license shall be issued by the Division of Facility Services based on review of compliance history according to Rule .3902 of this Subchapter and when minimum requirements for licensing have been met under the rules of this Subchapter. Except as otherwise provided in Rule .3902 of this Subchapter, the Department shall issue an adult care home license to any person who submits an application on the forms provided by the Department if the Department determines that the applicant complies with the provisions of all applicable State adult care home licensure statutes and rules. All applications for a new license shall disclose the names of individuals who are co-owners, partners or shareholders holding an ownership or controlling interest of 5% or more of the applicant entity. The license shall be conspicuously posted in a public place in the home.

(b) The license shall be conspicuously posted in a public place in the home.

(c) The license shall be in effect for 12 months from the date of issuance unless revoked for cause, voluntarily or involuntarily terminated, or changed to provisional licensure status.

(d) A provisional license may be issued in accordance with G.S. 131D-2(b).

(e) When a provisional license is issued, the administrator shall post the provisional license and a copy of the notice from the Division of Facility Services identifying the reasons for it, in place of the full license.

Authority 131D-2; 131D-4.5; 143B-153; S.L. 99-0113.

### .3402 RENEWAL OF LICENSE

(a) The license ~~will~~ shall be renewed annually, except as otherwise provided in Rule .3903 of this Subchapter, based on review of compliance history according to Rule .3903 of this

Subchapter, and on evidence that: if the licensee submits an application for renewal on the forms provided by the Department and the Department determines that the licensee complies with the provisions of all applicable State adult care home licensure statutes and rules.

(1) ~~The rules of this Subchapter are being maintained.~~ When violations of these licensure rules or statutes are documented and have not been corrected prior to expiration of license, the Division of Facility Services Department may approve a continuation or extension of a plan of correction, or may issue a provisional license or revoke the license for cause.

(2) ~~The following reports have been submitted to the county department of social services within each 12-month period which will forward them to the Division of Facility Services:~~

(A) ~~Documentation of necessary tests for tuberculosis;~~

(B) ~~Record of continuing education credits for each administrator and supervisor-in-charge;~~

(C) ~~DSS-6191 or DSS-1451 (Fire and Building Safety Inspection Report);~~

(D) ~~DHS-2094 (Sanitation Report); and~~

(E) ~~DSS-1871 (Annual Recommendation for Renewal of License).~~ This form is to be submitted by the county department of social services at least 45 days in advance of the expiration date of the license, with a copy to the administrator.

(b) If the Division of Facility Services has not received the DSS-1871 and the other required licensing materials listed in Subparagraph (a)(2) of this Rule by the expiration date, the license will expire.

(b) All applications for license renewal shall disclose the names of individuals who are co-owners, partners or shareholders holding an ownership or controlling interest of 5% or more of the applicant entity.

Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.

## SECTION .3700 - RESIDENT ASSESSMENT AND CARE

### .3701 RESIDENT ASSESSMENT

(a) The facility shall assure that an assessment of each resident is completed within 30 calendar days from the date of admission 72 hours of admitting the resident and annually thereafter using an assessment instrument approved by the Department. The Resident Assessment Instrument, as modified by the Department, shall be the approved assessment instrument. For the purposes of this Subchapter, the assessment is a functional assessment to determine a resident's level of functioning to include routines, preferences, needs, mood and psychosocial well-being, cognitive status and physical functioning in activities of daily living. Activities of daily living are personal functions essential for the health and well-being of the resident which are bathing, dressing, personal hygiene,



ambulation or locomotion, transferring, toileting and eating. The assessment shall indicate if the resident requires referral to the resident's physician or other appropriate licensed health care professional or community resource.

(b) The facility shall assure a reassessment of a resident is completed within 10 days of a significant change in the resident's condition. For the purposes of this Subchapter, reassessment is any assessment as defined in Paragraph (a) of this Rule other than the initial and annual assessments.

(c) For the purposes of this Subchapter, significant change in the resident's condition is defined as follows:

- (1) Significant change is one or more of the following:
  - (A) deterioration in two or more activities of daily living;
  - (B) change in ability to walk or transfer;
  - (C) change in the ability to use one's hands to grasp small objects;
  - (D) deterioration in behavior or mood to the point where daily problems arise or relationships have become problematic;
  - (E) no response by the resident to the treatment for an identified problem;
  - (F) initial onset of unplanned weight loss or gain of five percent of body weight within a 30-day period or 10 percent weight loss or gain within a six-month period;
  - (G) threat to life such as stroke, heart condition, or metastatic cancer;
  - (H) emergence of a pressure ulcer at Stage II or higher;
  - (I) a new diagnosis of a condition likely to affect the resident's physical, mental, or psychosocial well-being over a prolonged period of time such as initial diagnosis of Alzheimer's disease or diabetes;
  - (J) improved behavior, mood or functional health status to the extent that the established plan of care no longer matches what is needed;
  - (K) new onset of impaired decision-making;
  - (L) continence to incontinence or indwelling catheter; or
  - (M) the resident's condition indicates there may be a need to use a restraint and there is no current restraint order for the resident.
- (2) Significant change is not any of the following:
  - (A) changes that suggest slight upward or downward movement in the resident's status;
  - (B) short-term changes that resolve with or without intervention;
  - (C) changes that arise from easily reversible causes;
  - (D) a short-term acute illness or episodic event;
  - (E) a well-established, predictive, cyclical pattern; or
  - (F) steady improvement under the current course of care.

(d) If a resident experiences a significant change as defined in Paragraph (c) of this Rule, the facility shall refer the resident to the resident's physician or other appropriate licensed health professional such as a mental health professional, nurse practitioner, physician assistant or registered nurse in a timely manner consistent with the resident's condition but no longer than 10 days from the significant change, and document the referral in the resident's record.

(e) The assessment and reassessment shall be completed and signed by the administrator or a person designated by the administrator to perform resident assessments or reassessments.

(f) The facility administrator or a person designated by the administrator to perform resident assessments and reassessments shall successfully complete Department-approved training on assessing residents by July 1, 1996 a date specified by the Department. After this date, the administrator or person designated by the administrator to perform assessments and reassessments shall have successfully completed the assessment training before performing any assessments or reassessments of residents. Registered nurses are exempt from the assessment training. Documentation of assessment training shall be maintained in the facility and available for review.

*Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334.*

### **.3703 LICENSED HEALTH PROFESSIONAL SUPPORT**

(a) The facility shall assure that a registered nurse, licensed under G.S. 90, Article 9A, participates in the on-site review and evaluation of the residents' health status, and care plan and care provided for residents requiring, but not limited to, one or more of the following personal care tasks. The review and evaluation shall be completed within the first 45 30 days of admission or within 30 days from the date a resident develops the need for the task and at least every 90 days quarterly thereafter, thereafter for newly admitted residents requiring, but not limited to, one or more of the following personal care tasks, and at least every 90 days for current residents requiring:

- (1) applying and removing ace bandages, ~~TED's~~ hose and binders;
- (2) feeding techniques for residents with swallowing problems;
- (3) bowel or bladder retraining training programs involving hands-on; and invasive activities such as enemas, suppositories, and catheterizations; to regain continence;
- (4) invasive activities such as enemas, suppositories and vaginal douches;
- ~~(4) (5)~~ urinary catheterizations;
- ~~(5) (6)~~ chest physiotherapy or postural drainage;
- ~~(6) (7)~~ clean or sterile dressing changes;
- ~~(7) (8)~~ collecting or testing of blood or urine samples and taking action based on the results;
- ~~(8) (9)~~ colostomy or ileostomy care;
- ~~(9) (10)~~ decubitus care for stages I-IV wounds; care for

- ~~(10) (11)~~ decubitus ulcers;
- ~~(11) (12)~~ irrigation of wounds; or urinary catheters; catheters or access devices;
- ~~(12) (13)~~ inhalation medication by machine;
- ~~(13) (14)~~ maintaining accurate intake and output data;
- ~~(14) (15)~~ medication administration through gastrostomy feeding tube;
- ~~(15) (16)~~ medication administration through injection or vascular access;
- ~~(16) (17)~~ insulin administration or other subcutaneous injections of medications, excluding anticoagulants such as heparin;
- ~~(17) (18)~~ administration of orders for more than 10 medications within a 30-day period, excluding over-the-counter medications ordered on an as-needed basis;
- ~~(18) (19)~~ oxygen administration and monitoring;
- ~~(19) (20)~~ the monitoring of care for any of residents who are physically restrained and the use of care practices as alternatives to restraints;
- ~~(20) (21)~~ oral or pharyngeal suctioning;
- ~~(21) (22)~~ testing urine samples and taking action based on the results;
- ~~(22) (23)~~ tracheostomy care;
- ~~(23) (24)~~ transferring semi-ambulatory or non-ambulatory residents;
- ~~(24) (25)~~ administering and monitoring of gastrostomy tube feedings; or
- ~~(25) (26)~~ adjusting medications as ordered based on vital signs.

(b) The facility shall assure that a registered nurse, occupational therapist licensed under G.S. 90, Article 18D or physical therapist licensed under G.S. 90-270.24, Article 18B, participates in the on-site review and evaluation of the residents' health status, status and care plan and care provided within the time frames specified in Paragraph (a) of this Rule for those residents who require one or more of the following personal care tasks:

- (1) application of prescribed heat therapy;
- (2) application and removal of prosthetic devices except as used in early post-operative treatment for shaping of the extremity;
- (3) gait training using assistive devices;
- (4) range of motion exercises;
- (5) any other prescribed physical or occupational therapy; or
- (6) transferring semi-ambulatory or non-ambulatory residents.

(c) The facility shall assure that a registered nurse or respiratory therapist validates the competency of staff for personal care tasks Subparagraphs (6), (12), (17), (19) and (20) specified in Paragraph (a) of this Rule.

(e) ~~(d)~~ The facility shall assure that participation by a registered nurse, occupational therapist or physical therapist in the on-site review and evaluation of the residents' health status, status and care plan and care provided by a registered nurse, occupational therapist or physical therapist as specified in Paragraphs (a) and (b) of this Rule includes:

- (1) identifying ~~assuring~~ the appropriate that persons with

~~appropriate knowledge and skills are to provide providing care and perform performing the tasks consistent with Section .0400 of 21 NCAC Chapter 36, Unlicensed Personnel, Nurse Aides;~~

- (2) (1) ~~teaching or validating competencies reviewing competency validation of assuring that licensed practical nurses or and non-licensed personnel who will provide providing care and perform performing the tasks are competency validated according to Paragraphs (e), (f) and (g) of this Rule;~~
- (2) performing a physical assessment of the residents as related to their diagnosis and current condition;
- (3) evaluating the resident's response progress to care being provided;
- (4) reviewing and, if necessary, recommending changes in the care plan care of the resident as needed; and
- (5) documenting the activities in Subparagraphs (1) through (4) of this Paragraph.

(e) The facility shall assure that teaching and validating competencies of licensed practical nurses and non-licensed personnel who will provide care and perform personal care tasks specified in Paragraph (a) and (b) of this Rule is by a registered nurse, registered pharmacist, occupational therapist, physical therapist or respiratory therapist as specified in Paragraphs (a), (b), (c) and (f) of this Rule. The facility shall assure that competency validation of staff is completed prior to staff performing the personal care task and documentation is on file in the facility and readily available.

(f) The facility shall assure that training and competency validation on the care of residents with diabetes is provided to unlicensed staff prior to the administration of insulin as follows and documented:

- (1) Training shall be provided by a registered nurse or registered pharmacist.
- (2) Training shall include at least the following:
  - (A) basic facts about diabetes and activities involved in the management of diabetes;
  - (B) insulin action;
  - (C) insulin storage;
  - (D) injection techniques and site rotation;
  - (E) treatment and prevention of hypoglycemia and hyperglycemia, including signs, symptoms;
  - (F) lab testing and blood glucose monitoring; and
  - (G) universal precautions.
- (3) Competency validation of insulin administration shall be provided by a registered nurse. Competency validation of blood glucose monitoring shall be provided by a registered nurse or a registered pharmacist.

(d) (g) The facility shall assure that any staff who perform personal care tasks listed in Paragraphs (a) and (b) of this Rule are at least annually observed providing care to residents by a licensed registered nurse or other appropriate licensed health professional, as specified in Paragraphs (a), (b), (c) and (f) of this Rule, who is employed by the facility or under contract or agreement, individually or through an agency, with the facility.



Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334.

## SECTION .3800 - MEDICATIONS

### **.3801 MEDICATION ADMINISTRATION POLICIES AND PROCEDURES**

(a) The facility shall ensure the development and implementation of written policies and procedures for the ordering, receiving, storage, discontinuation, disposition and administration of medications, including self-administration of medications. Orientation of policies and procedures shall be provided to new staff responsible for medication administration prior to staff administering medications.

(b) The facility shall consult with a licensed health professional who is authorized to dispense or administer medications in developing medication policies and procedures.

(c) Medication policies and procedures shall comply with requirements of this Section and all applicable state and federal regulations, including definitions in the North Carolina Pharmacy Practice Act, G.S. 90-85.3, which are hereby incorporated by reference including all subsequent amendments and editions.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

### **.3802 MEDICATION ORDERS**

(a) The facility shall ensure that medication orders are verified by the resident's physician if the FL-2 is not dated within 24 hours of admission to the facility or readmission of a resident from the hospital and that this verification is documented in the resident's record.

(b) All orders for medications, prescription and non-prescription, shall be maintained in the resident's record in the facility.

(c) The medication orders shall be complete and include the following:

- (1) medication name;
- (2) strength of medication;
- (3) dosage of medication to be administered;
- (4) route of administration;
- (5) specific directions of use, including frequency of administration; and
- (6) if ordered on an as needed basis, a clearly stated indication for use.

(d) The facility shall assure contact of the physician for clarification if medication orders are not clear or incomplete.

(e) Verbal medication orders shall be:

- (1) countersigned by the prescriber within 15 days from the date the order is given;
- (2) signed or initialed and dated by the person receiving the order; and
- (3) accepted only by a licensed nurse, pharmacist, or qualified staff responsible for medication administration.

(f) Any standing orders shall be for individual residents and

signed and dated by the resident's physician or prescribing practitioner.

(g) The facility shall assure that all current medication orders, including standing orders and orders for self-administration, are reviewed and signed by the resident's physician or prescribing practitioner at least every six months.

(h) Psychotropic medications ordered "as needed" by a licensed practitioner, shall not be administered unless the practitioner has provided detailed behavior-specific written instructions, including symptoms that might require use of the medication, exact dosage, exact time frames between dosages and the maximum dosage to be administered in a twenty-four hour period. The facility shall assure that staff receives training and inservice programs about the desired and undesired effects of psychotropic medications, including alternative behavior interventions.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

### **.3803 MEDICATION LABELS**

(a) Prescription legend medications shall have a legible label with the following information:

- (1) the name of the resident for whom the medication is prescribed;
- (2) the most recent date of issuance;
- (3) the name of the prescriber;
- (4) the name and concentration of the medication, quantity dispensed, and prescription serial number;
- (5) directions for use clearly stated and not abbreviated;
- (6) a statement of generic equivalency shall be indicated if a brand other than the brand prescribed is dispensed;
- (7) the expiration date, unless dispensed in a single unit or unit dose package that already has an expiration date;
- (8) auxiliary statements as required of the medication;
- (9) the name, address, telephone number of the dispensing pharmacy; and
- (10) the name or initials of the dispensing pharmacist.

(b) For medication systems such as med paks and multi-paks when two or more solid oral dosage forms are packaged and dispensed together, labeling shall be in accordance with Paragraph (a) of this Rule and the label or package shall also have a physical description or identification of each medication contained in the package.

(c) The facility shall assure the container is relabeled by a pharmacist or a dispensing practitioner at the refilling of the medication when there is a change in the directions by the prescriber. The facility shall have a procedure for identifying direction changes until the container is correctly labeled. No person other than a pharmacist or dispensing practitioner shall alter a prescription label.

(d) Non-prescription medications shall have the manufacturer's label with the expiration date clearly visible, unless the container has been labeled by a pharmacist or a dispensing practitioner. Non-prescription medications in the

original manufacturer's container shall be labeled with at least the resident's name and the name shall not obstruct any of the information on the container. Facility staff may label or write the resident's name on the container.

(e) Medications, prescription and non-prescription, shall not be transferred from one container to another except when prepared for administration to a resident.

(f) Prescription medications leaving the facility shall be in a form packaged and labeled by a pharmacist or a dispensing practitioner. Non-prescription medications that are not packaged or labeled by a pharmacist or dispensing practitioner must be released in the original container and directions for administration must be provided to the resident or responsible party. The facility shall assure documentation of medications, including quantity, released and returned to the facility.

Note: Dispensing of medications is restricted to pharmacists or other health care practitioners that are approved by the North Carolina Board of Pharmacy. Repackaging or providing more than one dose of a prescription medication, including unit dose prescription medications, for subsequent administration is an act of dispensing.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

### **.3804 MEDICATION ADMINISTRATION**

(a) The facility shall assure that staff administer medications, prescription and non-prescription, according to orders by a licensed prescribing practitioner.

(b) Only staff meeting the requirements according to Rule .2013 of this Subchapter shall administer medications, including the preparation of medications for administration.

(c) Only oral solid medications that are ordered for routine administration may be prepared in advance and must be prepared within 24 hours of the prescribed time for administration. Medications prescribed for prn (as needed) administration shall not be prepared in advance.

(d) Liquid medications, including powders or granules that require to be mixed with liquids for administration, and injectables shall be prepared immediately before administration to a resident.

(e) Medications shall not be crushed for administration until immediately before the medications are administered to the resident.

(f) If medications are prepared for administration in advance, the following procedures shall be implemented to keep the drugs identified up to the point of administration and protect them from contamination and spillage:

- (1) Medications are dispensed in a sealed package such as unit dose and multi-paks that is labeled with at least the name of each medication and strength in the sealed package. The labeled package of medications is to remain unopened and kept enclosed in a capped or sealed container that is labeled with the resident's name, until the medications are administered to the resident. If the multi-pak is also labeled with the resident's name, it does not have to be enclosed in a capped or sealed container;

- (2) Medications not dispensed in a sealed and labeled package as specified in Subparagraph (f)(1) of this Rule are kept enclosed in a sealed container that identifies at least the name and strength of each medication prepared and the resident's name;

- (3) A separate container is used for each resident and each planned administration of the medications and labeled according to Subparagraph (f)(1) and (f)(2) of this Rule;

- (4) All containers are placed together on a separate tray or other device that is labeled clearly with the planned time for administration and stored in a locked area which is only accessible to staff as specified in Rule .3806(d) of this Section.

(g) Medications shall be administered within one hour before or one hour after the prescribed or scheduled time unless precluded by emergency situations.

(h) If medications are not prepared and administered by the same staff person, there shall be documentation for each dose of medication prepared for administration by the staff person who prepared the medications.

(i) The recording of the administration on the medication administration record shall be by the staff person who administers the medication immediately following administration of the medication to the resident and observation of the resident actually taking the medication and prior to the administration of another resident's medication. Pre-charting is prohibited.

(j) The resident's medication administration record (MAR) shall be accurate and include following:

- (1) resident's name;
- (2) name of medication;
- (3) strength and dosage or quantity of medication administered;
- (4) instructions for administering the medication;
- (5) reason or justification for the administration of medications as needed (PRN) and documenting the resulting effect on the resident;
- (6) date and time of administration; and
- (7) name or initials of the person administering the medication. If initials are used, a signature equivalent to those initials is to be documented and maintained with the medication administration record (MAR).

(k) The facility shall have a system in place to ensure the resident is identified prior to the administration of any medication.

(l) Omission of medications and the reason for the omission, including refusals, shall be documented on the medication administration record (MAR).

(m) The facility shall assure the development and implementation of policies and procedures governing medication errors and adverse medication reactions that include documentation of at least the following:

- (1) notification of a physician or appropriate health professional and supervisor;
- (2) action taken by the facility according to orders by the physician or appropriate health professional; and



(3) charting or documentation errors, unavailability of a medication, resident refusal of medication, any adverse medication reactions and notification of the resident's physician when necessary.

(n) Medication administration supplies, such as graduated measuring devices shall be available and used by facility staff in order for medications to be accurately and safely administered.

(o) The facility shall assure that medications are administered in accordance with infection control measures that help to prevent the development and transmission of disease or infection, prevent cross-contamination and provide a safe and sanitary environment for staff and residents.

(p) A resident's medication shall not be administered to another resident except in an emergency. In the event of an emergency, steps shall be taken to ensure that the borrowed medications are replaced promptly and that the borrowing and replacement of the medication is documented.

(q) Only oral, topical (including ophthalmic and otic medications), inhalants, rectal and vaginal medications, subcutaneous injections and medications administered by gastrostomy tube and nebulizers shall be administered by persons who are not authorized by state occupational licensure laws to administer medication.

(r) Unlicensed staff may not administer injections other than insulin and other subcutaneous injections, excluding anticoagulants such as heparin. The unlicensed person may not administer insulin or other subcutaneous injections prior to meeting the requirements for training and competency validation as stated in Rule .3703 of this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

### **.3805 SELF-ADMINISTRATION OF MEDICATIONS**

(a) The facility shall permit residents who are competent and physically able to self-administer to self-administer their medications if the following requirements are met:

(1) the self-administration is ordered by a physician or other person legally authorized to prescribe medications in North Carolina and documented in the resident's record; and

(2) specific instructions for administration of prescription medications are printed on the medication label.

(b) When there is a change in the resident's mental or physical ability to self-administer or resident non-compliance with the physician's orders or the facility's medication policies and procedures the facility shall notify the physician. A resident's right to refuse medications does not imply the inability of the resident to self-administer medications.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

### **.3806 MEDICATION STORAGE**

(a) Medications that are self-administered and stored in the resident's room shall be stored in a safe and secure manner as specified in the facility's medication storage policy and procedures.

(b) All prescription and non-prescription medications stored by the facility, including those requiring refrigeration, shall be maintained in a safe manner under locked security except when under the immediate or direct physical supervision of staff in charge of medication administration.

(c) The medication storage area shall be clean, well-lighted, well-ventilated, large enough to store medications in an orderly manner, and located in areas other than the bathroom, kitchen or utility room. Medication carts shall be clean and medications shall be stored in an orderly manner.

(d) Accessibility to locked storage areas for medications shall only be by staff responsible for medication administration and administrator or person in charge.

(e) Medications intended for topical or external use, except for ophthalmic, otic and transdermal medications, shall be stored in a designated area separate from the medications intended for oral and injectable use. Medications shall be stored apart from cleaning agents and hazardous chemicals.

(f) Medications requiring refrigeration shall be stored at 36 degrees F to 46 degrees F (2 degrees C to 8 degrees C).

(g) Medications shall not be stored in a refrigerator containing non-medications and non-medication related items, except when stored in a separate container. The container shall be locked when storing medications unless the refrigerator is locked or is located in a locked medication area.

(h) The facility shall not possess a stock of prescription legend medications for general or common use except for the following:

- (1) irrigation solutions in single unit quantities exceeding 49 ml. and related diagnostic agents;
- (2) diagnostic agents;
- (3) vaccines; and
- (4) water for injection and normal saline for injection.

(i) First aid supplies shall be immediately available, stored out of sight of residents and visitors and stored separately in a secure and orderly manner.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

### **.3807 MEDICATION DISPOSITION**

(a) Medications shall be released to or with a resident upon discharge if the resident has a physician's order to continue the medication. Prescribed medications are the property of the resident and shall not be given to, or taken by, other staff or residents according to Rule .3804(m) of this Subchapter.

(b) Medications, excluding controlled medications, that are expired, discontinued, prescribed for a deceased resident or deteriorated shall be stored separately from actively used medications until disposed of.

(c) Medications, excluding controlled medications, shall be destroyed at the facility or returned to a pharmacy within 30 days of the expiration or discontinuation of medication or following the death of the resident.

(d) All medications destroyed at the facility shall be destroyed by the administrator or the administrator's designee and witnessed by a pharmacist, a dispensing practitioner, or their

designee. The destruction shall be conducted so that no person can use, administer, sell or give away the medication.

(e) Records of medications destroyed or returned to the pharmacy shall include the resident's name, the name and strength of the medication, the amount destroyed or returned, the method of destruction if destroyed in the facility and the signature of the administrator or the administrator's designee and the signature of the pharmacist, dispensing practitioner or their designee. These records shall be maintained by the facility for a minimum of one year.

(f) A dose of any medication prepared for administration and accidentally contaminated or not administered shall be destroyed at the facility according to the facility's policies and procedures.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

### **.3808 CONTROLLED SUBSTANCES**

(a) The facility shall assure a readily retrievable record of controlled substances by documenting the receipt, administration and disposition of controlled substances. These records shall be maintained with the resident's record and in order that there can be accurate reconciliation.

(b) Controlled substances may be stored together in a common location or container. If Schedule II medications are stored together in a common location, the Schedule II medications shall be under double lock.

(c) Controlled substances that are expired, discontinued or no longer required for a resident shall be returned to the pharmacy. The facility shall document the resident's name; the name, strength and dosage form of the controlled substance and the amount returned. There shall also be documentation by the pharmacy of the receipt or return of the controlled substances. Records of controlled substances returned to the pharmacy shall be maintained by the facility for a minimum of three years.

(d) Discontinued or expired controlled substances to be returned to the pharmacy shall be stored securely in a locked area apart from actively used medications until returned.

(e) A dose of a controlled substance accidentally contaminated or not administered shall be destroyed at the facility. The destruction shall be documented on the medication administration record (MAR) or the controlled substance record showing the time, date, quantity, manner of destruction and the initials or signature of the person destroying the substance.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

### **.3809 PHARMACEUTICAL CARE**

(a) The facility shall obtain the services of a licensed pharmacist, prescribing practitioner or registered nurse for the provision of pharmaceutical care at least every 90 days for residents or as frequent as determined by the Department, based on the documentation of significant medication problems identified during monitoring visits or other investigations in which the safety of the residents may be at risk. Pharmaceutical care involves the identification, prevention and resolution of medication related problems which includes at least the

following:

(1) an on-site medication review for each resident which includes at least the following:

(A) the review of information in the resident's record such as diagnoses, history and physical, discharge summary, vital signs, physician's orders, progress notes, laboratory values and medication administration records, including current medication administration records;

(B) ensuring that medications are administered as prescribed; making recommendations for change, if necessary, based on desired medication outcomes and ensuring that the appropriate authorized prescribing practitioner is so informed; and

(C) ensuring that any undesired side effects, potential and actual drug reactions or interactions, and medication errors are identified and reported to the appropriate prescribing practitioner.

(2) review of all aspects of medication administration including the observation of at least one medication administration pass and inspection of medication storage areas;

(3) review of the medication system utilized by the facility, including packaging, labeling and availability of medications;

(4) review the facility's procedures and records for the disposition of medications and provide assistance, if necessary;

(5) provision of a written report of findings and any recommendations for change to the facility and the physician or appropriate health professional, when necessary;

(6) conducting in-service programs as needed for facility staff on medication usage that includes, but not limited to the following:

(A) potential or current medication related problems identified;

(B) new medications;

(C) side effects and medication interactions; and

(7) documentation of the activities in Subparagraphs (1) through (6) of Paragraph (a) of this Rule. The results of the medication review of each resident's medication therapy shall be documented in the resident's record.

(b) policies and procedures; and

(c) The facility shall assure action is taken as needed in response to the medication review and documented, including that the physician or appropriate health professional has been informed of the findings when necessary.

(d) The facility shall maintain the findings and reports resulting from the activities in Subparagraphs (1) through (6) of Paragraph (a) of this Rule in the facility, including action taken by the facility.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*



**.3810 PHARMACEUTICAL SERVICES**

(a) The facility shall allow the resident the right to choose a pharmacy provider as long as the pharmacy will provide services that are in compliance with the facility's medication management policies and procedures.

(b) There shall be a current, written agreement with the pharmacy provider for each pharmaceutical service provided, i.e., dispensing and consulting, which includes a statement of the responsibility of each party.

(c) The facility shall assure the provision of emergency pharmaceutical services and this shall be included in the written agreement with the pharmacy provider.

(d) The facility shall assure the provision of medication for residents on temporary leave from the facility or involved in day activities out of the facility.

(e) The facility shall assure that accurate records of the receipt, use and disposition of medications are maintained in the facility and readily available for review.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

**SECTION .3900 - FAMILY CARE HOME LICENSE ELIGIBILITY**

**.3901 DEFINITIONS**

The following definitions shall apply throughout this Section:

- (1) "Person" means an individual, a trust or estate, a partnership, a corporation or a collection of individuals who together own controlling interest of a partnership or a corporation.
- (2) "Owner" means any person who has legal or equitable title to or a majority interest in an adult care home.
- (3) "Affiliate" means any person that directly or indirectly controls an adult care home or any person who is controlled by a person who controls an adult care home. In addition, two or more adult care homes who are under common control are affiliates.
- (4) "Principal" means any person who is the owner or operator of an adult care home, an executive officer of a corporation that owns or operates an adult care home, a general partner of a partnership that owns or operates an adult care home, or a sole proprietorship that owns or operates an adult care home.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; S.L. 99-0334.

**.3902 PERSONS NOT ELIGIBLE FOR NEW ADULT CARE HOME LICENSES**

(a) Pursuant to G.S. 131D-2(b)(1b), no new license shall be issued for any adult care home to an applicant who:

- (1) is the owner, affiliate or principal of an adult care home that had its license revoked until one full year after the date of revocation;
- (2) is the owner, principal or affiliate of an adult care home that was assessed a penalty for a Type A or

Type B violation until the earlier of one year from the date the penalty was assessed or until the home has substantially complied with the correction plan established pursuant to G.S. 131D-34 and substantial compliance as been certified by the Department; or  
 (3) is the owner, principal or affiliate of an adult care home that had its license summarily suspended or downgraded to provisional status as a result of Type A or Type B violations until six months from the date of reinstatement of the license, restoration from provisional to full licensure, or termination of the provisional license, as applicable.

(b) Additionally, no new license shall be issued for any adult care home to an applicant for licensure who is the owner, principal or affiliate of an adult care home that has had its admissions suspended until six months after the suspension is lifted.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; S.L. 99-0334.

**.3903 ADULT CARE HOMES NOT ELIGIBLE FOR LICENSE RENEWAL**

(a) An adult care home is not eligible to have its license renewed if the compliance history of the facility demonstrates a pattern of noncompliance with State law and licensure rules or disregard for the health, safety and welfare of residents as determined by the number and severity of administrative sanctions levied against the facility until the Department certifies that it is in substantial compliance.

(b) An adult care home is not eligible to have its license renewed if any person who is an owner, affiliate or principal of the applicant facility is also an owner, affiliate or principal of an adult care home that had its license revoked until one full year after the date of such revocation.

(c) An adult care home is not eligible to have its license renewed if any person who is an owner, affiliate or principal of the applicant is also an owner, affiliate or principal of an adult care home that had its license summarily suspended until six months after the date of such suspension.

(d) An adult care home is not eligible to have its license renewed if any person who is an owner, affiliate or principal of the applicant facility is also an owner, affiliate or principal of an adult care home that has a demonstrated pattern of noncompliance with State law and licensure rules or disregard for the health, safety and welfare of the residents as determined by the number and severity of administrative sanctions levied against an adult care home until the Department has certified substantial compliance by such facility.

(e) Pursuant to G.S. 131D-2(b)(1), an adult care home is not eligible to have its license renewed if any outstanding fines or penalties imposed by the Department have not been paid; provided, however that if an appeal is pending the fine or penalty will not be considered imposed until the appeal is resolved.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

## **SECTION .4000 - EFFECTIVE DATE OF TEMPORARY RULES**

### **.4001 CHANGE OF EFFECTIVE DATE OF TEMPORARY RULES**

The effective date of temporary Rules .2005, .2011, .2012, .2207, .2214, .2302, .2501, .2505, .2506, .2703, .3401, .3402, .3701, .3703, .3801-.3810, .3901-.3903 of this Subchapter is changed to January 1, 2000.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

## **SUBCHAPTER 42D - LICENSING OF HOMES FOR THE AGED AND INFIRM**

### **SECTION .1300 - MANAGEMENT**

### **.1301 MANAGEMENT OF FACILITIES WITH A CAPACITY OR CENSUS OF SEVEN TO THIRTY RESIDENTS**

(a) The requirements in Paragraphs (a) and (c) of Rule 10 NCAC 42C .1901 shall control for this Subchapter for facilities with a capacity or census of 7 to 20 30 residents.

(b) At all times there must be one administrator or supervisor-in-charge who is directly responsible for assuring that all required duties are carried out in the home and for assuring that at no time is a resident left alone in the home without a staff member. In addition to the requirements in 10 NCAC 42C .1901(a) and (c), one of the following arrangements must be used to manage a home for the aged and disabled facility with a capacity of 7 to 30 residents:

- (1) The administrator lives is in the home home; or resides within 500 feet of the home and is immediately available. To be immediately available, the administrator must be on stand-by and have direct access to either a two-way intercom system or a two-way intercom line on the existing telephone system that connects the licensed home with the private residence of the administrator. The equipment installed must be in working condition and must be located in the bedroom of the administrator; or
- (2) The administrator employs a A supervisor-in-charge to live is in the home or resides within 500 feet of the home and be is immediately available. The conditions of being "immediately available" cited in Subparagraph (b)(1) of this Rule shall apply to this arrangement; or
- (3) The administrator employs supervisors-in-charge, at least one of whom will be awake and on-duty during each shift (first, second, and third); or
- (4) (3) When there is a cluster of licensed homes, each with a capacity of 7 to 12 residents, located adjacently on the same site, there must be at least one staff member, either live-in or on a shift basis in each of these

homes. In addition, there must be at least one administrator or supervisor-in-charge who lives is within 500 feet of each home, is immediately available, and who is directly responsible for assuring that all required duties are carried out in each home. To be immediately available, the administrator or supervisor-in-charge must be on stand-by and have direct access to either a two-way intercom system or a two-way intercom line on the existing telephone system that connects these homes with each other and with the residence of the administrator or supervisor-in-charge. The equipment installed must be in working condition and must be located in the bedroom of the administrator or supervisor-in-charge.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

### **.1302 THE CO-ADMINISTRATOR**

The rules stated in 10 NCAC 42C .1902 shall control for this Subchapter.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

### **.1303 MANAGEMENT AND PERSONAL CARE AIDE SUPERVISION IN FACILITIES WITH A CAPACITY OR CENSUS OF 31 TO 80 RESIDENTS**

(a) In facilities with a capacity or census of 31 to 80 residents, there shall be a supervisor of personal care aides, including medication aides, on duty in the facility on first and second shifts; and there shall be an administrator on call, which means able to be contacted by telephone, pager or two-way intercom, at all times when not in the building. The supervisor shall meet the qualifications specified in Rule .1413 of this Subchapter. (For staffing chart, see Rule .1416 of this Subchapter.)

(b) On first and second shifts in facilities with a capacity or census of 31 to 70 residents, the supervisor of personal care aides, hereafter referred to as supervisor, may provide up to four hours of aide duty per shift. These four hours may be counted as required hours of aide duty. The supervisor's hours on duty shall not be counted as required hours of aide duty other than as specified in this Rule.

(c) On third shift in facilities with a capacity or census of 31 to 60 residents, the supervisor shall be in the facility or within 500 feet and immediately available, as defined in Rule .1301 of this Section.

(d) On third shift in facilities with a capacity or census of 61 to 80 residents, the supervisor shall be on duty in the facility for a least four hours and within 500 feet and immediately available, as defined in Rule .1301 of this Section, for the remaining four hours. The four hours on duty shall not be counted as required hours of aide duty.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

### **.1304 MANAGEMENT OF FACILITIES WITH A**



**CAPACITY OR CENSUS OF 81 OR MORE RESIDENTS**

(a) A facility with a capacity or census of 81 or more residents shall be under the direct control of an administrator, who shall be responsible for the operation, administration, management and supervision of the facility on a full-time basis to assure that all care and services to residents are provided in accordance with all applicable local, state and federal regulations and codes. The administrator shall be on duty in the facility at least eight hours per day, five days per week and shall not serve simultaneously as a personal care aide supervisor or other staff to meet staffing requirements while on duty as an administrator. (For staffing chart, see Rule .1416 of this Subchapter.) If there is more than one facility on a contiguous parcel of land or campus setting, and the combined licensed capacity of the facilities is 200 beds or less, there may be one administrator on duty for all the facilities on the campus. The administrator shall not serve simultaneously as a personal care aide supervisor in this campus setting.

(b) When the administrator is not on duty in the facility, there shall be a person designated as administrator-in-charge on duty in the facility who has responsibility for the overall operation of the facility. The supervisor may serve simultaneously as the administrator-in-charge. Each facility on a contiguous parcel of land or campus setting, as described in Paragraph (a) of this Rule, shall have a person designated as the administrator-in-charge in the facility when the administrator is not on duty.

(c) The administrator-in-charge shall meet the following qualifications:

- (1) be 21 years or older;
- (2) be at least a high school graduate or certified under the G.E.D. program or have passed an alternative examination established by the Department;
- (3) meet the general health requirements according to Rule .1406 of this Subchapter; and
- (4) earn at least 12 hours a year of continuing education credits related to the management of adult care homes and care of aged and disabled persons in accordance with procedures established by the Department.

(d) The administrator shall be on call, which means able to be contacted by telephone, pager or two-way intercom at all times when not in the building.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

**SECTION .1400 - PERSONNEL**

**.1401 QUALIFICATIONS OF ADMINISTRATOR AND CO-ADMINISTRATOR**

The requirements in 10 NCAC 42C .2001 and .2009 shall control for this Subchapter except that the administrator or co-administrator must verify that he has worked in a licensed domiciliary facility for at least 90 days in an approved on-the-job training program or verify that he has past education, training and experience related to the management and operation of adult residential care facilities.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

**.1402 QUALIFICATIONS OF SUPERVISOR-IN-CHARGE**

(a) The rules stated in Rule 10 NCAC 42C .2002 shall control for this Subchapter for facilities with a capacity or census of seven to thirty residents.

(b) The supervisor-in-charge for facilities with a capacity or census of 21 to 80 residents shall meet the following qualifications:

- (1) be 21 years or older;
- (2) be at least a high school graduate or certified under the G.E.D. program or have passed an alternative examination established by the Department;
- (3) meet the general health requirements according to Rule .1406 of this Subchapter;
- (4) meet the same minimum training and competency requirements of the personal care aides; and
- (5) earn at least 12 hours a year of continuing education credits related to the management of adult care homes and the care of aged and disabled persons in accordance with procedures established by the Department.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

**.1407 STAFFING**

(a) In addition to the requirements set forth in Paragraphs (b) through (e) of this Rule, the requirements in 10 NCAC 42C .2005 shall control for this Subchapter. References to homes in Paragraphs (b) through (e) of this Rule refer to homes for the aged and disabled.

(b) Homes must staff to the licensed capacity of the home or to the resident census. When a home is staffing to resident census, a daily census log must be maintained which lists current residents by name, room assignment and date of admission and must be available for review by the monitoring and licensing agencies.

(c) Homes with capacity or census of 12 or fewer residents:

- (1) At all times there must be an administrator or supervisor-in-charge in the home or within 500 feet of the home and immediately available;
- (2) A free standing home with capacity or census of 12 or fewer residents must comply with the following staffing:
  - (A) When the administrator or supervisor-in-charge is not on duty within the home, there must be at least one staff member on duty on the first and second shifts and at least one staff member on call within the building on third shift. There must be a call system connecting the bedroom of the staff member, who may be asleep on the third shift, with each resident's bedroom; and
  - (B) When the administrator or supervisor-in-charge is on duty within the home on the first and second shifts and on call within the home on

the third shift, another staff member (i.e., co-administrator, supervisor-in-charge or aide) must be in the building or within 500 feet of the home and immediately available.

- (3) A cluster of homes with capacity or census of 12 or fewer residents must comply with the following staffing:

(A) When there is a cluster of up to six licensed homes located adjacently, there must be at least one administrator or supervisor-in-charge who lives within 500 feet of each of the homes, is immediately available, and who, as supervisor for all the homes, is directly responsible for assuring that all required duties are carried out in each home; and

(B) In each of the homes, at least one staff member must be on duty on the first and second shifts and at least one staff member must be on call within the building during the third shift. There must be a call system connecting the bedroom of the staff member, who may be asleep on the third shift, with each resident's bedroom.

- (4) The following shall apply to all homes with capacity or census of 12 or fewer residents:

(A) The administrator must prepare a plan of operation for the home (each home in a cluster) specifying the staff involved, their regularly assigned duties and the amount of time estimated to be spent for each duty. There must be a current plan of operation on file in the home, available for review by bona fide inspectors and the monitoring and licensing agencies;

(B) At least 12 hours must be spent daily providing for the personal services, health services, drug management, meaningful activities, and other direct services needed by the residents. These activities are the primary responsibility of the staff member(s) on duty on the first and second shifts; however, other help, such as the supervisor-in-charge and activities coordinator may be used to assist in providing these services;

(C) During the remaining hours, the staff member on duty may perform housekeeping and food service duties as long as the staff member can respond immediately to resident calls or the residents are otherwise supervised. Also, the person on call within the home may perform housekeeping duties between the hours of 9 p.m. and 7 a.m. if the duties do not hinder care of residents or immediate response to resident calls, do not disrupt residents' normal lifestyles and sleeping patterns; and do not take the person on call out of view of where the residents are;

(D) Additional help must be available daily to assure adequate housekeeping and food service.

(d) Homes with capacity or census of 13-20 must comply with the following staffing. When the home is staffing to census and the census falls below 13 residents, the staffing requirements for a home with 12 or fewer residents will apply.

(1) At all times there must be an administrator or supervisor-in-charge in the home or within 500 feet of the home and immediately available;

(2) When the administrator or supervisor-in-charge is not on duty within the home, there must be at least one staff member on duty on the first, second and third shifts;

(3) When the administrator or supervisor-in-charge is on duty within the home, another staff member (i.e. co-administrator, supervisor-in-charge or aide) must be in the building or within 500 feet of the home and immediately available;

(4) The job responsibility of the staff member on duty within the home is to provide the direct personal assistance and supervision needed by the residents. Any housekeeping duties performed by the staff member between the hours of 7 a.m. and 9 p.m. are to be limited to occasional, non-routine tasks. The staff member may perform housekeeping duties between the hours of 9 p.m. and 7 a.m. as long as such duties do not hinder care of residents or immediate response to resident calls, do not disrupt residents' normal lifestyles and sleeping patterns and do not take the staff member out of view of where the residents are. The staff member on duty to attend to the residents is not to be assigned food service duties; and

(5) In addition to the staff member(s) on duty to attend to the residents, there must be sufficient help available daily to perform necessary housekeeping and food service duties.

(e) Homes with capacity or census of 21 or more must comply with the following staffing. When the home is staffing to census and the census falls below 21 residents, the staffing requirements for a home with a census of 13-20 will apply.

(1) While the Division of Facility Services may require a home to have additional aide duty in excess of the minimum (based on the condition of the residents and the layout of the building), the daily total of aide duty hours on each 8-hour shift must at all times (other than during short, unforeseeable circumstances) be at least:

(A) First shift (morning) - ~~0.4 hours of aide duty for each resident (licensed capacity or resident census), or 8.0~~ 16 hours of aide duty per each 20 residents plus 3.0 hours for all other residents, whichever is greater, and for facilities with a census or capacity of 21 to 40 residents; and 16 hours of aide duty plus four additional hours of aide duty for every additional 10 or fewer residents for facilities



- with a census or capacity of 41 or more residents. (For staffing chart, see Rule .1416 of this Subchapter.)
- (B) Second shift (afternoon) - ~~0.4 hours of aide duty for each resident (licensed capacity or resident census); or 8.0~~ 16 hours of aide duty per each 20 residents plus 3.0 hours for all other residents, whichever is greater; and for facilities with a census or capacity of 21 to 40 residents; and 16 hours of aide duty plus four additional hours of aide duty for every additional 10 or fewer residents for facilities with a census or capacity of 41 or more residents. (For staffing chart, see Rule .1416 of this Subchapter.)
- (C) Third shift (evening) - 8.0 hours of aide duty per 30 or fewer residents (licensed capacity or resident census). (For staffing chart, see Rule .1416 of this Subchapter.)
- (D) The facility shall have additional aide duty to meet the needs of the facility's heavy care residents equal to the amount of time reimbursed by Medicaid. As used in this Rule, the term, "heavy care resident", means an individual residing in an adult care home who is defined as "heavy care" by Medicaid and for which the facility is receiving enhanced Medicaid payments.
- (2) The following describes the nature of the aide's duties, including allowances and limitations:
- (A) The job responsibility of the aide is to provide the direct personal assistance and supervision needed by the residents;
- (B) Any housekeeping performed by an aide between the hours of 7 a.m. and 9 p.m. is to be limited to occasional, non-routine tasks, such as wiping up a water spill to prevent an accident, attending to an individual resident's soiling of his bed, or helping a resident make his bed. Routine bed-making is a permissible aide duty;
- (C) If the home employs more than the minimum number of aides required, any additional hours of aide duty above the required hours of direct service between 7 a.m. and 9 p.m. may involve the performance of housekeeping tasks;
- (D) An aide may perform housekeeping duties between the hours of 9 p.m. and 7 a.m. as long as such duties do not hinder the aide's care of residents or immediate response to resident calls, do not disrupt the residents' normal lifestyles and sleeping patterns, and do not take the aide out of view of where the residents are. The aide must be prepared to care for the residents since that remains his primary duty; and

(E) Aides are not to be assigned food service duties; however, providing assistance to individual residents who need help with eating is an appropriate aide duty.

- (3) In addition to the staffing required for management and aide duties, there must be sufficient personnel employed to perform necessary housekeeping and food service duties.

Authority G.S. 131D-2; G.S. 131D-4.3; 131D-4.5; 143B-153.

#### **.1410 STAFF COMPETENCY AND TRAINING**

(a) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraph (h) of this Rule successfully complete a ~~40=~~ 45-hour training program, including competency evaluation, approved by the Department according to Rule .1411 of this Section. Directly supervise means being on duty in the facility to oversee or direct the performance of staff duties.

(b) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraph (i) of this Rule successfully complete a ~~75=~~ 80-hour training program, including competency evaluation, approved by the Department according to Rule .1411 of this Section and comparable to the State-approved Nurse Aide I training.

(c) The facility shall assure that training specified in Paragraphs (a) and (b) of this Rule is successfully completed within one of the following time frames six months after hiring for staff hired after July 1, 2000. Staff hired prior to July 1, 2000, shall have completed at least a 40 or 75-hour training program, which shall meet all the requirements of this Rule except for the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule.

~~(1) six months after implementation of a statewide training program for staff hired before such implementation; or~~

~~(2) six months after hiring for staff hired after implementation of a statewide training program established by the Department of Community Colleges.~~

(d) The Department shall have the authority to extend the six-month time frame specified in Paragraph (c) of this Rule up to six additional months for a maximum allowance of 12 months for completion of training upon submittal of documentation to the Department by the facility showing good cause for not meeting the six-month time frame.

(e) Exemptions from the training requirements of this Rule are as follows:

- (1) The Department shall exempt staff from the ~~40=~~ 45-hour training requirement upon successful completion of a competency evaluation approved by the Department according to Rule .1411 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (h) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a

comparable long-term care setting for a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.

- (2) The Department shall exempt staff from the ~~75-~~ 80-hour training requirement upon successful completion of a 15-hour refresher training and competency evaluation program or a competency evaluation program approved by the Department according to Rule .1411 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a comparable long-term care setting for a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.

- (3) The Department shall exempt staff from the ~~40~~ 45 and ~~75-~~ 80-hour training and competency evaluation who are licensed health professionals or listed on the N.C. Nurse Aide Registry.

(f) The facility shall maintain documentation of the training and competency evaluations of staff required by the rules of this Subchapter. The documentation shall be filed in an orderly manner and made available for review by representatives of the Department.

(g) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraphs (h) and (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule receive on-the-job training and supervision as necessary for the performance of individual job assignments prior to meeting the training and competency requirements of this Rule.

(h) For the purposes of this Rule, personal care tasks which require a ~~40-~~ 45-hour training program include, but are not limited to the following:

- (1) assist residents with toileting and maintaining bowel and bladder continence;
- (2) assist residents with mobility and transferring;
- (3) provide care for normal, unbroken skin;
- (4) assist with personal hygiene to include mouth care, hair and scalp grooming, care of fingernails, and bathing in shower, tub, bed basin;
- (5) trim hair;
- (6) shave resident;
- (7) provide basic first aid;
- (8) assist residents with dressing;
- (9) assist with feeding residents with special conditions but no swallowing difficulties;
- (10) assist and encourage physical activity;
- (11) take and record temperature, pulse, respiration, routine height and weight;
- (12) trim toenails for residents without diabetes or peripheral vascular disease;
- (13) perineal care;
- (14) apply condom catheters;
- (15) turn and position;

- (16) collect urine or fecal specimens;
- (17) take and record blood pressure if a registered nurse has determined and documented staff to be competent to perform this task;
- (18) apply and remove or assist with applying and removing prosthetic devices for stable residents if a registered nurse, licensed physical therapist or licensed occupational therapist has determined and documented staff to be competent to perform the task; and
- (19) apply or assist with applying ace bandages, TED's and binders for stable residents if a registered nurse has determined and documented staff to be competent to perform the task.

(i) For the purposes of this Rule, personal care tasks which require a ~~75-~~ 80-hour training program are as follows:

- (1) assist with feeding residents with swallowing difficulty;
- (2) assist with gait training using assistive devices;
- (3) assist with or perform range of motion exercises;
- (4) empty and record drainage of catheter bag;
- (5) administer enemas;
- (6) bowel and bladder retraining to regain continence;
- (7) test urine or fecal specimens;
- (8) use of physical or mechanical devices attached to or adjacent to the resident which restrict movement or access to one's own body used to restrict movement or enable or enhance functional abilities;
- (9) non-sterile dressing procedures;
- (10) force and restrict fluids;
- (11) apply prescribed heat therapy;
- (12) care for non-infected pressure ulcers; and
- (13) vaginal douches.

(j) For purposes of this Rule, the interpersonal skills and behavioral interventions include, but are not limited to the following:

- (1) recognition of residents' usual patterns of responding to other people;
- (2) individualization of appropriate interpersonal interactions with residents;
- (3) interpersonal distress and behavior problems;
- (4) intrapersonal and interpersonal distress and behavior problems;
- (5) knowledge of procedures for obtaining consultation and assistance regarding safe, humane management of residents' behavioral problems.

*Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334.*

#### **.1411 TRAINING PROGRAM AND COMPETENCY EVALUATION CONTENT AND APPROVAL**

(a) The ~~40~~ 45-hour training specified in Rule .1410 of this Section shall consist of at least ~~20~~ 24 hours of classroom instruction, and the remaining hours shall be supervised practical experience. Competency evaluation shall be conducted in each of the following areas:



- (1) personal care skills;
- (2) cognitive, behavioral and social care for all residents and including interventions to reduce behavioral problems for residents with mental disabilities; and
- (3) residents' rights as established by G.S. 131D-21.

(b) The ~~75~~ 80-hour training specified in Rule .1410 of this Section shall consist of at least ~~30~~ 34 hours of classroom instruction and at least ~~30~~ 34 hours of supervised practical experience. Competency evaluation shall be conducted in each of the following areas:

- (1) observation and documentation;
- (2) basic nursing skills, including special health-related tasks;
- (3) personal care skills;
- (4) cognitive, behavioral and social care for all residents and, including interventions to reduce behavioral problems for residents with mental disabilities;
- (5) basic restorative services; and
- (6) residents' rights as established by G.S. 131D-21.

(c) The following requirements shall apply to the ~~40~~ 45 and 75 ~~80~~-hour training specified in Rule .1410 of this Section:

- (1) The training shall be conducted by an individual or a team of instructors with a coordinator. The supervisor of practical experience and instructor of content having to do with personal care tasks or basic nursing skills shall be a registered nurse with a current, unencumbered license in North Carolina and with two years of clinical or direct patient care experience working in a health care, home care or long term care setting. The program coordinator and any instructor of content that does not include instruction on personal care tasks or basic nursing skills shall be a registered nurse, licensed practical nurse, physician, gerontologist, social worker, psychologist, mental health professional or other health professional with two years of work experience in adult education or in a long term care setting; or a four-year college graduate with four years of experience working in the field of aging or long term care for adults.
- (2) A trainee participating in the classroom instruction and supervised practical experience in the setting of the trainee's employment shall not be considered on duty and counted in the staff-to-resident ratio.
- (3) Training shall not be offered without a qualified instructor on site.
- (4) Classroom instruction shall include the opportunity for demonstration and practice of skills.
- (5) Supervised practical experience shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the trainee will be performing or supervising the personal care skills.
- (6) All skills shall be performed on humans except for intimate care skills, such as perineal and catheter care, which may be conducted on a mannequin.

- (7) There shall be no more than 10 trainees for each instructor for the supervised practical experience.
- (8) A written examination prepared by the instructor shall be used to evaluate the trainee's knowledge of the content portion of the classroom training. The trainee shall score at least 70 on the written examination. Oral testing shall be provided in the place of a written examination for trainees lacking reading or writing ability.
- (9) The trainee shall satisfactorily perform all of the personal care skills specified in Rule .1410(h) and the skills specified in Rule .1410(j) of this Section for the ~~40~~ 45-hour training and in ~~Rule Rules~~ Rules ~~1410(h)~~ .1410(j), and (i) and (j) of this Section for the ~~75~~ 80-hour training. The instructor shall use a skills performance checklist for this competency evaluation that includes, at least, all those skills specified in ~~Rule Rules~~ Rules ~~.1410(h) and (j) of this Section for the~~ .1410(h), and (i) and (j) of this Section for the ~~40~~ 45-hour training and all those skills specified in ~~Rule Rules~~ Rules ~~1410(h), and (i) and (j) of this Section for the~~ 75 ~~80~~-hour training. Satisfactory performance of the personal care skills and interpersonal and behavioral intervention skills means that the trainee performed the skill unassisted; explained the procedure to the resident; explained to the instructor, prior to or after the procedure, what was being done and why it was being done in that way; and incorporated the principles of good body mechanics, medical asepsis and resident safety and privacy.
- (10) The training provider shall issue to all trainees who successfully complete the training a certificate, signed by the registered nurse who conducted the skills competency evaluation, stating that the trainee successfully completed the ~~40~~ 45 or 75 ~~80~~-hour training. The trainee's name shall be on the certificate. The training provider shall maintain copies of the certificates and the skills evaluation checklists for a minimum of five years.

(d) An individual, agency or organization seeking to provide the ~~40~~ 45 or 75 ~~80~~-hour training specified in Rule .1410 of this Section shall submit the following information to the Group Care Licensure Section of the Division of Facility Services:

- (1) an application which is available at no charge by contacting the Division of Facility Services, Group Care Licensure Section, 2708 Mail Service Center Post-Office Box 29530, Raleigh, North Carolina 27636-0530; 27626-2708;
- (2) a statement of training program philosophy;
- (3) a statement of training program objectives for each content area;
- (4) a curriculum outline with specific hours for each content area;
- (5) teaching methodologies, a list of texts or other instructional materials and a copy of the written exam or testing instrument with an established passing grade;

- (6) a list of equipment and supplies to be used in the training;
- (7) procedures or steps to be completed in the performance of the personal care and basic nursing skills;
- (8) sites for classroom and supervised practical experience, including the specific settings or rooms within each site;
- (9) resumes of all instructors and the program coordinator, including current RN certificate numbers as applicable;
- (10) policy statements that address the role of the registered nurse, instructor to trainee ratio for the supervised practical experience, retention of trainee records and attendance requirements;
- (11) a skills performance checklist as specified in Subparagraph (c)(9) of this Rule; and
- (12) a certificate of successful completion of the training program.

(e) The following requirements shall apply to the competency evaluation for purposes of exempting adult care home staff from the 40 45 or 75 80-hour training as required in Rule .1410 of this Section:

- (1) The competency evaluation for purposes of exempting adult care home staff from the 40 45 or 75 80-hour training shall consist of the satisfactory performance of personal care skills according to the requirement in Subparagraph (c)(9) of this Rule.
- (2) Any person who conducts the competency evaluation for exemption from the 40 45 or 75 80-hour training shall be a registered nurse with the same qualifications specified in Subparagraph (c)(1) of this Rule.
- (3) The competency evaluation shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the participant will be performing or supervising the personal care skills.
- (4) All skills being evaluated shall be performed on humans except for intimate care skills such as perineal and catheter care, which may be performed on a mannequin.
- (5) The person being competency evaluated in the setting of the person's employment shall not be considered on duty and counted in the staff-to-resident ratio.
- (6) An individual, agency or organization seeking to provide the competency evaluation for training exemption purposes shall complete an application available at no charge from the Division of Facility Services, Group Care Licensure Section, Post Office Box 29530, Raleigh, North Carolina 27626-0530 and submit it to the Group Care Licensure Section along with the following information:
  - (A) resume of the person performing the competency evaluation, including the current RN certificate number;
  - (B) a certificate, with the signature of the

evaluating registered nurse and the participant's name, to be issued to the person successfully completing the competency evaluation;

- (C) procedures or steps to be completed in the performance of the personal care and basic nursing skills;
- (D) skills performance checklist as specified in Subparagraph (c)(9) of this Rule;
- (E) a site for the competency evaluation; and
- (F) a list of equipment, materials and supplies.

*Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334.*

#### **.1412 CERTIFICATION OF ADMINISTRATOR**

The administrator of an adult care home licensed on or after January 1, 2000, shall be certified by the Department under the provisions of G.S. 90, Article 20A. The administrator's certification shall be renewed every two years by the Department under these same provisions, including documentation that the administrator has completed at least 30 hours of continuing education credits related to the management of adult care homes and care of aged and disabled persons in accordance with procedures established by the Department.

*Authority G.S. 131D-2; 90-288; 143B-165; S.L. 99-0334; S.L. 99-0443.*

#### **.1413 RESPONSIBILITIES AND QUALIFICATIONS OF PERSONAL CARE AIDE SUPERVISOR IN FACILITIES WITH A CAPACITY OR CENSUS OF 71 OR MORE RESIDENTS**

(a) There shall be at least one personal care aide supervisor, hereafter referred to as supervisor, on duty in the facility on first and second shifts in facilities with a capacity or census of 71 to 90 residents. On third shift in facilities with a capacity of 71 to 90 residents, the supervisor shall be on duty in the facility for at least four hours and within 500 feet and immediately available, as defined in Rule .1301 of this Subchapter, for the remaining four hours. The four hours on duty shall not be counted as required hours of aide duty. (For staffing chart, see Rule .1416 of this Section.)

(b) In facilities with a capacity or census of 91 or more residents, there shall be at least one supervisor on duty in the facility on each shift for less than 64 hours of aide duty; two supervisors for 64 to less than 96 hours of aide duty; and three supervisors for 96 to less than 128 hours of aide duty. (For staffing chart, see Rule .1416 of this Section.)

(c) The primary job responsibility of the supervisor in facilities with a capacity or census of 71 or more residents is the direct supervision of personal care aides, including medication aides. While the supervisor may be involved in performing some personal care or management tasks, the primary responsibility of the supervisor is to assure that care and services are provided to residents by personal care aides in a safe and secure manner and according to licensure rules. This involves



observing personal care aides in the performance of their duties; instructing, correcting and consulting with aides as needed; and reviewing documentation by aides.

(d) A supervisor on duty shall not serve simultaneously as the administrator, personal care aide or any other staff except the administrator-in-charge in the absence of the administrator.

(e) A supervisor shall meet the following qualifications:

- (1) be 21 years or older;
- (2) be a high school graduate or certified under the G.E.D. program, or have passed an alternative examination established by the Department;
- (3) meet the general health requirements according to Rule .1406 of this Section;
- (4) have at least 12 months of experience in performing or supervising the performance of duties to be supervised during a period of three years prior to the effective date of this rule or the date of hire, whichever is later;
- (5) meet the same minimum training and competency requirements of the aides being supervised; and earn at least 12 hours a year of continuing education credits related to the care of aged and disabled persons in accordance with procedures established by the Department of Health and Human Services.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

#### **.1414 QUALIFICATIONS OF MEDICATION AIDES AND THEIR SUPERVISORS**

(a) Effective February 15, 2000, staff who administer medications, hereafter referred to as medication aides, and staff who directly supervise the administration of medications shall have documentation of successfully completing the clinical skills validation portion of the competency evaluation according to Paragraph (d) and (e) of Rule .1415 of this Section prior to the administration or supervision of the administration of

medications. Medication aides shall also meet the staff training and competency requirements according to Rule .1410 of this Section. Persons authorized by state occupational licensure laws to administer medications are exempt from this requirement.

(b) Effective July 1, 2000, medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall successfully pass the written examination 90 days after successful completion of the clinical skills validation portion of a competency evaluation according to Rule .1415 of this Section. Medication aides shall also meet the staff training and competency requirements according to Rule .1410 of this Section.

(c) Medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall complete eight hours of state approved continuing education annually in medication administration.

(d) Effective July 1, 2000, persons taking the competency evaluation for medication administration shall be a high school graduate or certified under the G.E.D. program or shall have passed an alternative examination established by the Department.

(e) Training and competency validation of any unlicensed person who is to administer insulin shall be according to Rule .1829 of this Subchapter. Effective January 1, 2000, the training shall also be required for any unlicensed person who is to administer insulin.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

#### **.1415 MEDICATION ADMINISTRATION COMPETENCY**

Rule 10 NCAC 42C .2014 shall control for this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

#### **.1416 STAFFING CHART**

The following chart specifies the required aide, supervisory and management staffing for each eight-hour shift in facilities with a capacity or census of 21 or more residents according to Rules .1301, .1303, .1304, .1407 and .1413 of this Subchapter.

Bed Count	Position Type	First Shift	Second Shift	Third Shift
21-30	Aide	16	16	8
	Supervisor	Not Required	Not Required	Not Required
	Administrator/SIC	In the building, or within 500 feet and immediately available.		
31-40	Aide	16	16	16
	Supervisor	8*	8*	In the building, or within 500 feet and immediately available.
	Administrator	On call		

41-50	Aide	20	20	16
	Supervisor	8*	8*	In the building, or within 500 feet and immediately available.
	Administrator	On call		
51-60	Aide	24	24	16
	Supervisor	8*	8*	In the building, or within 500 feet and immediately available.
	Administrator	On call		
61-70	Aide	28	28	24
	Supervisor	8*	8*	4 hours within the facility/4 hours within 500 feet and immediately available.
	Administrator	On call		
71-80	Aide	32	32	24
	Supervisor	8	8	4 hours within the facility/4 hours within 500 feet and immediately available.
	Administrator	On call		
81-90	Aide	36	36	24
	Supervisor	8	8	4 hours within the facility/4 hours within 500 feet and immediately available
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
91-100	Aide	40	40	32
	Supervisor	8	8	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
101-110	Aide	44	44	32
	Supervisor	8	8	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
111-120	Aide	48	48	32
	Supervisor	8	8	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
121-130	Aide	52	52	40
	Supervisor	8	8	8



**PROPOSED RULES**

	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
131-140	Aide	56	56	40
	Supervisor	8	8	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
141-150	Aide	60	60	40
	Supervisor	8	8	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
151-160	Aide	64	64	48
	Supervisor	16	16	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
161-170	Aide	68	68	48
	Supervisor	16	16	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
171-180	Aide	72	72	48
	Supervisor	16	16	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
181-190	Aide	76	76	56
	Supervisor	16	16	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
191-200	Aide	80	80	56
	Supervisor	16	16	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
201-210	Aide	84	84	56
	Supervisor	16	16	8
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
211-220	Aide	88	88	64
	Supervisor	16	16	16
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
221-230	Aide	92	92	64
	Supervisor	16	16	16
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		
231-240	Aide	96	96	64
	Supervisor	24	24	16
	Administrator	5 days/week: Minimum of 40 hours. When not in facility, on call.		

\*Supervisor may conduct up to four hours of aide duty.

*Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.*

## **SECTION .1500 - THE BUILDING**

### **.1503 PHYSICAL ENVIRONMENT**

The home must provide ample living arrangements to meet the individual needs of the residents, the live-in staff and other live-in persons.

- (1) The requirements for each living room and recreational area are:
  - (a) Each living room and recreational area must be located off a lobby or corridor and enclosed with walls and doors;
  - (b) In buildings with a licensed capacity of 15 or less, there must be a minimum area of 250 square feet;
  - (c) In buildings with a licensed capacity of 16 or more, there must be a minimum of 16 square feet per resident; and
  - (d) Each living room and recreational area must have windows.
- (2) The requirements for the dining room are:
  - (a) The dining room must be located off a lobby or corridor and enclosed with walls and doors;
  - (b) In buildings with a licensed capacity of 15 or less, there must be a minimum of 200 square feet;
  - (c) In building with a licensed capacity of 16 or more, there must be a minimum of 14 square feet per resident; and
  - (d) The dining room must have windows.
- (3) The requirements for the kitchen are:
  - (a) The size of the kitchen and the kitchen equipment must meet the sanitation requirements of the North Carolina Department of Environment, Health, and Natural Resources; Division of Environmental Health. Scaled drawings and specifications must be submitted to the Division of Facility Services; and
  - (b) In areas where approved water and sewer services are not available, the owner must secure from the local sanitarian instructions on the installation of an approved water and sewer system and comply with these instructions.
- (4) The requirements for the bedroom are:
  - (a) The number of resident beds set up must not exceed the licensed capacity of the facility;
  - (b) There must be bedrooms sufficient in number and size to meet the individual needs according to age and sex of the residents, the administrator or supervisor-in-charge, other live-in staff and any other persons living in the home. Residents are not to share bedrooms with staff or other live-in non-residents;
  - (c) Only rooms authorized as bedrooms shall be used for residents' bedrooms;

- (d) Bedrooms must be located on an outside wall and off a corridor. A room where access is through a bathroom, kitchen, or another bedroom will not be approved for a resident's bedroom;
  - (e) There must be a minimum area of 100 square feet excluding vestibule, closet or wardrobe space, in rooms occupied by one person and a minimum area of 80 square feet per bed, excluding vestibule, closet or wardrobe space, in rooms occupied by two or more people;
  - (f) The total number of residents assigned to a bedroom must not exceed the number authorized for that particular bedroom;
  - (g) A bedroom may not be occupied by more than four residents. This does not apply to homes licensed before April 1, 1984, with five residents occupying one bedroom, which meet all other rules of this Subchapter;
  - (h) Resident bedrooms must be designed to accommodate all required furnishings;
  - (i) Each resident bedroom must be ventilated with one or more windows which are maintained operable and well lighted. The window area must be equivalent to at least eight percent of the floor space. The windows must be low enough to see outdoors from the bed and chair, with a maximum 36 inch sill height; and
  - (j) Bedroom closets or wardrobes must be large enough to provide each resident with a minimum of 48 cubic feet of hanging clothing storage space (approximately two feet deep by three feet wide of hanging space by eight feet high).
- (5) The requirements for bathrooms and toilet rooms are:
    - (a) Minimum bathroom and toilet facilities must include a toilet and a hand lavatory for each 5 residents and a tub or shower for each 10 residents or portion thereof;
    - (b) Entrance to the bathroom must not be through a kitchen, another person's bedroom, or another bathroom;
    - (c) Toilets and baths for staff and visitors must be in accordance with Volume II, Plumbing, North Carolina Building Code;
    - (d) Bathrooms and toilets accessible to the physically handicapped must be provided as required by Section 11X, Volume I, North Carolina Building Code;
    - (e) The bathrooms and toilet rooms must be designed to provide privacy. Bathrooms and toilet rooms with two or more water closets (commodes) shall have privacy partitions or curtains for each water closet. Each tub or shower shall have privacy partitions or



- curtains;
- (f) Hand grips must be installed at all commodes, tubs and showers used by or accessible to residents;
- (g) Each home must have at least one bathroom opening off the corridor with: a door three feet minimum width, a three feet by three feet roll-in shower designed to allow the staff to assist a resident in taking a shower without the staff getting wet, a bathtub accessible on at least two sides, a lavatory and a toilet. If the tub and shower are in separate rooms, each room must have a lavatory and a toilet. All fixtures must meet the State Building Code requirements for the physically handicapped in effect at the time the building was constructed;
- (h) Bathrooms and toilet rooms must be located as conveniently as possible to the residents' bedrooms;
- (i) Resident toilet rooms and bathrooms must not be utilized for storage or purposes other than those indicated in Paragraph (5) of this Rule;
- (j) Toilets and baths must be well lighted and mechanically ventilated at two cubic feet per minute. The mechanical ventilation requirement does not apply to facilities licensed before April 1, 1984, with adequate natural ventilation;
- (k) Nonskid surfacing or strips must be installed in showers and bath areas; and
- (l) The floors of the bathrooms and toilet rooms must have a non-slippery, water-resistant covering.
- (6) The requirements for storage rooms and closets are:
  - (a) General Storage for the Home. A minimum area of five square feet (40 cubic feet) per licensed capacity must be provided. This storage space is to be either in the facility or within 500 feet of the facility on the same site;
  - (b) Linen Storage. Storage areas must be adequate in size and number for separate storage of clean linens and separate storage of soiled linens. Access to soiled linen storage must be from a corridor or laundry room;
  - (c) Food Storage. Space must be provided for dry, refrigerated and frozen food items to comply with sanitation regulations;
  - (d) Housekeeping storage requirements are:
    - (i) A housekeeping closet, with mop sink or mop floor receptor, must be provided at the rate of one per 60 residents or portion thereof; and
    - (ii) There must be separate locked areas for storing cleaning agents, bleaches, pesticides, and other substances which may be hazardous if ingested, inhaled or handled. Cleaning supplies must be supervised while in use;
- (e) Drug storage requirements are:
- (e) (i) Handwashing facilities with wrist type lever handles must be provided immediately adjacent to the drug storage area;
- (ii) All ~~drugs~~ (prescription and non-prescription drugs, including topical preparations) must be stored in a well-lighted and well-ventilated locked cabinet or closet except when under the direct supervision of employees approved to administer drugs;
- (iii) The locked cabinet or closet must be large enough to store all drugs in an orderly manner. Dividers shall be installed or containers provided in the cabinet or closet and drug cart, when used, to separate each resident's drugs with proper labeling for each resident;
- (iv) If the home utilizes drug carts, they must be stored in a locked immobile manner or in a locked area;
- (v) Drugs for external use must be stored in a designated area separate from internal drugs;
- (vi) Drugs must not be stored in bathrooms; a utility room; or in the kitchen area;
- (vii) Drugs requiring refrigeration must be stored in a separate locked box in the refrigerator or in a lockable drug-only refrigerator, capable of maintaining a temperature range of 36 degrees F (2 degrees C) to 46 degrees F (8 degrees C);
- (viii) First aid supplies must be immediately available and stored separately in a secure and orderly manner, out of the sight of residents and the general public;
- (ix) Drugs may be stored in the resident's room for his self-administration upon the written approval and instructions of the prescriber. The home must take reasonable precautions to assure that they are stored and maintained in a safe and secure manner to protect against contamination, spillage, misidentity and pilferage. In establishing a means for safe storage with the resident and the prescriber, the home shall take into account the status of the residents and others living in the home, the degree to which the resident needs immediate access to the drug, and the potential harm of the drug should it be misused;
- (f) (e) Storage for Resident's Articles. Some means

(g) (f) for residents to lock personal articles within the home must be provided; and  
 (g) (f) Staff Facilities. Some means for staff to lock personal articles within the home must be provided.

- (7) The requirements for corridors are:
  - (a) Doors to spaces other than small reach-in closets must not swing into the corridor;
  - (b) Handrails must be provided on both sides of corridors at 36 inches above the floor and be capable of supporting a 250 pound concentrated load;
  - (c) Corridors must be lighted sufficiently with night lights providing 1 foot-candle power at the floor; and
  - (d) Corridors must be free of all equipment and other obstructions.
- (8) The requirements for outside entrances and exits are:
  - (a) Public and service entrances must not be through required resident areas;
  - (b) All steps, porches, stoops and ramps must be provided with handrails and guardrails; and
  - (c) All exit door locks must be easily operable, by a single hand motion, from the inside at all times without keys.
  - (d) In homes with at least one resident who is determined by a physician or is otherwise known to be disoriented or a wanderer, each required exit door shall be equipped with a sounding device that is activated when the door is opened. The sound must be of sufficient volume that it can be heard by staff. A central control panel that will deactivate the sounding device may be used provided the control panel is located in the office of the administrator.
- (9) The requirements for floors are:
  - (a) All floors must be of smooth, non-skid material and so constructed as to be easily cleanable;
  - (b) Scatter or throw rugs are not to be used; and
  - (c) All floors must be kept in good repair.
- (10) Soil Utility Room. A separate room must be provided and equipped for the cleaning and sanitizing of bed pans and must have handwashing facilities.
- (11) Office. There must be an area within the home large enough to accommodate normal administrative functions.
- (12) The requirements for laundry facilities are:
  - (a) Laundry facilities must be large enough to accommodate washers, dryers, and ironing equipment or work tables;
  - (b) These facilities must be located where soiled linens will not be carried through the kitchen, dining, clean linen storage, living rooms or recreational areas; and
  - (c) A minimum of one residential type washer and dryer each must be provided, even if all

laundry services are contracted.

- (13) The requirements for outside premises are:
  - (a) The outside grounds must be maintained in a clean and safe condition;
  - (b) If the home has a fence around the premises, the fence must not prevent residents from exiting or entering freely or be hazardous; and
  - (c) Outdoor walkways and drives must be illuminated by no less than five foot-candles of light at ground level.

*Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.*

## **SECTION .1600 - FIRE SAFETY AND OTHER REQUIREMENTS**

### **.1605 OTHER REQUIREMENTS**

- (a) The building and all fire safety, electrical, mechanical, and plumbing equipment must be maintained in a safe and operating condition.
- (b) There must be an approved heating system sufficient to maintain 75 degrees F (24 degrees C) under winter design conditions.
  - (1) Built-in electric heaters, if used, must be installed or protected so as to avoid burn hazards to residents and room furnishings.
  - (2) Unvented fuel burning room heaters and portable electric heaters are prohibited.
  - (3) Fireplaces, fireplace inserts and wood stoves must be designed or installed so as to avoid a burn hazard to residents. Fireplace inserts and wood stoves must be U.L. listed.
- (c) Air conditioning or at least one fan per resident bedroom and living and dining areas must be provided when the temperature in the main center corridor exceeds 88 80 degrees F (31 26.7 degrees C).
- (d) The hot water system must be of such size to provide an adequate supply of hot water to the kitchen, bathrooms, laundry, housekeeping closets and soil utility room. The hot water temperature at all fixtures used by residents must be maintained at a minimum of 100 degrees F (38 degrees C) and must not exceed 116 degrees F (46.7 degrees C).
- (e) All multi-story facilities must be equipped with elevators.
- (f) In addition to the required emergency lighting, minimum lighting must be as follows:
  - (1) 30 foot-candle power for reading;
  - (2) 10 foot-candle power for general lighting; and
  - (3) 1 foot-candle power at the floor for corridors at night.
- (g) The spaces listed in this Paragraph must be provided with exhaust ventilation at the rate of two cubic feet per minute per square foot. This requirement does not apply to facilities licensed before April 1, 1984, with adequate natural ventilation in these specified spaces:
  - (1) soiled linen storage;
  - (2) soil utility room;
  - (3) bathrooms and toilet rooms;
  - (4) housekeeping closets; and



(5) laundry area.

(h) Where required for staffing purposes, an electrically operated call system must be provided connecting each resident bedroom to the live-in staff bedroom. The resident call switches must be such that they can be activated with a single action and remain on until switched off by staff. The call switch must be within reach of the resident lying on his bed.

Authority G.S. 131D-2; 143B-153; S.L. 99-0334.

## SECTION .1800 - REMAINING POLICIES AND REGULATIONS

### .1804 MANAGEMENT OF DRUGS

The rules stated in 10 NCAC 42C .2703 .3800 shall control for this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.

### .1821 RENEWAL OF LICENSE

Rule 10 NCAC 42C .3402 shall control for this Subchapter, Subchapter, provided that DSS-1514 Form (Fire and Building Safety Inspection Report) and the DHS-1213 (Sanitation Report) are used when appropriate.

Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334.

### .1831 HEALTH CARE PERSONNEL REGISTRY

The facility shall comply with G. S. 131E-256 and supporting 10 NCAC 3B .1001 and .1002.

G.S. 131D-2; G.S. 131D-4.5; 131E-256; 143B-165; S.L. 99-0334.

## SECTION .1900 - SPECIAL CARE UNITS FOR ALZHEIMER'S DISEASE

### .1901 DEFINITIONS APPLICABLE TO SPECIAL CARE UNITS

The following definitions shall apply throughout this Section:

- (1) "Alzheimer's Disease" means a progressive, degenerative disease that attacks the brain and results in impaired memory, thinking and behavior. Characteristic symptoms of the disease include gradual memory loss, impaired judgement, disorientation, personality change, difficulty in learning, and loss of language skills.
- (2) "Related disorders" means dementing or memory impairing conditions characterized by irreversible memory dysfunction.
- (3) "Special care unit" means an entire facility or any section, wing or hallway within an adult care home separated by closed doors from the rest of the home, or a program provided by an adult care home, that is designated or advertised especially for special care of residents with Alzheimer's Disease or related

disorders.

- (4) "Care coordinator" means a staff person in a special care unit who oversees resident care and coordinates, supervises and evaluates resident services to assure that each resident receives services appropriate to the individual's needs.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

### .1902 SPECIAL CARE UNIT DISCLOSURE

(a) Only those facilities with units that meet the requirements of this Section may advertise, market or otherwise promote themselves as providing special care units for persons with Alzheimer's Disease or related disorders.

(b) The facility shall disclose information about the special care unit according to G.S. 131D-7 and which addresses policies and procedures listed in Rule .1905 of this Section.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

### .1903 LICENSURE OF FACILITIES WITH SPECIAL CARE UNITS

A facility that advertises, markets or otherwise promotes itself as having a special care unit for residents with Alzheimer's Disease or related disorders and meets the requirements of this Section for special care units and the rules set forth in this Subchapter shall be licensed as an adult care home with a special care unit. The license shall indicate that a special care unit for residents with Alzheimer's Disease or related disorders is provided.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

### .1904 SPECIAL CARE UNIT BUILDING REQUIREMENTS

In addition to meeting all applicable building codes and licensure regulations for adult care homes, the special care unit shall meet the following building requirements:

- (1) Plans for new or renovated construction or conversion of existing building areas shall be submitted to the Construction Section of the Division of Facility Services for review and approval.
- (2) If the special care unit is a portion of a facility, it shall be separated from the rest of the building by closed doors.
- (3) Unit exit doors may be locked only if the locking devices meet the requirements outlined in the N.C. State Building Code for special locking devices.
- (4) Where exit doors are not locked, a system of security monitoring shall be provided.
- (5) The unit shall be located so that other residents, staff and visitors do not have to routinely pass through the unit to reach other areas of the building.

- (6) At a minimum the following service and storage areas shall be provided within the special care unit: staff work area, nourishment station for the preparation and provision of snacks, and lockable space for medication storage, and storage area for the residents' records.
- (7) Living and dining space shall be provided within the unit at a total rate of 30 square feet per resident and may be used as an activity area.
- (8) Direct access from the facility to a secured outside area shall be provided.
- (9) A toilet and hand lavatory shall be provided within the unit for every five residents.
- (10) A tub and shower for bathing of residents shall be provided within the unit.
- (11) Use of potentially distracting mechanical noises such as loud ice machines, window air conditioners, intercoms and alarm systems shall be minimized or avoided.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.1905 SPECIAL CARE UNIT POLICIES AND PROCEDURES**

The facility shall assure that special care unit policies and procedures are established, implemented by staff and available for review within the facility. In addition to all applicable policies and procedures for adult care homes, there shall be policies and procedures that address the following:

- (1) the philosophy of the special care unit which includes a statement of mission and objectives regarding the specific population to be served by the unit which shall address, but not be limited to, the following:
  - (a) safe, secure, familiar and consistent environment that promotes mobility and minimal use of physical restraints or psychotropic medications;
  - (b) a structured but flexible lifestyle through a well developed program of care which includes activities appropriate for each resident's abilities;
  - (c) individualized care plans that stress the maintenance of residents' abilities and promote the highest possible level of physical and mental functioning; and
  - (d) methods of behavior management which preserve dignity through design of the physical environment, physical exercise, social activity, appropriate medication administration, proper nutrition and health maintenance;
- (2) the process and criteria for admission to and discharge from the unit;
- (3) a description of the special care services offered in the unit;
- (4) resident assessment and care planning, including

- opportunity for family involvement in care planning, and the implementation of the care plan, including responding to changes in the resident's condition;
- (5) safety measures addressing dementia specific dangers such as wandering, ingestion, falls and aggressive behavior;
- (6) staffing in the unit;
- (7) staff training based on the special care needs of the residents;
- (8) physical environment and design features that address the needs of the residents;
- (9) activity plans based on personal preferences and needs of the residents;
- (10) opportunity for involvement of families in resident care and the availability of family support programs; and
- (11) additional costs and fees for the special care provided.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.1906 ADMISSION TO THE SPECIAL CARE UNIT**

In addition to meeting all requirements specified in the rules of this Subchapter for the admission of residents to the home, the facility shall assure that the following requirements are met for admission to the special care unit:

- (1) A physician shall specify a diagnosis on the resident's FL-2 that meets the conditions of the specific group of residents to be served.
- (2) There shall be a documented pre-admission screening by the facility to evaluate the appropriateness of an individual's placement in the special care unit.
- (3) Family members seeking admission of a resident to a special care unit shall be provided disclosure information required in G.S. 131D-7 and any additional written information addressing policies and procedures listed in Rule .1905 of this Subchapter that is not included in G.S. 131D-7. This disclosure shall be documented in the resident's record.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.1907 SPECIAL CARE UNIT RESIDENT PROFILE AND CARE PLAN**

In addition to the requirements in Rules 42D .1827 and 42D .1828 of this Subchapter, the facility shall assure the following:

- (1) Within 30 days of admission to the special care unit and quarterly thereafter, the facility shall develop a written resident profile containing assessment data that describes the resident's behavioral patterns, self-help abilities, level of daily living skills, special management needs, physical abilities and disabilities, and degree of cognitive impairment.
- (2) The resident care plan as required in Rule 42D .1828 of this Subchapter shall be developed or revised based



on the resident profile and specify programming that involves environmental, social and health care strategies to help the resident attain or maintain the maximum level of functioning possible and compensate for lost abilities.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.1908 SPECIAL CARE UNIT STAFFING**

(a) Staff shall be present in the unit at all times in sufficient number to meet the needs of the residents; but at no time shall there be less than one staff person, who meets the orientation and training requirements in Rule .1901 of this Subchapter, to each eight residents on first and second shifts and one staff person to each ten residents on third shift.

(b) There shall be a care coordinator on duty in the unit at least eight hours a day, five days a week. The care coordinator may be counted in the staffing required in Paragraph (a) of this Rule for units of 15 or fewer residents.

(c) In units of 16 or more residents and any units that are freestanding facilities, there shall be a care coordinator as required in Paragraph (b) of this Rule in addition to the staff required in Paragraph (a) of this Rule.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.1909 SPECIAL CARE UNIT STAFF ORIENTATION AND TRAINING**

The facility shall assure that special care unit staff receive at least the following orientation and training:

- (1) Prior to establishing a special care unit, the administrator shall document receipt of at least 20 hours of training specific to the population to be served for each special care unit to be operated. The administrator shall have in place a plan to train other staff assigned to the unit that identifies content, texts, sources, evaluations and schedules regarding training achievement.
- (2) Within the first week of employment, each employee assigned to perform duties in the special care unit shall complete six hours of orientation on the nature and needs of the residents.
- (3) Within six months of employment, staff responsible for personal care and supervision within the unit shall complete 20 hours of training specific to the population being served in addition to the training and competency requirements in Rule .1410 of this Subchapter and the six hours of orientation required by this Rule.
- (4) Staff responsible for personal care and supervision within the unit shall complete at least 12 hours of continuing education annually, of which six hours shall be dementia specific.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.1910 OTHER APPLICABLE RULES FOR SPECIAL CARE UNITS**

In addition to specific rules pertaining to special care units for residents in this Section, such units shall also meet all other applicable requirements governing the operation of adult care homes as set forth in this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

### **SECTION .2000 - SPECIAL CARE UNITS FOR MENTAL HEALTH DISABILITIES**

#### **.2001 DEFINITIONS APPLICABLE TO SPECIAL CARE UNITS**

The following definitions shall apply throughout this Section:

- (1) Special care unit means an entire facility or any section, wing or hallway within an adult care home separated by closed doors from the rest of the home that is designated or advertised especially for special care of residents with a mental health disability.
- (2) Care coordinator means a staff person in a special care unit who oversees resident care and coordinates, supervises and evaluates resident services to assure that each resident receives services appropriate to the individual's needs.
- (3) Mental health disability means a lessened capacity to use self-control, judgment, and discretion in the conduct of an individual's affairs and social relations that is related to a diagnosed mental illness and which makes it necessary or advisable for the individual to be under treatment for the mental illness and to receive care, supervision, and guidance.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.2002 SPECIAL CARE UNIT DISCLOSURE**

(a) Only those facilities with units that meet the requirements of this Section may advertise or represent themselves to the public as providing special care for persons with a mental health disability.

(b) The facility shall disclose information about the special care unit according to G.S. 131D-7 and which addresses policies and procedures listed in Rule .2005 of this Section.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

#### **.2003 LICENSURE OF FACILITIES WITH SPECIAL CARE UNITS**

A facility that advertises or represents itself to the public as having a special care unit for residents with a mental health

disability and meets the requirements of this Section for special care units and the rules set forth in this Subchapter shall be licensed as an adult care home with a special care unit. The license shall indicate that a special care unit for residents with a mental health disability is provided.

*Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.*

#### **.2004 SPECIAL CARE UNIT BUILDING REQUIREMENTS**

In addition to meeting all applicable building codes and licensure regulations for adult care homes, the special care unit shall meet the following building requirements:

- (1) Plans for new or renovated construction or conversion of existing building areas shall be submitted to the Construction Section of the Division of Facility Services for review and approval. No special care unit for residents with a mental health disability shall serve more than 12 residents. A facility shall have no more than one special care unit for residents with a mental health disability.
- (2) If the special care unit is a portion of a facility, it shall be separated from the rest of the building by lockable doors.
- (3) Unit exit doors may be locked only if the locking devices meet the requirements outlined in the N.C. State Building Code for special locking devices.
- (4) Where exit doors are not locked, a system of security monitoring shall be provided.
- (5) The unit shall be located so that other residents, staff and visitors do not have to routinely pass through the unit to reach other areas of the building.
- (6) At a minimum the following service areas shall be provided within the special care unit: staff work area, nourishment station for the preparation and provision of snacks, and lockable space for medication storage.
- (7) Living and dining space shall be provided within the unit at a total rate of 30 square feet per resident and may be used as an activity area.
- (8) Direct access to an outside area shall be provided.
- (9) A toilet and hand lavatory shall be provided within the unit for every five residents.
- (10) A tub and shower for residents' bathing shall be provided within the unit.

*Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.*

#### **.2005 SPECIAL CARE UNIT POLICIES AND PROCEDURES**

The facility shall assure that special care unit policies and procedures are established, implemented by staff and available for review within the facility. In addition to all applicable policies and procedures for adult care homes, there shall be policies and procedures that address the following:

- (1) the philosophy of the special care unit which includes

a statement of mission and objectives regarding the specific population to be served by the unit which shall address, but not be limited to, the following:

- (a) safe, secure, familiar and consistent environment that promotes community integration and minimal use of physical restraints or psychotropic medications;
  - (b) a structured but flexible lifestyle through a well developed program of care;
  - (c) the facility's policy regarding grouping of residents that takes age, interests, and behaviors into account;
  - (d) individualized care plans that stress the maintenance of residents' abilities and promote the highest possible level of physical and mental functioning; and
  - (e) methods of behavior management which preserve dignity through design of the physical environment, physical exercise, social activity, appropriate medication administration, proper nutrition and health maintenance;
- (2) the process and criteria for admission to and discharge from the unit;
  - (3) the procedures shall include the following to ensure client rights, choice, and service coordination:
    - (a) procedures shall specify the responsibility of both the facility and the area program to inform residents of client rights and available choices in treatment options and providers;
    - (b) procedures shall specify that an area program shall provide mental health status and diagnostic evaluations and case management; and
    - (c) these procedures shall be signed by the facility, the area program and shall be adhered to by any mental health treatment providers providing treatment to residents of the unit to ensure coordination among all parties. These procedures shall be reviewed and revised, as needed, on an annual basis;
  - (4) procedures for safeguarding confidential information and ensuring that that such information is not further disclosed in accordance with G.S. 122C-55 (f);
  - (5) a description of the special care services offered in the unit;
  - (6) resident assessment and care planning, including opportunity for family involvement in care planning, and the implementation of the care plan. The care plan shall include resident involvement, as appropriate, in activities of daily living, participation in psychosocial programs or supported employment, and shall respond to changes in the resident's condition;
  - (7) safety measures addressing specific dangers or problems associated with the residents' condition such as aggressive behavior or other behavior management problems;
  - (8) staff to resident ratios to meet the needs of the



- residents;
- (9) staff training based on the special care needs of the residents;
  - (10) physical environment and design features that address the needs of the residents;
  - (11) activity plans based on personal preferences and needs of the residents;
  - (12) opportunity for involvement of families in resident care and the availability of family support programs; and
  - (13) additional costs and fees for the special care provided.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **.2006 ADMISSION TO THE SPECIAL CARE UNIT**

In addition to meeting all requirements specified in the rules of this Subchapter for the admission of residents to the home, the facility shall assure that the following requirements are met for admission to the special care unit:

- (1) A psychiatrist shall specify a diagnosis on the resident's FL-2 that meets the conditions of the specific group of residents to be served.
- (2) There shall be a documented pre-admission screening by the facility to evaluate the appropriateness of an individual's placement in the special care unit.
- (3) Any person seeking to be admitted to a special care unit shall be provided disclosure information required in G.S. 131D-7 and any additional written information addressing policies and procedures listed in Rule .1905 of this Subchapter that is not included in G.S. 131D-7. This disclosure shall also be provided to family members of the person seeking admission upon request of the person or the family of the person and this disclosure shall be documented in the resident's record.
- (4) There shall be documented evidence that for any individual who is to be admitted to a special care unit for mental health disabilities, the facility has made arrangements with an area mental health program for evaluation and case management. Arrangements for treatment of the individual's mental illness and for any other needed mental health services shall be made in accordance with the signed procedures required by Rule .2005(3)(c) of this Section.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **.2007 SPECIAL CARE UNIT RESIDENT PROFILE AND CARE PLAN**

In addition to the requirements in Rules 42D .1827 and .1828 of this Subchapter, the facility shall assure the following:

- (1) Within 45 days of admission to the special care unit and quarterly thereafter, the facility shall develop a

written resident profile containing assessment data that describes the resident's behavioral patterns, self-help abilities, level of daily living skills, special management needs, physical abilities and disabilities, and degree of cognitive impairment.

- (2) This profile shall be reviewed by the area program and, if applicable, by other providers of mental health treatment selected by the resident as part of the treatment planning process. The facility's resident care plan shall be developed jointly by the facility and all providers involved in the resident's services.
- (3) The resident care plan shall be based on the resident profile and shall specify programming that is individualized to meet the resident's treatment and rehabilitative needs and directed toward the goal of community integration to the greatest extent possible for the resident.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **.2008 SPECIAL CARE UNIT STAFFING**

(a) Direct care and supervisory staff requirements in 10 NCAC 42D .1407 and .1413 shall apply and staff shall be present in the unit at all times in sufficient numbers to meet the needs of the residents.

(b) There shall be a care coordinator on duty in the unit 8 hours per day, 7 days per week.

(c) Staffing shall be consistent so that rotation of staff on and off the unit is avoided except for emergency situations or to alleviate staff burnout.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **.2009 SPECIAL CARE UNIT STAFF ORIENTATION AND TRAINING**

The facility shall assure that special care unit staff receive at least the following orientation and training:

- (1) Prior to establishing a special care unit for residents with a mental health disability, the administrator shall document receipt of at least 20 hours of training specific to the population by a qualified mental health professional, as defined in 10 NCAC 14V .0104(18), for each special care unit to be operated. The administrator shall have in place a plan to train other staff assigned to the unit that identifies content, texts, sources, evaluations and schedules regarding training achievement.
- (2) Within the first week of employment, each employee assigned to perform duties in the special care unit shall complete six hours of orientation on the nature and needs of the residents.
- (3) Within six months of employment, direct care staff shall complete 20 hours of training specific to the population being served.

- (4) In addition to the training required in 10 NCAC 42D .1410, direct care staff assigned to the unit shall complete at least 8 hours of continuing education annually that is specific to the needs of the residents.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **.2010 RESIDENTS' RIGHTS**

In addition to rights specified in G.S. 131D-21, residents in a special care unit for mental health disabilities shall have all the rights set forth in G.S. 122C Article 3, Part 1. Client's Rights and as specified in Subchapters 14P, 14Q, 14R, and 14S which, for purposes of this Section, are incorporated by reference including all subsequent amendments and additions. In case of conflict, G.S. 122C Article 3 Part 1 and implementing regulations shall prevail.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **.2011 OTHER APPLICABLE RULES FOR SPECIAL CARE UNITS**

In addition to specific rules pertaining to special care units for residents in this Section, such units shall also meet all other applicable requirements governing the operation of adult care homes as set forth in this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **SECTION .2100 - SPECIAL CARE UNIT FOR DEVELOPMENTAL DISABILITIES**

### **.2101 DEFINITIONS**

The following definitions shall apply throughout this Section:

- (1) "Special care unit" means an entire facility or any section, wing or hallway within an adult care home separated by closed doors from the rest of the home, or a program provided by an adult care home, that is designated or advertised especially for persons with Alzheimer's disease or other dementias, a mental health disability, or other special needs disease or condition as determined by the Medical Care Commission.
- (2) "Developmental disability" means a severe, chronic disability of a person which:
  - (a) is attributable to a mental or physical impairment or a combination of mental and physical impairments;
  - (b) is manifested before the persons attains age 22, unless the disability is caused by traumatic head injury and is manifested after age 22;
  - (c) is likely to continue indefinitely;
  - (d) results in substantial functional limitations in three or more of the following areas of major

life activity; self-care, receptive and expressive language, capacity for independent living, learning, mobility, self-direction and economic self-sufficiency; and,

- (e) reflects the person's need for a combination and sequence of special interdisciplinary, or generic care, treatment, or other services which are of a lifelong or extended duration and are individually planned and coordinated.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

### **.2102 ADMISSION TO A SPECIAL CARE UNIT**

Any individual with a developmental disability either in a 'special care unit' within an adult care home, or being considered for admission to such a unit or discharge from such a unit must proceed through the Developmental Disabilities Single Portal of Entry and Exit process as is required for all persons with developmental disabilities residing in, being considered for admission or being discharged from an adult care home pursuant to G.S. 122C-132.1 and 10 NCAC 16A. 0400.

Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334.

## **SECTION .2200 - ADULT CARE HOME LICENSE ELIGIBILITY**

### **.2201 DEFINITIONS**

Rule 10 NCAC 42C .3901 shall control for this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; S.L. 99-0334.

### **.2202 PERSONS NOT ELIGIBLE FOR NEW ADULT CARE HOME LICENSES**

Rule 10 NCAC 42C .3902 shall control for this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; S.L. 99-0334.

### **.2203 ADULT CARE HOMES NOT ELIGIBLE FOR LICENSE RENEWAL**

Rule 10 NCAC 42C .3903 shall control for this Subchapter.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-113; S.L. 99-0334.

## **SECTION .2300 - EFFECTIVE DATE OF TEMPORARY RULES**

### **.2301 CHANGE OF EFFECTIVE DATE OF TEMPORARY RULES**

The effective date of temporary Rules .1302, .1401, .1402, .1410, .1411, .1412, .1415, .1503, .1605, .1804, .1821, .1901-



.1910, .2001-.2011, .2101, .2102, .2201-.2203 of this Subchapter is changed to January 1, 2000.

Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Wildlife Resources Commission intends to amend rule cited as 15A NCAC 10F .0332. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 10:00 am on January 20, 2000 in Room 332 of the Archdale Building, 512 N. Salisbury Street, Raleigh, NC 27603.

**Reason for Proposed Action:** The Alexander County Board of Commissioners initiated the No-Wake Zone pursuant to G.S. 75A-15, to protect public safety in the area by restricting vessel speed. The Wildlife Resources Commission may adopt this as a temporary rule pursuant to G.S. 150B-21.1(a) following the abbreviated notice as indicated in the notice of rule-making proceedings or following the public hearing and public comment period as indicated in this notice.

**Comment Procedures:** Interested persons may present their views either orally or in writing at the hearing. In addition the record of hearing will be open for receipt of written comments through February 3, 2000. Such written comments must be delivered or mailed to the NC Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

**Fiscal Impact**

<b>State</b>	<b>Local</b>	<b>Sub. None</b>
	✓	

**CHAPTER 10 - WILDLIFE RESOURCES  
AND WATER SAFETY**

**SUBCHAPTER 10F - MOTORBOATS AND WATER  
SAFETY**

**SECTION .0300 - LOCAL WATER SAFETY  
REGULATIONS**

**.0332 ALEXANDER COUNTY**

(a) Regulated Area. This Rule applies only to those waters of Lake Hickory set out in this Rule which are located in Alexander County.

(1) the waters beginning 50 yards from the southeast end

of the marina and ending at Rink Dam;

(2) the waters within 50 yards of the Taylorsville Beach Marina; Marina; and

(3) the waters within 50 yards of the Bethlehem Marina.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within 50 yards of any public boat launching ramp or while on the waters of any regulated areas designated in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Alexander County is designated a suitable agency for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers, if applicable.

Authority G.S. 75A-3; 75A-15.

**TITLE 19A - DEPARTMENT OF TRANSPORTATION**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Department of Transportation - Division of Motor Vehicles intends to amend rules cited as 19A NCAC 3G .0203, .0205 - .0207, .0209, .0213. Notice of Rule-making Proceedings was published in the Register on October 1, 1999.

**Proposed Effective Date:** August 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): A demand for a public hearing must be made in writing and mailed to Emily Lee, NC DOT, PO Box 25201, Raleigh, NC 27611. The demand must be received within 15 days of the Notice.

**Reason for Proposed Action:** Rules are proposed for amendment to reflect the requirements of Settlement Agreement between the NC Division of Motor Vehicles and the US Department of Justice. The terms of the agreement required DMV to amend rules and include the concepts of individualized assessment and reasonable accommodation in certification of school bus drivers.

**Comment Procedures:** Any interested person may submit written comments on the proposed rule by mailing the comments to Emily Lee, NC DOT, PO Box 25201, Raleigh, NC 27611 within 30 days after the proposed rules are published or until the date of any public hearing held on the proposed whichever is longer.

**Fiscal Impact**

<b>State</b>	<b>Local</b>	<b>Sub. None</b>
		✓

**CHAPTER 3 - DIVISION OF MOTOR VEHICLES**

**SUBCHAPTER 3G - SCHOOL BUS AND TRAFFIC  
SAFETY SECTION**

**SECTION .0200 - SCHOOL BUS DRIVER TRAINING  
AND CERTIFICATION**

**.0203 SCHOOL BUS DRIVER CERTIFICATES -  
SCOPE OF RULES**

The officials of the North Carolina Division of Motor Vehicles recognize the authority of the local school officials of the various county and city administrative units to select, assign, and dismiss school bus drivers. School officials of the various city and county administrative units may adopt rules which are more restrictive than those developed by the Division of Motor Vehicles, but such rules shall not weaken or liberalize the rules of the Division. The rules set out in this Section define the eligibility requirements for certification of school bus drivers as established by the Division of Motor Vehicles and set the standards of performance and conduct necessary to retain certification.

*Authority G.S. 20-39(b); 20-218.*

**.0205 ISSUING OF ORIGINAL CERTIFICATE**

Any applicant for certification as a school bus driver shall meet the following minimum requirements:

(1) Legal:

- (a) Shall be at least 18 years of age with at least 6 months driving experience as an operator of a motor vehicle, and shall possess a valid North Carolina driver license of Class A, B, or C. In the event a prospective driver shall have his place of residence in another state, he may be certified as a school bus driver if he submits a copy of his driving record from the state in which he is licensed before his initial certification. certification and every six months thereafter. Also, he must notify both his employer and the N.C. School Bus and Traffic Safety Section within 30 days of a conviction of any moving violation no matter what type of vehicle he was driving.
- (b) Shall within a period of one year (12 months) immediately preceding certification have on his driving record:
  - (i) No more than one conviction of any moving violation;
  - (ii) No conviction whatever of:
    - (A) Reckless driving,
    - (B) Speeding in excess of 15 mph above the posted limit, or
    - (C) Passing a stopped school bus;
  - (iii) No conviction of a moving violation which was the proximate cause of an accident.
- (c) Shall within a period of two years (24 months)

immediately preceding certification have on his driving record no suspension or revocation of the driving privilege other than for such status offenses as:

- (i) Lapsed liability insurance;
  - (ii) Failure to appear in court;
  - (iii) Failure to comply with out-of-state citation; or
  - (iv) A ~~ten-day~~ 30 day revocation not accompanied by a subsequent conviction of driving while impaired.
- (d) Shall within a period of five years (60 months) immediately preceding certification have on his driving record:
- (i) No more than three convictions of moving violations of any kind;
  - (ii) No more than two convictions of moving violations which were the proximate causes of accidents;
  - (iii) No conviction of driving while impaired;
  - (iv) No suspension or revocation of the driving privilege other than for:
    - (A) Those status offenses enumerated in Paragraph (c) of this Rule,
    - (B) Those offenses enumerated in G.S. 20-16(a), subsections (9) and (10).
- (e) Shall have on his driving record no more than one conviction of driving while impaired.
- (f) Shall have no "STOP" entry appearing on his driving record at the time of certification.
- (g) Shall have no record of any conviction of a violation of the criminal code greater than a misdemeanor for a period of at least five years immediately preceding certification. Further, shall never have had in any jurisdiction a conviction of an offense against the public morals, including but not limited to rape and child molestation.
- (h) Shall have a driving record which in its overall character arouses no serious question about the reliability, judgment, or emotional stability of the applicant.
- (i) Shall successfully complete the training course for school bus drivers.
- (2) Physical Standards for School Bus Drivers. Shall Every school bus driver shall:
- (a) meet ~~Meet~~ the physical standards set forth in the Federal Motor Carrier Safety Regulations, Section 391.41(b), which ~~are hereby incorporated by reference, including all subsequent revisions and editions:~~ by the Medical Advisor, Division of Motor Vehicles.
  - (b) On and after July 1, 2001 at the time of his original certification as a school bus driver submit a medical report on a form provided by



the Division and signed by a physician licensed to practice in North Carolina, and submit such a medical form every two years thereafter.

(c) On or before June 30, 2002 if he is certified before June 30, 2001, submit a medical report on a form provided by the division and signed by a physician licensed to practice in North Carolina and submit such a medical report form every two years thereafter.

(d) Be required at any time to submit a medical report on a form provided by the Division and signed by a physician license to practice in North Carolina if the Division has good and sufficient cause to believe the driver may not meet the physical standards noted in (2)(a) of this Rule.

Authority G.S. 20-39(b); 20-218.

#### **.0206 PERIOD OF CERTIFICATION**

A school bus driver certificate shall expire on the expiration date of the driver's commercial driver license, be valid for a period of four years, more or less, from the date of certification. Date of expiration will be the driver's birthday in the fourth calendar year following certification. For drivers who are already 65 years of age or older, the date of expiration will be the driver's birthday in the next calendar year. For drivers who will turn 65 in less than four years, the date of expiration will be the driver's birthday in the calendar year in which he turns 65.

Authority G.S. 20-39(b); 20-218.

#### **.0207 RENEWAL OF CERTIFICATION**

Every driver must be re-certified at the time of the expiration of his Commercial Driver License upon passing the three written tests (general knowledge, passenger transport, and air brakes), a pre-trip inspection observation, a driving test, ~~a road test or~~ route observation, and an eye test. A driver may be exempted from the written tests, provided he has accumulated no more than three points on his driving record since his last certification and has had at least one hour of in-service training for each year since his last certification. A driver whose certification expires may be re-certified within 30 days in the same manner as though his certification had not expired. Any driver whose certification expires for more than 30 days may be re-certified within the next year following the expiration upon passing the three written tests (general knowledge, passenger transport, and air brakes), the three skills tests (pre-trip inspection, basic skills, and road), and an eye test. If more than one year has elapsed since the expiration of the most recent certification, the applicant must complete the full training course required of a beginning driver.

Authority G.S. 20-39(b); 20-218.

#### **.0209 CANCELLATION OF CERTIFICATION**

The Division of Motor Vehicles shall cancel the school bus

driver certificate of any driver for the following reasons:

- (1) Any determination that the certificate was issued on the basis of misinformation, false statements, or fraud.
- (2) A suspension, revocation, or cancellation of the driver license.
- (3) Conviction of any of the following motor vehicle moving offenses:
  - (a) Driving while impaired;
  - (b) Passing a stopped school bus;
  - (c) Hit and run;
  - (d) Reckless driving;
  - (e) Speeding more than 15 mph above the posted limit;
  - (f) Two convictions within a period of 12 months;
  - (g) A violation committed while operating a school bus.
- (4) A determination of physical or mental inadequacy under the provisions of the physical requirements noted in Rule .0205 of this Section.
- (5) A local cancellation of certification, in the discretion of the local administrative unit, for violation of local regulations, submitted formally to the Driver Education Specialist for cancellation at the state level. If there is not an offense or conviction that would require a mandatory cancellation by the Section, the Driver Education Specialist shall handle the cancellation locally by canceling the certificate at the garage and retain the pocket card in his files.
- (6) Upon recommendation of the Driver Education Specialist or local school officials, the Division of Motor Vehicles may require re-examination of any certified driver whose qualifications become questionable or who exhibits evidence of improper or unsafe driving practices and driving procedures. If such a re-examination reveals a significant problem, the Driver Education Specialist shall have the authority to suspend the certified driver from driving any school bus pending re-training of the driver. If the problem cannot be corrected, the Driver Education Specialist shall have the authority to cancel the certification of the school bus driver.
- (7) A driving record which in its overall character arouses serious question about the reliability, judgment, or emotional stability of the driver.

Authority G.S. 20-39(b); 20-218.

#### **.0213 RENEWAL OF CERTIFICATION AFTER CANCELLATION**

(a) Any driver whose school bus driver certificate has been canceled shall not be eligible to apply for re-certification for a period of six months from the date of cancellation. Any person so applying must be recommended by the superintendent or principal ~~of the~~ a school official and shall be required to complete the full training course required for a beginning driver. Such person must meet all the requirements of an original

applicant.

(b) The only exceptions to this policy shall be in the case of a local cancellation, in which a written request from the school authorities official will be required, and in the case of a suspension for the duration of a status offense such as lapsed liability insurance, failure to appear in court, or failure to comply with an out-of-state citation.

(c) For the purposes of this Section a 30 day ten-day revocation shall be considered a suspension for an actual driving action. The driver will remain suspended until the actual adjudication of the case. If at the actual adjudication of the case the driver is found not guilty of driving while impaired, he may be re-instated. If the driver is found guilty of driving while impaired, his suspension will be declared fully effective, and he will not be considered for re-certification for a period of five years following the date of conviction.

Authority G.S. 20-39(b); 20-218.

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS

### CHAPTER 2 - BOARD OF ARCHITECTURE

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the NC Board of Architecture intends to amend rules cited as 21 NCAC 2 .0302 and .0303. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Requests for public hearing must be submitted in writing to Kathleen M. Hansinger, NC Board of Architecture, 127 W. Hargett St., Rm. 304, Raleigh, NC 27601, within fifteen days of this publication.

**Reason for Proposed Action: 21 NCAC 2 .0302** - Allows certain individuals to use the title "Architectural Intern".

**21 NCAC 2 .0303** - The Board has received requests from individuals who do not qualify for a license under the current rules to consider an alternative method of granting a license by reciprocity.

**Comment Procedures:** Written comments must be submitted to the Board Office, 137 W. Hargett St., Room 304, Raleigh, NC 27601 within 30 days of this publication.

#### Fiscal Impact

State	Local	Sub.	None
			✓

### SECTION .0300 - EXAMINATION PROCEDURES

#### **.0302 WRITTEN EXAMINATION**

(a) Licensure Examination. All applicants for architectural

registration in North Carolina by examination must pass the Architectural Registration Examination (ARE), prepared by the National Council of Architectural Registration Boards (NCARB). Provided, applicants who have never been registered in any state or territory may transfer credits for portions of the examination previously passed in another state if at the time of taking the exam elsewhere they otherwise qualified for taking the exam under the rules in this Chapter.

(1) **Description.** The nature of the examination is to place the candidate in areas relating to actual architectural situations whereby his abilities to exercise competent value judgements will be tested and evaluated.

(2) **Qualifications.** The prequalifications necessary for an applicant's admission to the Architectural Registration examination (ARE) are as follows:

(A) be of good moral character as defined in North Carolina General Statute 83A-1(5);

(B) be at least 18 years of age;

(C) Beginning July 1, 1991, the professional education qualification shall be a NAAB (National Architectural Accrediting Board) accredited professional degree in architecture; provided that an applicant whose education equivalents otherwise qualified under the Board's rules in effect prior to 1989 may apply for admission to the Architectural Registration Examination. However, an applicant who does not hold a NAAB accredited professional degree may not accumulate more than three and one half years of education credits in the aggregate from all degree programs in which he was enrolled. Further provided, the applicant must file with the Board by December 31, 1991, a notice of intent to sit for the examination on or before June 30, 1995;

(D) if an applicant failed to send the notice of intent under Part (a)(2)(C) of this Rule and does not have the five-year professional degree in architecture from an NAAB accredited institution, the Board in its discretion, may admit the applicant to sit for the ARE for the first time no later than the June 1996 exam only upon each of the following conditions:

(i) the applicant received a four-year degree in architecture from an NAAB accredited institution prior to 1989; and

(ii) the applicant's education equivalents otherwise qualified under the Board's rules in effect prior to 1989; and

(iii) the applicant completely qualified and applies for the exam no later than March 1, 1996; and

(iv) the applicant has demonstrated a continuing intention to seek licensure in North Carolina by either:

(I) completing the four-year degree in architecture in North Carolina; or



- (II) obtaining the practical training or experience required by Part (a)(2)(E) of this Rule in North Carolina; and
- (E) All applicants who apply for architectural registration subsequent to July 1, 1987 shall be required to follow the Intern Development Program (IDP) through the National Council of Architectural Registration Boards or an equivalent program approved by the North Carolina Board of Architecture in order to satisfy the requirements of this Section.

(b) Retention of Credit. Transfer credits for parts of the examination passed prior to the 1983 Architectural Registration Examination (ARE), shall be as established by the Board. Information as to transfer credits shall be available at no cost at the Board Office.

(c) Practical Training. Practical training means practical experience and diversified training as defined by the Intern Development Program (IDP) through the National Council of Architectural Registration Boards. However, the Board reserves the right to judge each case on its own merits.

(d) Personal Audience. The candidate may be required to appear personally before the examining board or a designated representative of the Board and afford the Board an opportunity to judge his natural endowments for the practice of architecture, his ethical standards, and by questions gain further knowledge of his fitness for the practice of architecture. The time for this audience will be set by the examining body.

(e) Grading. The ARE shall be graded in accordance with the methods and procedures recommended by the NCARB.

- (1) An applicant must receive a passing grade in each division. Grades from the individual divisions may not be averaged. A passing grade for any division on any examination taken after July 1, 1996, shall be valid only for five years.
- (2) Each candidate shall be assigned a number by the Board that will be unique for each candidate. This number together with photo identification, shall be required for admittance to the examination.

(f) A person currently employed under the responsible control of an architect, who holds a first Professional Degree from a NAAB accredited program, and who maintains in good standing or has successfully completed a National Council of Architectural Registration Boards Record in the Intern Development Program (IDP) may use the title "Architectural Intern" in conjunction with his current employment.

Authority G.S. 83A-1; 83A-6; 83A-12.

#### **.0303 REGISTRATION BY RECIPROCITY WITHOUT WRITTEN EXAMINATION**

(a) Registration by "Blue Cover." The only means of individual reciprocity recognized by the Board is for an individual to hold a current license in good standing from another state and a Council Certificate (also known as "Blue Cover") issued by the National Council of Architectural

Registration Boards (NCARB) or comply with the requirements of Paragraph (b) of this Rule. Upon receipt of a verified application from NCARB and the payment of the individual license application fee, the Board, in its discretion, may issue a license to an applicant without written examination as provided in G.S. 83A-7(b). Revocation of the "Blue Cover" certificate by NCARB shall automatically terminate the architect's license to practice in North Carolina until such time as the "Blue Cover" is reinstated by NCARB.

(b) Registration other than "Blue Cover." The Board may grant a reciprocal certificate to an individual who does not hold a "Blue Cover" but who submits an NCARB "Buff Cover", or other verified evidence that he and meets the following requirements:

- (1) the applicant has been continuously licensed in good standing in another jurisdiction; and
- (2) the applicant otherwise met the requirements for the "Blue Cover" or North Carolina registration in effect at the time of his original registration as an architect; and
- (3) the applicant agrees to an interview with the Board or a designee to satisfy the Board that he has had sufficient recent architectural practice experience to be able to competently practice architecture in this state.

Authority G.S. 83A-6; 83A-7.

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### **CHAPTER 36 - BOARD OF NURSING**

**SEE PAGE 1090 IN THIS ISSUE**

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### **CHAPTER 37 - NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina State Board of Examiners for Nursing Home Administrators intends to amend rule(s) cited as 21 NCAC 37d .0302 - .0303, .0403, .0405, .0407, .0502, .0601, .0605, .0701; 37E .0101-.0102, 37F .0101-.0102; 37G .0201; 37H .0102, .0104; 37I .0101 and adopt 37D .0504, .0704. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

**Proposed Effective Date: July 1, 2000**

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Written requests for a public hearing should be addressed to Jane Baker, Executive Director, 3733 National Drive, Suite 228, Raleigh, NC 27612.

**Reason for Proposed Action:** *These rules clarify requirements for the AIT program and Preceptor responsibilities; define supervisory experience; clarify National and State examinations and passing scores, increase reciprocal application fees; set forth the additional conditions for the issuance of temporary licenses and changes regarding inactive license status, and allow continuing education credit for service as a preceptor. The rules proposed herein for rulemaking address national and state examinations and standards of practice issues related to licensure requirements, the Preceptor and Administrator in Training programs and continuing educations. The proposed rules will not affect state or local funds and will have only a minimal economic impact on certain licensees.*

**Comment Procedures:** *Written comments must be submitted within 30 days of publication of this notice and should be addressed to Jane Baker, Executive Director, 2733 National Drive, Suite 228, Raleigh, NC 27612.*

<u>Fiscal Impact</u>		
State	Local	Sub. None
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## SUBCHAPTER 37D - NEW LICENSES

### SECTION .0300 - EDUCATION, EXPERIENCE AND REQUIRED COURSE

#### .0302 COMBINATION OF EDUCATION AND EXPERIENCE

A combination of education and experience shall comply with the following requirements:

- (1) A minimum of one year of college credit from an accredited institution with a cumulative average of at least a 2.0 grade point average on a 4.0 point scale.
- (2) Supervisory experience may be substituted for up to one year of education at the rate of two years experience for one year of education credit. Supervisory experience for purposes of this Section means having continuous, direct management responsibility, including some responsibility for hiring and firing, over the equivalent of at least one full-time employee. Such supervisory experience shall have been in a nursing home within the five years preceding the date of application. For purposes of this Rule, "supervisory experience" means full-time service as a department head or licensed professional supervising one or more employees.

Authority G.S. 90-278.

#### .0303 REQUIRED COURSE

The course prescribed by the Board pursuant to G.S. 90-278(c) shall be comprised of in-class, field and correspondence components included in the current description of the Basic Nursing Home Administrator Course provided by the School of Public Health at UNC-Chapel Hill or its substantial equivalent

as approved by the Board. An applicant with a health care administration degree may request in writing that the Board approve college courses as substantially equivalent to portions of the required course, provided the applicant tests out of portions of the required course with a passing score of at least 70 per cent.

Authority G.S. 90-278.

## SECTION .0400 - ADMINISTRATOR-IN-TRAINING

### .0403 TRAINING PERMIT

(a) After the interview and approval, and upon notification from the preceptor of the starting date of the AIT program, the Board shall issue an AIT training permit to the applicant for a maximum one-year period beginning on the date the permit is issued.

(b) Should the AIT or the Preceptor not maintain acceptable standards and submit the required reports, the Board may revise, suspend, or rescind place the AIT on probation or may rescind the AIT training permit.

Authority G.S. 90-278; 90-285.

### .0405 ADMINISTRATOR-IN-TRAINING PROGRAM

(a) The preceptor shall evaluate and recommend to the Board the length of the AIT program required to teach the core of knowledge as outlined in 21 NCAC 37D .0605 before accepting the AIT to train in a facility approved by the Board subject to the following provisions:

- (1) in determining the length of the AIT program, the preceptor shall consider the strengths and weaknesses of the AIT applicant as it relates to his/her education and past supervisory experience. (An inventory sheet shall be provided to help the preceptor determine the knowledge of the AIT applicant);
- (2) the AIT program shall be presented to the Board by the preceptor and the AIT during the personal interview as required under Rule .0402(e) of this Section; and
- (3) except as otherwise allowed under Rule .0412 of this Section, all AITs shall serve a minimum of 12 weeks in the AIT program, plus any additional weeks as determined by the Board. In determining whether to require additional weeks in addition to the 12 week minimum, the Board shall consider the recommendation of the preceptor, and the Board's independent consideration of the AIT applicant's education, training and experience relevant to operating a health care facility.

(b) An AIT applicant who is working toward or has completed a baccalaureate or masters degree in nursing home administration or a related health care administration field shall serve a minimum of 12 weeks in the AIT program as part of his/her educational curriculum in a North Carolina licensed



nursing home under the supervision of an approved preceptor.

(c) An AIT shall complete a basic Nursing Home Administrator course approved by the Board within two years preceding an application for licensure.

(d) Within one year after At the completion of the approved AIT program and upon successfully passing the examinations as required by the Board, the AIT may submit a licensure application and fee as provided in Rules 37D .0201 and .0202, and may shall be issued a license.

Authority G.S. 90-278; 90-285.

#### **.0407 AIT TIME ON THE JOB**

(a) The AIT shall serve an internship recommended by the preceptor and approved by the Board with a minimum of 40 hours per week week, principally during the hours that the preceptor is on duty. The minimum AIT program is 12 weeks, which may not be reduced except as stated in G.S. 90-278(1)d and Rule .0412 of this Section.

(b) An internship which has been discontinued by a period of military service shall be allowed to be completed within a year after that service.

(c) An internship which has been discontinued for any purpose other than military service cannot be completed if the absence exceeds one year from the date of discontinuance.

(d) Only one discontinuance is allowed.

Authority G.S. 90-278; 90-285.

### **SECTION .0500 - PRECEPTORS**

#### **.0502 PRECEPTOR QUALIFICATIONS**

(a) To be certified as a preceptor the nursing home administrator shall:

- (1) exemplify the highest ethical and professional standards and not have violated any standards stated in G.S. 90-285.1;
- (2) have been the administrator of record of a nursing home facility for a minimum of two years or have a masters degree in health care administration and have been the administrator of record of a nursing home facility for a minimum of one year;
- (3) certify that no revocation proceeding, suspension of admissions, or provisional license has been initiated or is in effect against his facility(ies);
- (4) express himself well and be at ease in a teaching situation;
- (5) be ~~the a~~ full time administrator of record of a facility that is licensed by the Division of Facility Services as a nursing home;
- (6) successfully complete a preceptor training course approved by the Board within the past two years; and
- (7) complete 40 hours of continuing education during the 24 months preceding application for certification.

(b) A preceptor shall be recertified biennially by the Board in accordance with the qualifications as set out in Paragraph (a) of

this Rule at the time of license renewal.

(c) The preceptor and the AIT shall spend a minimum of four hours per week in orientation, direct instruction, planning and evaluation.

(d) An administrator licensed by reciprocity/endorsement who held an active preceptor certificate in another state may also receive a North Carolina preceptor certificate if all other requirements are met.

(e) Any administrator who otherwise meets all requirements of this Rule except for completion of the approved course under Subparagraph (a)(6) of this Rule and who has previously been certified as a preceptor may be issued a temporary preceptor certificate by the Board until such course is completed.

Authority G.S. 90-276(5); 90-278; 90-285(11).

#### **.0504 PRECEPTOR COMPLIANCE**

Failure to comply with the supervision and reporting requirements of these rules shall constitute grounds for discipline of the preceptor as well as grounds for revision, suspension or rescission of the training permit.

Authority G.S. 90-278; 90-285.

### **SECTION .0600 - NATIONAL EXAM**

#### **.0601 ELIGIBILITY**

(a) To be eligible to take the national exam, an applicant shall:

- (1) be approved for an AIT program which which, along with the required course prescribed in 21 NCAC .0303, shall be completed within 45 days after the exam; or
- (2) be exempt pursuant to G.S. 90-278(1)(d); or
- (3) be a reciprocal applicant whose prior exam scores do not meet current N.C. requirements.

(b) Upon the third failure of any exam required by the Board, the AIT and the preceptor shall submit to the Board a program to strengthen the candidate's weakness as demonstrated by the previous exam results. Upon approval by the Board of the program and completion thereof by the candidate, he shall be eligible to retake the exam.

(c) Upon the failure of any examination the fourth time, the AIT shall be disqualified from continuing in the program. Nothing in this Rule shall be construed to prevent the applicant from reapplying for entrance to the AIT program.

Authority G.S. 90-278; 90-285.

#### **.0603 NATIONAL EXAMINATION ADMINISTRATION**

(a) ~~The national exam shall be offered four times annually on the second Thursday in the months of January, April, July and October.~~ The applicant may sit for the national examination consistent with the examination schedule established by the National Association of Boards of Examiners of Long Term

**Care Administrators (NAB).**

(b) An applicant shall sit for and pass the national and state exams within one year of the date of completion of the AIT program in order to meet the AIT requirement.

(c) An applicant shall pay ~~two hundred dollars (\$200.00)~~ the exam fees each time he takes the national examination.

*Authority G.S. 90-280; 90-285.*

**.0605 SUBJECT AREAS**

The national examination shall include, but need not be limited to, the following subjects:

- (1) Resident Care Management,
- (2) Personnel Management,
- (3) Financial Management,
- (4) Environmental Management,
- (5) ~~Regulatory Management;~~ Governance and Management,
- (6) Organizational Management.

*Authority G.S. 90-278; 90-285.*

**SECTION .0700 - STATE EXAM**

**.0701 ELIGIBILITY**

(a) To be eligible to take the state examination, the applicant shall be qualified under Rules .0601 and .0603(b) of this Subchapter.

(b) Upon the third failure of any exam required by the Board, the AIT and the preceptor shall submit to the Board a program to strengthen the candidate's weakness as demonstrated by the previous exam results. Upon approval by the Board of the program and completion thereof by the candidate, he shall be eligible to retake the exam.

(c) Upon the failure of any examination the fourth time, the AIT shall be disqualified from continuing in the program. Nothing in this Rule shall be construed to prevent the applicant from reapplying for entrance to the AIT program.

*Authority G.S. 90-285.*

**.0704 GRADE REQUIRED**

Each candidate for a nursing home administrator's license shall be required to pass the licensing examinations with a grade of at least 75 percent.

*Authority G.S. 90-285.*

**SUBCHAPTER 37E - RECIPROCITY/ENDORSEMENT**

**SECTION .0100 - APPLICATIONS**

**.0101 APPLICATION PROCESS**

(a) The Board may issue a license to a nursing home administrator who holds a nursing home administrator license issued by the proper authorities of any other state, upon payment

of the current licensing fee, successful completion of the state examination, and submission of evidence satisfactory to the Board as to the following:

- (1) such applicant for licensure shall have personal qualifications, education, training and experience at least substantially equivalent to those required in this state;
- (2) such applicant shall be licensed in another state that gives similar recognition and reciprocity/endorsement to nursing home administrator licenses of this state;
- (3) such applicant for license by reciprocity/endorsement holds a valid active license as a nursing home administrator in the state from which he is transferring; and
- (4) such applicant shall appear before the Board for a personal interview.

(b) If the applicant for reciprocity does not submit evidence satisfactory to the Board as required by Subparagraph (a) (1) or (a) (2), of this Rule, the Board may issue a temporary reciprocal license for six months upon the following conditions:

- (1) Within one month of expiration of the temporary reciprocal license, submission of a statement that the temporary licensee has administered the nursing home in a manner satisfactory to the nursing home owner or representative of the owner, or
- (2) Completion of Continuing Education course(s) that the Board may require as a condition of issuance of a temporary reciprocal license.

*Authority G.S. 90-280; 90-285.*

**.0102 APPLICATION CONTENTS**

An applicant for reciprocity/endorsement shall submit, three weeks prior to the personal interview: a completed application; background—resume,—certified—college—transcript(s),—three reference forms (one of which shall be from an employer) from individuals not related to the applicant who shall certify to the good moral character of the applicant as defined in 21 NCAC 37D-.0203; licensing questionnaire(s) from every state where the applicant has held a license and a one hundred twenty five dollar (\$125.00)

- (1) a completed application;
- (2) background resume;
- (3) certified college transcript(s);
- (4) three reference forms (one of which shall be from an employer) from individuals not related to the applicant who shall certify to the good moral character of the applicant as defined in 21 NCAC 37D-.0203;
- (5) licensing questionnaire(s) from every state where the applicant has held a license, and
- (6) a two hundred dollar (\$200.00) application fee.

*Authority G.S. 90-280; 90-285; 90-287.*

**SUBCHAPTER 37F - TEMPORARY LICENSES**



## SECTION .0100 - TEMPORARY LICENSE REQUIREMENTS

### .0101 PREREQUISITES FOR TEMPORARY LICENSURE

(a) The Chairman of the Board may issue a temporary license through the Executive Director for an initial period of time from issuance until the next Board meeting to an individual temporarily filling the position of a nursing home administrator provided one of the circumstances in Paragraph (b) of this Rule exists and the prerequisites for temporary license in Paragraph (c) of this Rule have been met.

(b) The nursing home shall prove to the satisfaction of the Board that it is not currently being administered by a temporary licensee, and at least one of the following circumstances exists:

- (1) sudden death of the licensed administrator;
- (2) unexpected transfer of the licensed administrator; or
- (3) unforeseeable termination of the licensed administrator.

(c) An individual applying for a temporary license shall:

- (1) be at least 18 years of age;
- (2) be of good moral character;
- (3) be of sound physical and mental ~~health; health; and~~
- (4) have previously served as a licensed administrator in another state, served as assistant administrator in a nursing home for at least two years, served as director of nursing in a nursing home for at least one year, or be otherwise comparably qualified. If the applicant is licensed in any other states, the applicant shall provide evidence that he is currently licensed in good standing in each other state.

(d) The Board may approve an application for one renewal of up to six additional months of a temporary license if the nursing home submits evidence satisfactory to the Board that at least one of the circumstances listed in Paragraph (b) of this Rule occurred at the facility after the initial approval of the current temporary license.

Authority G.S. 90-278; 90-279; 90-285.

### .0102 ISSUANCE AND RENEWAL OF TEMPORARY LICENSE

(a) An applicant for a temporary license shall request, in writing, a temporary license package from the Board, provide a letter from the owner or regional manager requesting the issue of such license for the facility, stating the circumstances necessitating the issuance of a temporary license, and submit a completed application package including payment of a one hundred dollar (\$100.00) two hundred dollar (\$200.00) fee.

(b) After an applicant is issued a temporary license he shall successfully pass the state examination as administered by the Board at the next scheduled testing period to retain the temporary license.

(c) A temporary license may be renewed at the discretion of the Board for an additional period not to exceed a total of six months subject to the requirements of 21 NCAC 37F .0101(d).

(d) A temporary license shall be issued to the licensee to permit him to practice only in the nursing home to which he is assigned on the date of issuance.

(e) If the Board renews the temporary license, no further fee shall be required.

Authority G.S. 90-278; 90-280; 90-285.

## SUBCHAPTER 37G - RENEWAL, INACTIVE, RESTORATION AND REINSTATEMENT, DUPLICATE

### SECTION .0200 - INACTIVE LICENSES

#### .0201 INACTIVE STATUS REQUIREMENTS

(a) An inactive list of administrators who are not practicing in this state shall be maintained by the Board. An administrator who desires to be placed on the inactive status list shall make a written request and submit a twenty-five dollar (\$25.00) fifty dollar (\$50.00) per year fee to the Board. Inactive status shall only be granted on a prospective basis.

(b) A request to be placed on the inactive status list shall be submitted to the Board no later than 30 days after expiration of the license under 21 NCAC 37G .0101(a). Failure to submit the request and payment of the fee within this time shall result in automatic expiration of the license retroactive to the expiration date.

(c) An administrator may remain on the inactive list for a period not to exceed five four years provided he pays a fifty dollar (\$50.00) fee in advance for each additional year.

Authority G.S. 90-280; 90-285.

## SUBCHAPTER 37H - CONTINUING EDUCATION

### SECTION .0100 - CONTINUING EDUCATION REQUIREMENTS

#### .0102 CONTINUING EDUCATION PROGRAMS OF STUDY

(a) The Board shall certify and administer courses in continuing education for the professional development of nursing home administrators and to enable persons to meet the requirements of the Rules in this Chapter. The licensee shall keep a record of his continuing education hours. Certified courses, including those sponsored by the Board, an accredited university, college or community college, associations, professional societies, or organizations shall:

- (1) contain a minimum of two classroom hours of academic work and not more than eight classroom hours within a 24-hour period; and
- (2) include instruction in the following general subject areas or their equivalents:
  - (A) Resident Care Management;
  - (B) Personnel Management;
  - (C) Financial Management;
  - (D) Environmental Management;

(E) Regulatory Management; Governance and Management;

(F) Organizational Management;

(b) In lieu of certifying each course offered by a provider, the Board may certify the course provider for an annual fee not to exceed two thousand dollars (\$2,000.00) (so long as the course provider submits a list of courses offered for credit and agrees to comply with the requirements of Paragraph (a) of this Rule.

(b)(c) Certified courses not administered by the Board shall:

- (1) be submitted to the Board for approval at least 30 days prior to the presentation of the program;
- (2) be accompanied with a fee of fifty dollars (\$50.00) to cover the cost of reviewing and maintaining records associated with the continuing education program; and
- (3) be approved for a period of one year from the date of initial presentation.

(c)(d) courses from an accredited university or community college shall meet all requirements as outlined in paragraphs (a) and (b) of this Rule. A licensee submitting such courses for continuing education credit shall submit a copy of the final grade for said course work. Continuing education credit hours granted by the Board shall be the same as those granted by the institution.

(d)(e) Credit may be earned for participation in teleconferenced course only if there is a third party representative of the course sponsor or the Board present to verify the licensee's attendance throughout the course. No credit shall be earned for correspondence courses.

(f) Up to six hours of credit may be earned for participation in correspondence courses, only if,

- (1) the correspondence course is approved by the Board or the National Association of Boards of Examiners of Long Term Care Administrators (NAB); and
- (2) the approved course planner sends to the Board a verification of the individual's completion of the correspondence course.

(e)(g) The Board shall charge a registration fee covering the cost of continuing education courses it sponsors, not to exceed two hundred fifty dollars (\$250.00).

Authority G.S. 12-3.1(c)(3); 90-278; 90-280; 90-285; 90-286.

#### **.0104 PRECEPTOR CREDIT**

A preceptor applying for renewal who has served as a preceptor for a North Carolina AIT within the previous two years may receive; receive up to six hours of continuing education credit at the rate of two hours per eight weeks of service as a preceptor:

- (1) 10 hours continuing education credit for attendance at a Preceptor Course offered by the Board;
- (2) 5 hours of continuing education credit for each Administrator in Training precepted by the preceptor during previous two years. No preceptor may receive more than 5 hours of credit per year under this Section.

Authority G.S. 90-285.

### **SUBCHAPTER 37I - PROFESSIONAL**

#### **SECTION .0100 - INVESTIGATIONS**

##### **.0101 INVESTIGATION: DISCIPLINE: AND CONTESTED CASE PROCEEDINGS**

(a) The Chairman Chairperson of the Board shall appoint a Professional Standards Committee comprised of another member of the Board, the Executive Director and legal counsel, to investigate the qualifications of applicants and to review and investigate complaints.

(b) The Board shall decide whether to grant or deny an application or whether, and what kind of, disciplinary action should be taken against a person registered with the Board. If the Board's action results in a contested case, the designated member who participated in the investigation of the matter may not participate as a member of the hearing panel or in deliberation of the contested case.

(c) The Professional Standards Committee shall recommend to the Board whether the allegations in any complaint against an applicant or licensee, if proven, would warrant a contested case proceeding pursuant to G.S. 150B-38 through 150B-42.

(d) Under G.S. 150B-40(e), the Board may elect not to hear its contested cases and refer contested cases to the Office of Administrative Hearings.

Authority G.S. 90-285; 150B-40(e).

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### **CHAPTER 56 - BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Board of Examiners for Engineers and Surveyors intends to adopt the rule cited as 21 NCAC 56.1609 and amend the rules cited as .0101, .0103-.0104, .0402, .0501-.0503, .0505, .0601-.0603, .0606, .0701-.0702, .0802, .0804, .0901-.0902, .1001-.1003, .1101-.1106, .1201, .1203, .1301-.1302, .1409, .1501, .1601-.1608, .1701-.1709. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 9:00 a.m. on February 17, 2000 at 310 W. Millbrook Road, Raleigh, NC 27609.

**Reason for Proposed Action:** To incorporate legislative changes in the Board name and other terminology. (.0101, .0702, .0901-.0902, .1001-.1002, .1101 - .1102, .1104-.1106, .1201, .1203, .1302, .1409, .1501, .1601, .1605, .1608, .1701-.1702, .1705, .1707-.1709). To incorporate legislative changes in the Board name and other terminology and to reflect fee increases authorized by the legislature for firm and corporation



licensees. (.0802, .0804). To incorporate legislative changes in the Board name and other terminology and to make clarifications in Board rules. (.0103 - role of chair, executive secretary and board authority, .0501 - engineering license experience requirements, .0502 - references confidentiality, .0505 - engineer renewal to list continuing education hours and change of address, .0602 - personal interview, .0606 - surveyor renewal to list continuing education hours and change of address, .0701 - responsible charge in (c)(3) clarified and actions against out-of-state professionals extended, .1003 - sealing under temporary license, .1103 - sealing of preliminary and final documents, .1301 - members of review committee, .1702 - continuing education course qualifications, .1706 - identify parent organization for the NPDES). To clarify Board rules. (.0104 - Board Seal, .0402 - destroy applicant files, .0503 - exam process, .0601 - sample map, .0603 - exam process). To clarify and change continuing education credit in .1704. To incorporate legislative changes in the Board name and other terminology and to make clarifications in the Standards of Practice for Land Surveying in North Carolina. (.1602-.1604, .1606). To incorporate legislative changes in the Board name and other terminology and to make clarifications in the Standards of Practice for Land Surveying in North Carolina for Global Positioning System Surveys (GPS) (.1607). To add a new rule for the Photogrammetry Standards as .1609.

**Comment Procedures:** Submit written comments in writing to the Rule-making Coordinator, David S. Tuttle, Board Counsel, North Carolina Board of Examiners for Engineers and Surveyors, 310 W. Millbrook Road, Raleigh, NC 27609. Written statements must be received no later than February 17, 2000 at 9:00 a.m. Oral statements will be accepted at the public hearing.

**Fiscal Impact**

State      Local      Sub.      None

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**SECTION .0100 - ORGANIZATION OF BOARD**

**.0101 IDENTIFICATION**

The North Carolina State Board of Registration Examiners for Professional Engineers and Land Surveyors is hereinafter referred to as "the Board."

Authority G.S. 89C-10.

**.0103 ORGANIZATION**

(a) **Secretary:** Chair. The secretary chair elected annually by the Board has final authority and responsibility in the operation of the Board office subject to policies and directives as established by the full Board or these Rules.

(b) **Vice-Chair.** The vice-chair serves in the absence of the chair.

(c) **Secretary.** The secretary shall perform duties as stated in G.S. 89C-11. The secretary may assign to the executive

secretary director those day-to-day administrative and operational duties as are approved by majority vote of the full Board. Authorization by the secretary for the disbursement of funds by the executive secretary director must be in writing and have the unanimous approval of the Board.

(b) ~~(d)~~ **Board Committees.** The Board shall be organized into an engineering ~~committee and a committee~~, a land surveying ~~committee, committee and a continuing professional competency (CPC) committee~~. The engineering committee shall consist of the four engineer members and one public member. The land surveying committee shall consist of the three land surveyor members and one public member. The CPC committee shall consist of one engineer member, one land surveyor member and one public member. The Board chairperson chair shall appoint the chairperson chairs and members of each committee ~~and appoint the public member to each committee.~~

(c) ~~(e)~~ **Executive Secretary Director.** The day-to-day routine operations of the Board office shall be the responsibility of the executive secretary director under the direction of the secretary subject to policies and directives as established by the Board or these rules. The executive secretary director may be authorized by the Board or the secretary chair to represent the Board before professional or governmental organizations when such representation serves to further and support the purposes of the Board and is made within the expressed policies of the Board or these Rules. The executive director shall be responsible for the administration of the policies of the Board.

(f) **Notices of Board Meetings.** The Board shall set the dates and times and provide notice of all meetings. The meetings shall be open to the public unless exempted from the open meetings law.

(g) **Actions by the Board.** Actions taken by the Board shall be by majority vote or a quorum of the Board.

(h) **Hiring staff and consultants.** The Board shall authorize the hiring of staff and consultants as necessary to carry out the Board's business.

Authority G.S. 89C-4 through 89C-11.

**.0104 DESCRIPTION OF SEAL**

The official seal adopted by the Board is the Great Seal of the State of North Carolina with the inscription of the Board name on the perimeter.

Authority G.S. 89C-10(b).

**SECTION .0400 - RECORDS AND REPORTS OF BOARD: RETENTION AND DISPOSITION**

**.0402 RECORDS OF APPLICATIONS**

All records of applications for registration which are active are retained at the office of the Board. However, application files once submitted to the Board are Board property and are not returnable. During the time records are physically held in the Board office an applicant can obtain a copy of the two-page application form by request to this office and payment of any

required fee. Inactive applications will be destroyed after one year after giving 30 day notice to the last known address of the applicant.

Authority G.S. 89C-10(a); 89C-12.

## SECTION .0500 - PROFESSIONAL ENGINEER

### .0501 REQUIREMENTS FOR LICENSING

(a) Education. The education of an applicant shall be considered in determining eligibility for licensing as a Professional Engineer. The following terms used by the Board for the specific educational requirements to be eligible to be licensed as a Professional Engineer are defined by the Board as follows:

- (1) Engineering Curriculum of Four or more Years Approved by the Board is defined as a curriculum that has been accredited by the Accreditation Board for Engineering and Technology (ABET). This curriculum is incorporated by reference including subsequent amendments and editions. This material is available for inspection at the office of the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609 Surveyors. Copies may be obtained at the Board office at a cost of five dollars (\$5.00) per copy.
- (2) Engineering or Related Science Curriculum of Four or more Years Other than Ones Approved by the Board is defined as a curriculum, although not accredited by ABET, of physics, math, chemistry and engineering technology technical courses which contains engineering or scientific principles.
- (3) Equivalent Education Satisfactory to the Board:
  - (A) A graduate degree in Engineering from an institution in which the same discipline undergraduate engineering curriculum has been accredited by ABET shall be considered equivalent to an engineering curriculum of four or more years approved by the Board.
  - (A) (B) A bachelor's degree in Engineering Technology shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.
  - (B) (C) An associate degree in an engineering related curriculum with an additional two years of progressive engineering experience shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.
  - (C) (D) A high school diploma with an additional four years of progressive engineering experience shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.

(D) (E) Foreign degrees may shall be considered as recommended by only after receipt of an evaluation from the Foreign Engineering Education Evaluation Program (FEEEP) of the National Council of Examiners for Engineering and Surveying (NCEES) in its publications; (NCEES), or from the American Association of Collegiate Registrars and Admissions Officers (AACRAO), provided however, maximum equivalency granted shall be that of an engineering or related science curriculum of four or more years other than one approved by the Board. The Board shall equate the degree to one of the education categories in (a)(1)-(3) of this Rule .0501. The NCEES publications are ~~incorporated by reference including subsequent amendments and editions.~~ This material is available for inspection at the office of ~~The North Carolina State Board of Registration for Professional Engineers and Land Surveyors,~~ 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609. Copies may be obtained at the Board's office at a cost of five dollars (\$5.00) per copy:

(b) Experience:

- (1) General. The experience of an applicant shall be considered in determining whether an applicant is eligible to be licensed as a Professional Engineer.
- (2) Required Experience. In evaluating the work experience required, the Board may consider the total experience record, record and the progressive nature of the record. (Not less than half of required engineering experience shall be of a professional grade and character, and shall be performed under the responsible charge of a registered licensed Professional Engineer.) Engineer, or if not, a written explanation shall be submitted showing why the experience should be considered acceptable.
- (3) Definition. The terms "progressive engineering experience" or "progressive experience on engineering projects" mean that during the period of time in which an applicant has made a practical utilization of acquired knowledge, continuous improvement, growth and development have been shown in the utilization of that knowledge as revealed in the complexity and technical detail of the work product or work record. The applicant must show continuous assumption of greater individual responsibility for the work product over that period of time. The progressive experience on engineering projects shall be of a grade and a character which indicates to the board that the applicant may be competent to practice engineering.
- (4) Specific Credit for Experience. In evaluating progressive engineering experience, the Board may give credit for experience in the following areas of work:



- (A) Graduate schooling or research in an approved engineering curriculum - curriculum resulting in award of an advanced engineering degree, one year for each such degree - maximum two years;
- (B) Progressive land surveying - maximum two years;
- (C) Teaching of science or engineering subjects at the graduate university level in an approved engineering curriculum offering a four year or more degree approved by the Board - maximum two years.

The Board, however, may not accept combinations, restricted only to the categories noted above, as fulfilling all the necessary statutory experience requirements. The Board requires that every applicant for licensure as a Professional Engineer, as part of the total experience requirement, show a minimum of one year experience of a progressive engineering nature in industry, or government, or under a licensed Professional Engineer offering service to the public.

Full time engineering faculty members who teach in an approved engineering curriculum offering a four year or more degree approved by the Board, may request waiver of the minimum one year experience in industry, government, or private practice if they demonstrate consulting or research work of at least one year's duration, which was pursued to fruition, and which is of an acceptable progressive engineering nature. The faculty applicant will be required to document the work and demonstrate that the work meets the Board's requirement.

(5) ~~Experience Not Considered:~~ Other Experience Considered:

- (A) Experience obtained prior to graduation while receiving education for which credit is given toward registration, unless such experience is obtained in a co-op program in an engineering curriculum approved by the Board: as part of an ABET accredited engineering program which must be shown on the transcript, with a maximum credit of one year.
- (B) Experience obtained in a foreign country unless that is performed under direct supervision of a Professional Engineer registered licensed with a member Board of the National Council of Examiners for Engineering and Surveying (NCEES).

(b) Request. A request for an appropriate application form may be made at the Board address.

(c) Applicable Forms:

- (1) Student Engineering Intern Form. This form requires the applicant to set forth personal history, educational background, provide character references, and furnish a photograph for identification purposes. The form is for use by those graduating, or those having graduated, from an engineering curriculum approved by the Board as follows:

- (A) ~~Students graduating in the same semester or quarter within two semesters, or the equivalent, of the semester in which the fundamentals of engineering examination is administered.~~
- (B) Graduates with less than two years since graduation.

(2) Professional Engineer Form:

- (A) All persons, including comity applicants and graduates of an engineering curriculum approved by the Board with more than two years progressive engineering experience, shall apply for registration licensure by using the Professional Engineer form. The submission of this form shall signify that the applicant seeks registration, licensure, and will result in seating for each examination required, when the applicant is so qualified. This form requires the applicant to set forth personal and educational background, engineering experience and character references. A passport-type photograph for identification purposes is required.
- (B) Persons who have previously completed the fundamentals examination by use of the Student Engineering Intern Form shall submit the Professional Engineer Form to request registration licensure when qualified to take the final eight-hour examination.

- (3) Supplemental Form. Persons who initially applied for the fundamentals of engineering exam using the Professional Engineer form must supplement the initial application upon applying for the principles and practice examination. The supplemental form requires that engineering experience from the date of the initial application until the date of the supplemental application be listed. Five references shall be submitted which are current to within one year of the examination date.

(4) Reference Forms:

- (A) Persons applying to take the examination for fundamentals of engineering must submit to the Board names of three individuals who are familiar with the applicant's work, character and reputation. Persons applying to take the examination for principles and practices of engineering must submit to the Board names of

Authority G.S. 89C-10; 89C-13.

**.0502 APPLICATION PROCEDURE: INDIVIDUAL**

(a) General. A person desiring to become licensed as a Professional Engineer must make application to the Board on a form prescribed and furnished by the Board.

five individuals who are familiar with the applicant's work, character and reputation. Two of these individuals must be registered licensed Professional Engineers.

- (B) In addition to the applicant submitting names to the Board of individuals familiar with the applicant's work, character and reputation, those individuals listed shall submit to the Board their evaluations of the applicant on forms supplied them by the applicant. Such information is considered confidential and shall not be released by the Board; except in special cases where required by law.
- (C) The reference form requires the individual evaluating the applicant to state the evaluating individual's profession, knowledge of the applicant and other information concerning the applicant's engineering experience, character and reputation.
- (D) The reference forms shall be received by the applicant with the application. The reference forms shall then be distributed by the applicant to the persons listed on the application as references. The applicant shall see that the individuals listed as references return the reference forms to the Board prior to the filing deadline for the examination.

(d) Fees:

- (1) Student Engineering Intern Form. The examination fee for applicants applying for examination on the fundamentals of engineering using the student engineering intern form is payable with the filing of the application. Once the applicant passes the examination on the fundamentals of engineering, the registration licensure fee of one hundred dollars (\$100.00) and the examination fee for the principles and practice of engineering examination are payable with the applicant's subsequent application for registration licensure as a Professional Engineer using the Professional Engineer form.
- (2) Professional Engineer Form. The registration licensure fee of one hundred dollars (\$100.00) and appropriate examination fee for applicants applying for the examination on the fundamentals of engineering or the principles and practice of engineering using the Professional Engineer form are payable with the filing of the application.
- (3) Comity. The registration licensure fee for applicants for comity registration licensure is payable with the filing of the application in accordance with G.S. 89C-14.
- (4) Examination. The examination fee for any applicant is payable with the filing of the application in accordance with G.S. 89C-14.
- (e) The Board shall accept the records maintained by the National Council of Examiners for Engineering and Surveying (NCEES) as evidence of registration licensure in another state.

For comity licensure the NCEES record is accepted in lieu of completing the experience, education and references sections of the application.

(f) Model Law Engineer. The term "Model Law Engineer" refers to a person who meets the requirements of section .0500 by meeting the requirements of NCEES and has a current NCEES record on file and is designated as a "Model Law Engineer". A "Model Law Engineer" application is administratively approved by the Executive Director based upon the designation, without waiting for the next regular meeting of the Board at which time the action is reported to the Board for final approval.

(g) Personal interview. During the application process, the applicant may be interviewed by the Board members. The purpose of the interview is to augment the evidence submitted in an application with regard to education or experience.

Authority G.S. 89C-10; 89C-13; 89C-14.

### **.0503 EXAMINATIONS**

(a) Fundamentals of Engineering. This eight-hour written examination is designed primarily to test the applicant's proficiency and knowledge of the fundamentals of engineering.

(b) Principles and Practice of Engineering. This eight-hour written examination is designed to test the applicant's proficiency and knowledge of engineering principles and practices.

(c) Examination Aids. Examinees may utilize examination aids as specified by the exam preparer.

(d) Preparation of Examination. The examinations in the fundamentals of engineering and in the principles and practice of engineering are national examinations promulgated by the National Council of Examiners for Engineering and Surveying (NCEES) of which the Board is a member.

(e) Examination Sequence. Before the applicant is permitted to be examined on the principles and practice of engineering, the applicant must pass the examination on the fundamentals of engineering, unless the applicant can evidence 20 years of progressive engineering experience and receives a waiver from the fundamentals of engineering exam by the Board. In no event is an applicant allowed to take both examinations at the same time or at the same scheduled examination date.

(f) Examination Filing Deadline. The applicant who wishes to take an examination must have the completed application (which includes all necessary references, transcripts, and verifications) in the Board office prior to August 1 for Fall examinations and January 2 for Spring examinations.

(g) Seating Notice. After approval of an application to take either the examination on the fundamentals of engineering or principles and practice, the applicant shall be sent a seating notice by the Board. This notice shall inform the applicant of the date, time and location of the examination and the seat number assigned.

(h) Unexcused Absences. After a seating notice has been issued for a scheduled examination by the Board, and the applicant fails to appear, that applicant's record will reflect "unexcused absence" unless the absence was for official jury



duty or the applicant was not physically able to be present, as indicated by a doctor's certificate. The examination fee is forfeited.

(i) Oral Interview. During the examination on the principles and practice of engineering, the applicant may be interviewed by Board members. The purpose of the interview is to augment the evidence submitted in an application with regard to education or experience.

(j) (i) Re-Examination. A person who has failed an examination may apply to take the examination again at the next regularly scheduled examination period by making written request and submitting the required exam fee. A person having a combined record of three failures or unexcused absences shall not be allowed to take that examination again until a written appeal is made to the Board and qualifications for examination are reviewed and reaffirmed by the Board: only be eligible after submitting a new application with appropriate application fee, and be considered by the Board for reexamination at the end of 12 months. After the end of the 12-month period, the applicant may take the examination no more than once every calendar year. The applicant must demonstrate to the Board that actions have been taken to improve the applicant's chances for passing the exam.

(j) Special Accommodation. An applicant with a diagnosed disability may make a written request, before the application deadline, for special accommodation for the exam.

(k) Exam Results. Exam results shall be supplied in writing as pass or fail. No results will be given in any other manner.

(l) Review of Failed Exams. An applicant who fails to make a passing score on an exam may request in writing within thirty days of receiving the result to have an opportunity to review the exam. The review shall be done in the Board office under supervision of staff and is limited to one hour.

*Authority G.S. 89C-10; 89C-13 to 89C-15.*

## **.0505 EXPIRATIONS AND RENEWALS OF CERTIFICATES**

(a) Professional Engineer Registration Licensure. An annual renewal fee of forty dollars (\$40.00) for certificates of registration licensure for Professional Engineers shall be payable to the Board. A late fee is applied in accordance with G.S. 89C-17. The Board shall send to each registered licensed Professional Engineer a form which requires the registrant licensee to provide the Board with both the business and residential addresses: addresses, and the professional development hours (PDH) obtained during the previous year. The completed form for renewal of certificate along with the required fee shall be forwarded to the Board: The licensee shall give notice to the Board of a change of business or residential address within 30 days of the change.

(b) Engineer-In-Training Engineering Intern Certificate. The Engineer-In-Training Engineering Intern certificate does not expire and, therefore, does not have to be renewed.

*Authority G.S. 89C-10; 89C-17.*

## **SECTION .0600 - PROFESSIONAL LAND SURVEYOR**

### **.0601 REQUIREMENTS FOR LICENSING**

(a) Education. The following terms used by the Board for the specific education requirements to be eligible to be licensed as a Professional Land Surveyor are defined by the Board as follows:

(1) B.S. in Surveying or Other Equivalent Curricula. These degrees must contain a minimum of 45 semester hours, or their quarter-hour equivalents, of subjects directly related to the practice of surveying. Of the 45 semester hours, a minimum of 12 semester hours of surveying fundamentals, 12 semester hours of applied surveying practice and 12 semester hours of advanced or theoretical surveying courses are required. The remainder of the required surveying courses may be elective-type courses directly related to surveying.

(2) Associate Degree in Surveying Technology. This degree must contain a minimum of 30 quarter 20 semester hours, or semester-hour quarter-hour equivalents, of subjects directly related to the practice of surveying. Courses in surveying practices, subdivision design and planning, surface drainage and photogrammetry must be successfully completed.

(b) Experience:

(1) Definition. As used in the North Carolina Engineering and Land Surveying Act Act, the term "progressive practical surveying experience" means that during the period of time in which an applicant has made a practical utilization of the knowledge of the principles of geometry and trigonometry in determining the form, shape, boundaries, position and extent of the earth's surface, continuous improvement, growth and development in the utilization of that knowledge have been shown. In addition, the applicant must show the continuous assumption of greater individual responsibility for the work product over that period of time.

(2) Experience Accepted. In order to have experience adequate to comply with the requirements of the law; the applicant's work experience must be concerned with land surveying and is normally gained while working under the responsible charge of a Registered Land Surveyor: In evaluating the work experience required, the Board may consider the total experience record and the progressive nature of the record. (Not less than half of required land surveying experience shall be of a professional grade and character, and shall be performed under the responsible charge of a Professional Land Surveyor, or if not, a written explanation shall be submitted showing why the experience should be considered acceptable.)

(3) Other Experience. Work done in the following areas requires evidence to the Board of its equivalency to land surveying:

- (A) construction layout,
- (B) engineering surveying,
- (C) part-time surveying work.
- (c) Exhibits, Drawings, Plats:
  - (1) Required Exhibit Before Fundamentals of Land Surveying Examination. The applicant must submit, along with the application, an actual plat or an example plat prepared by, or under the direct supervision of, the applicant which discloses that the applicant is knowledgeable in the elements of good mapping practices.
  - (2) Required Exhibit Before Principles and Practices of Land Surveying Examination:
    - (A) General. The applicant must submit, along with the application, an actual plat of a boundary survey of an actual project prepared by, or under the direct supervision of, the applicant which discloses that the applicant is knowledgeable of the contents of the Standards of Practice for Land Surveying in North Carolina (Section .1600) and also is able to apply this knowledge by preparing a plat in accordance with the various legal and professional requirements of land surveying.
    - (B) Physical Requirement. The map submitted must be a clean, clear, legible print of an original map in the file of a Professional Land Surveyor.
  - (3) Specific Requirements. The specific details that shall be evaluated are those applicable to the particular project as described in the Standards of Practice for Land Surveying in North Carolina (Section .1600) and as described in G.S. 47-30. In addition, the exhibit shall contain a statement that the field work, calculation and mapping were performed by the applicant under the supervision of a Professional Land Surveyor, attested to by the Professional Land Surveyor.
  - (4) Requirements for Comity Applicant. The map submitted by an applicant under comity may be a sample plat of a project or work performed in the state of licensure which shall be evaluated in accordance with legal requirements of North Carolina.

Authority G.S. 47-30; 89C-10; 89C-13.

#### **.0602 APPLICATION PROCEDURE: INDIVIDUAL**

- (a) General. A person desiring to become a Registered Professional Land Surveyor must make application to the Board on a form prescribed and furnished by the Board.
- (b) Request. A request for the application form may be made at the Board address.
- (c) Application Form. All persons applying to be licensed as a Registered Professional Land Surveyor shall apply using the standard application form. This form requires the applicant to set forth personal background, plus educational background, land surveying experience, and references. A passport-type

photograph for identification purposes is required also.

(d) Supplemental Form. Persons who initially applied for registration licensure as a land surveyor, but were not eligible initially to be admitted to the examination for principles and practice of land surveying, must supplement their initial applications upon ultimately applying for the second examination. The applicant must supplement the initial application by using the supplemental form, which requires the listing of land surveying experience from the date of the initial application to the date of the supplemental application. Five references shall be submitted which are current to within one year of the examination date.

#### **(e) Reference Forms:**

- (1) Persons applying to take the examination for the fundamentals of land surveying or the examination for principles and practice must submit to the Board names of individuals who are familiar with the applicant's work, character and reputation. The names are submitted by the applicant on the application form.
- (2) Persons applying for the fundamentals of land surveying examination must submit three references, one of which must be a Registered Professional Land Surveyor. Persons applying for the principles and practice examination must submit five references, two of which must be Registered Professional Land Surveyors.
- (3) In addition to the applicant submitting names to the Board of such individuals, those individuals shall submit to the Board their evaluations of the applicant on reference forms supplied them by the applicant. Such information is considered confidential and shall not be released by the Board.
- (4) The reference form requires the individual evaluating the applicant to state the evaluating individual's profession, knowledge of the applicant and other information concerning the applicant's land surveying experience, character and reputation.
- (5) The reference forms shall be received by the applicant along with the application for ~~registration~~ licensure. The reference forms shall then be distributed by the applicant to the persons listed on the application as references. The applicant shall see that the individuals listed as references return the forms to the Board prior to the filing deadline for the examination applied for by the applicant.

#### **(f) Fees:**

- (1) Regular. The registration licensure fee of one hundred dollars (\$100.00) and appropriate examination fee for those applying for registration licensure based upon examination, experience, character and exhibit are payable with the filing of the application.
- (2) Comity. The registration licensure fee of one hundred dollars (\$100.00) and appropriate examination fee for those applying for registration licensure based upon comity are payable with the filing of the application.



- (3) Examination. The examination fee for any applicant is payable with the filing of the application in accordance with G.S. 89C-14.

(g) Personal Interview. During the application process, the applicant may be interviewed by Board members. The purpose of the interview is to augment the evidence submitted in an application with regard to education and experience.

Authority G.S. 89C-10; 89C-13; 89C-14.

### .0603 EXAMINATIONS

(a) Fundamentals of Land Surveying. This eight-hour written examination is designed primarily to test the applicant's proficiency and knowledge of the fundamentals of land surveying.

(b) Principles and Practice of Land Surveying. This eight-hour written examination is designed to test the applicant's proficiency and knowledge of land surveying practices and procedures generally and specifically within North Carolina.

(c) Examination Aids. Examinees may utilize examination aids as specified by the national exam preparer.

(d) Preparation of Examination. The examination in the fundamentals of land surveying and six hours of the examination in the principles and practice of land surveying are national examinations promulgated by the National Council of Examiners for Engineering and Surveying (NCEES) of which the Board is a member. The two-hour North Carolina portion of the principles and practice of land surveying examination is prepared and graded by the Board.

(e) Examination Filing Deadline. The applicant who wishes to take an examination must have the completed application (which includes all necessary references, transcripts, and verifications) in the Board office prior to August 1 for Fall examinations and January 2 for Spring examinations.

(f) Seating Notice. After approval of an application the applicant will receive a seating notice. This notice will inform the applicant of the date, time and location of the examination and the seat number assigned.

(g) Unexcused Absences. After a seating notice for a scheduled examination has been issued by the Board, and the applicant fails to appear, the applicant's record will reflect "unexcused absence" unless the absence was for official jury duty or the applicant was not physically able to be present, as indicated by a doctor's certificate. The examination fee is forfeited.

(h) ~~Oral Interview.~~ During the examination on the principles and practice of land surveying, the applicant may be interviewed by Board members. ~~The purpose of the interview is to augment the evidence submitted in an application with regard to education or experience.~~

(i) (h) Re-Examination. A person who has failed an examination is allowed to apply to take the examination again at the next regularly scheduled examination period. A person having a combined record of three failures or unexcused absences will not be allowed to take that examination again until a written appeal is made to the Board and the qualifications for

examination are reviewed and reaffirmed by the Board: shall only be eligible after submitting a new application with appropriate application fee, and be considered by the Board for reexamination at the end of 12 months. After the end of the 12-month period, the applicant may take the examination no more than once every calendar year. The applicant must demonstrate to the Board that actions have been taken to improve the applicant's chances for passing the exam.

(i) Special Accommodation. An applicant with a diagnosed disability may make a written request, before the application deadline, for special accommodation for the exam.

(j) Exam Results. Exam results shall be supplied in writing as pass or fail. No results will be given in any other manner.

(k) Review of Failed Exams. An applicant who fails to make a passing score on an exam may request in writing within thirty days of receiving the result to have an opportunity to review the exam. The review shall be done in the Board office under supervision of staff and is limited to one hour.

Authority G.S. 89C-10; 89C-15.

### .0606 EXPIRATIONS AND RENEWALS OF CERTIFICATES

(a) Registered Professional Land Surveyor Registration: Licensure. An annual renewal fee of forty dollars (\$40.00) for certificates of registration licensure for Registered Professional Land Surveyors shall be payable to the Board. A late fee is applied in accordance with G.S. 89C-17. The Board will send each Registered Professional Land Surveyor a form which requires the registrant licensee to provide to the Board the business and residential addresses: addresses, and the professional development hours (PDH) obtained during the previous year. The completed form for renewal of certificate along with any required fee is to be forwarded to the Board. The licensee shall give notice to the Board of a change of business or residential address within 30 days of the change.

(b) Surveyor in-Training Intern Certificate. The Surveyor In Training Intern certificate does not expire and, therefore, does not have to be renewed.

Authority G.S. 89C-17.

## SECTION .0700 - STANDARDS OF PROFESSIONAL CONDUCT

### .0701 RULES OF PROFESSIONAL CONDUCT

(a) In order to safeguard the life, health, property and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the profession professions of engineering and land surveying, the following rules of professional conduct are promulgated in accordance with G.S. 89C-20 and shall be binding upon every person holding a certificate of registration licensure as a Professional Engineer or Registered Professional Land Surveyor (registrant); (licensee), and on all partnerships or corporations or other legal business entities authorized to offer or perform engineering or land

surveying services in this state. All persons registered licensed under the provisions of Chapter 89C of the General Statutes are charged with having knowledge of the existence of the rules of professional conduct, and shall be deemed to be familiar with their several provisions and to understand them.

(b) The Professional Engineer and Registered Land Surveyor licensee shall conduct the practice in order to protect the public health, safety and welfare. The registrant licensee shall at all times recognize the primary obligation to protect the public in the performance of the professional duties. If the registrant's licensee's engineering or land surveying judgment is overruled under circumstances where the safety, health and welfare of the public are endangered, the registrant licensee shall inform the employer, the contractor and the appropriate regulatory agency of the possible consequences of the situation.

(c) The Professional Engineer and Registered Land Surveyor licensee shall perform services only in areas of the registrant's licensee's competence and:

- (1) Shall undertake to perform engineering and land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved.
- (2) May accept an assignment or project requiring education or experience outside of the registrant's licensee's own field of competence, but only to the extent that the services are restricted to those phases portions or disciplines of the project in which the registrant licensee is qualified. All other phases portions or disciplines of such project shall be performed by qualified associates, consultants, or employees: employees who are licensed and competent in those portions or disciplines.
- (3) Shall not affix the signature or seal to any engineering or land surveying plan or document dealing with subject matter for which the registrant licensee lacks competence by virtue of education or experience, nor to any such plan or document not prepared under the registrant's licensee's direct supervisory control. Direct supervisory control (responsible charge) requires a registrant licensee or employee to carry out all client contacts, provide internal and external financial control, oversee employee training, and exercise control and supervision over all job requirements to include research, planning, design, field supervision and work product review. A registrant licensee shall not contract with a non-registered non-licensed individual to provide these professional services. Research, such as title searches and soil testing, may be contracted to a non-registered non-licensed individual, provided that individual is qualified or licensed to provide such service and provided the registrant licensee reviews the work. The Professional Engineer and Registered Land Surveyor licensee may affix the seal and signature to drawings and documents depicting the work of two or more professionals provided it is designated by a note

under the seal the specific subject matter for which each is responsible.

(d) The Professional Engineer and Registered Land Surveyor licensee shall issue public statements only in an objective and truthful manner and:

- (1) Shall be objective and truthful in all professional reports, statements or testimony. The registrant licensee shall include all relevant and pertinent information in such reports, statements or testimony.
- (2) When serving as an expert or technical witness before any court, commission, or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of the registrant's licensee's testimony.
- (3) Shall issue no statements, criticisms, or arguments on engineering or land surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless the registrant licensee has prefaced the comment by explicitly identifying the registrant's licensee's name, by disclosing the identities of the party or parties on whose behalf the registrant licensee is speaking, and by revealing the existence of any pecuniary interest the registrant licensee may have in the instant matters.
- (4) Shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of another engineer or land surveyor, nor indiscriminately criticize another engineer or land surveyor's work in public. If the registrant licensee believes that another engineer or land surveyor is guilty of misconduct or illegal practice, such information shall be presented to the North Carolina State Board of Registration: Examiners.

(e) The Professional Engineer and Registered Land Surveyor licensee shall avoid conflicts of interest and:

- (1) Shall promptly inform the employer or client of any business association, interests, or circumstances which could influence judgment or the quality of services.
- (2) Shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties.
- (3) Shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.
- (4) Shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with the client or employer in connection with work for which the registrant licensee is responsible.
- (5) When in public service as a member, advisor, or employee of a governmental body or department,



shall not participate in considerations or actions with respect to services provided by the registrant licensee or the registrant's licensee's organization in private engineering and land surveying practices.

- (6) Shall not solicit or accept an engineering or land surveying contract from a governmental body on which a principal or officer of the registrant's licensee's organization serves as a member.
- (7) Shall not attempt to supplant another engineer or land surveyor in a particular employment after becoming aware that the other has been selected for the employment.

(f) The Professional Engineer and Registered Land Surveyor licensee shall solicit or accept work only on the basis of qualifications and:

- (1) Shall not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.
- (2) Shall compete for employment on the basis of professional qualification and competence to perform the work. The registrant licensee shall not solicit or submit proposals for professional services containing a false, fraudulent, misleading, deceptive or unfair statement or claim regarding the cost, quality or extent of services to be rendered.
- (3) Shall, with regard to fee bidding on public projects, comply with the provisions of G.S. 143-64.31, and shall not knowingly cooperate in a violation of any provision of G.S. 143-64.31.
- (3) (4) Shall not falsify or permit misrepresentation of academic or professional qualifications: qualifications and shall only report educational qualifications when a degree or certificate was awarded, unless it is clearly stated that no degree or certificate was awarded. The registrant licensee shall not misrepresent degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments with the intent and purpose of enhancing qualifications and work.

(g) The Professional Engineer and Registered Land Surveyor Licensee shall perform services in an ethical and lawful manner and:

- (1) Shall not knowingly associate with or permit the use of the registrant's licensee's name or firm name in a business venture by any person or firm which the registrant licensee knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature: nature or is not properly licensed.
- (2) If the registrant licensee has knowledge or reason to believe that another person or firm may be in

violation of any of these provisions or of the North Carolina Engineering and Land Surveying Act, shall present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board. The registrant licensee shall timely respond to all inquiries and correspondence from the Board and shall timely claim correspondence from the U. S. Postal Service, or other delivery service, sent to the registrant licensee from the Board.

(h) A Professional Engineer or Registered Professional Land Surveyor who has received a reprimand or civil penalty or whose professional registration license is revoked or suspended revoked, suspended, denied, or surrendered as a result of disciplinary action by another jurisdiction; jurisdiction shall be subject to discipline by the Board if the registrant's licensee's action violates constitutes a violation of Chapter 89C of the North Carolina General Statutes or these rules: the rules promulgated by the Board.

*Authority G.S. 89C-17; 89C-20.*

#### **.0702 RULES OF CONDUCT OF ADVERTISING**

(a) The Professional Engineer or Registered Professional Land Surveyor shall not make exaggerated, misleading, deceptive or false statements or claims about professional qualifications, experience or performance in brochures, correspondence, listings, or other public communications.

(b) The prohibitions listed in Paragraph (a) of this Rule include, but are not limited to, the use of statements containing a material misrepresentation of fact or omitting a material fact necessary to keep the statement from being misleading; statements intended or likely to create an unjustified expectation; and statements containing a prediction of future success.

(c) Consistent with the foregoing, the Professional Engineer or Registered Professional Land Surveyor may advertise for recruitment of personnel.

(d) Consistent with the foregoing, the Professional Engineer or Registered Professional Land Surveyor may prepare articles for the lay or technical press. Such articles shall not imply credit to the author for work performed by others.

*Authority G.S. 89C-20.*

### **SECTION .0800 - FIRM LICENSURE**

#### **.0802 PROCEDURE**

(a) Professional Corporations and Limited Liability Companies:

- (1) Request. A request for an application for registration licensure as a professional corporation or professional limited liability company engaged in the practice of engineering or land surveying may be made at the Board address.
- (2) Applicable Form. All professional corporations and professional limited liability companies complying

with the statutory requirements of G.S. 89C, G.S. 55B and G.S. 57C which desire to practice engineering or land surveying shall apply by using a form prepared by the Board. This form shall require the applicant, by and through an officer, director and shareholder of the professional corporation or limited liability company who is currently licensed with the North Carolina State Board of Registration Examiners for Professional Engineers and Land Surveyors in the field(s) of professional services to be offered, to certify that it and the stockholders of the corporation or members of the limited liability company have complied with the provisions of the applicable provisions of the General Statutes and requires that the officers, directors, shareholders, members and professional employees be listed on that application.

(3) Certificate of Registration Licensure:

- (A) Upon receiving the application with registration licensure fee of fifty one hundred dollars (~~\$50.00~~); (~~\$100.00~~), the Board, after determining that the firm has complied with the statutory requirements, will then issue a certificate of compliance.
- (B) The firm, then, must forward the certificate of compliance to the Secretary of State along with its articles of incorporation or articles of organization.
- (C) Upon approval by the Secretary of State, the firm then must forward to the Board a certified copy of its articles of incorporation or articles of organization.
- (D) Upon receipt of the certified copy of the articles of the firm, if all statutory requirements have been met, the Board will approve the application and issue the firm a certificate of registration licensure.

(b) Business Firms: Firms and Chapter 87 Corporations:

- (1) Request. A request for an application for registration licensure as a business firm or Chapter 87 corporation [as defined in G.S. 55B-15(a)(2)] engaged in the practice of engineering or land surveying may be made at the Board address. A sole proprietorship owned and operated by the individual licensee in the licensee's name as reflected in the Board's records is exempt from firm licensure.
- (2) Applicable Form. All business firms or Chapter 87 corporations which that desire to practice engineering or land surveying shall apply by using a form prepared by the Board. The form shall require the applicant, through a principal officer, partner or owner, to certify that the business firm shall be operated in compliance with the laws of the State of North Carolina and the rules of the North Carolina State Board of Registration Examiners for Professional Engineers and Land Surveyors.

(c)(3) Certificate of Registration: Licensure. Upon receiving the application with registration licensure

fee of fifty one hundred dollars (~~\$50.00~~); (~~\$100.00~~), the Board, after determining that the firm has complied with the statutory requirements, shall then issue a certificate of registration: licensure.

Authority G.S. 55B-4; 55B-10; 57C-2.01; 89C-10; 89C-24.

**.0804 ANNUAL RENEWAL**

(a) Renewal. The certificate of registration licensure for a professional corporation, limited liability company or business firm shall be renewed annually.

(b) Expiration. The certificate of registration licensure shall expire on the last day of June following its issuance by the Board and shall become invalid on that date unless renewed.

(c) Written Application. Upon written application on a renewal form prescribed by the Board accompanied by the prescribed fee of twenty five forty dollars (~~\$25.00~~); (~~\$40.00~~), the Board shall renew the certificate of registration licensure providing that the firm has complied with all rules of the Board and applicable General Statutes of North Carolina. The form shall be mailed to all registrants in good standing no later than June 1st. A late fee is applied in accordance with G.S. 89C-17. The licensed entity shall give notice to the Board of a change of business address within 30 days of the change.

(d) Failure of a firm to renew its certificate of registration licensure within one year of the expiration date shall require the firm to submit a new application for a new certificate of registration licensure in accordance with all requirements of these Rules and of all applicable statutes.

Authority G.S. 55B-11; 57C-2.01; 89C-10; 89C-24.

**SECTION .0900 - BUSINESS ORGANIZATIONS:  
GENERAL**

**.0901 OFFICES**

(a) Professional Engineering Services. Every firm, partnership, corporation or limited liability company which performs or offers to perform engineering services in the State of North Carolina shall have a resident registered Professional Engineer in responsible charge in each separate office in which professional engineering services are performed or offered to be performed.

(b) Land Surveying Services. Every firm, partnership, corporation or limited liability company which performs or offers to perform land surveying services in the State of North Carolina shall have a resident Registered Professional Land Surveyor in responsible charge in each separate office in which land surveying services are performed or offered to be performed.

(c) Resident. A resident registered Professional Engineer or Registered Professional Land Surveyor as used in this Rule, means a licensee who spends a majority of the licensee's normal working time in said place of business. Such time shall not be less than a majority of the operating hours of the business. A registered Professional Engineer or Registered Professional Land Surveyor shall be the resident licensee at only



one place of business at one time: time unless each business is at least one-third owned by the resident professional and is specifically approved by the Board after a determination that the businesses are integrated in operation, ownership, office location and that the licensee will be in responsible charge of the professional services.

(d) No firm, partnership, corporation or limited liability company shall practice, or offer to practice, or market either land surveying or engineering unless there is a registered licensed resident for that service in responsible charge at that said place of business. Advertisements, signs, letterheads, business cards, directories, or any other form of representation shall avoid any reference to any service that cannot be provided under the responsible charge of a properly qualified resident professional.

*Authority G.S. 57C-2.01; 89C-10; 89C-24.*

## **.0902 TITLES OF BUSINESS ENTITIES**

(a) Companies, partnerships, corporations, limited liability companies or any other business organization providing professional engineering or land surveying services in North Carolina shall not practice under a name that is misleading. Except as provided below, the title titles of engineering or land surveying companies, partnerships, corporations, limited liability companies or any other business organization organized primarily to provide such professional services shall not contain the name of an individual not registered licensed to provide the professional services offered or eligible for registration licensure under the provisions of G.S. 89C-13.

(b) A firm may include in its title the name or names of one or more deceased or retired former members of the firm, provided that the firm submits a letter of request and explanation with its application to the Board, and that the Board finds as fact that the use of the name is not misleading.

(c) A business organization shall not change its title, or operate under an assumed name, without first applying to the Board for a determination that the proposed title meets the requirements of Paragraph (a) of this Rule. Requests for name changes shall be made in writing on forms provided by the Board for this purpose.

*Authority G.S. 55B-5; 57C-2.01; 89C-10; 89C-24.*

## **SECTION .1000 - TEMPORARY PERMIT**

### **.1001 GENERAL**

A person who is eligible to be registered licensed in North Carolina by comity may apply for a permit to practice engineering or land surveying in the State of North Carolina for an aggregate, consecutive total of 90 days in any one calendar year.

*Authority G.S. 89C-25.*

### **.1002 APPLICATION PROCEDURE**

(a) Request. A request for an application for a permit to

practice engineering or land surveying in the State of North Carolina on a temporary basis may be made at the Board address.

(b) Applicable Forms. The forms provided by the Board for persons requesting a temporary permit requires require the applicant to set forth the period of time in which he desires a temporary permit; for which a temporary permit is desired, to certify that he is currently registered licensed to practice in his own state; state of residence, and to name the project or work for which the permit is desired.

(c) Verified Registration: Licensure. Before a temporary permit may be issued, a written verification of the applicant's current registration licensure in his own state of residence must be received directly from the applicant's licensing Board.

(d) Fee. Registration Licensure fee for applying for a temporary permit is payable with the filing of the application. No portion of this fee is refundable.

*Authority G.S. 89C-10; 89C-25.*

### **.1003 SEAL**

All plans, specifications, plats and reports issued by a temporary registrant licensee in North Carolina shall be stamped or embossed with the seal of the state in which the registrant individual is licensed: licensed as required by section .1100. In addition, however, the temporary registrant licensee shall note directly beneath his the seal the North Carolina permit number, the expiration date of the temporary permit and the signature of the temporary registrant: licensee.

*Authority G.S. 89C-10; 89C-25.*

## **SECTION .1100 - SEAL**

### **.1101 GENERAL**

The Board considers it misconduct for a Professional Engineer or Registered Licensed Land Surveyor to seal work done by another individual unless the work is performed under the "responsible charge" of the Professional Engineer or Registered Licensed Land Surveyor.

*Authority G.S. 89C-3(10); 89C-10; 89C-16.*

### **.1102 DESIGN**

The standard design of the seal shall be two concentric circles in which North Carolina and the name of the registrant licensee are placed within the outermost circle and in which the registration license number of the registrant licensee and either "Professional Engineer" or "Registered Professional Land Surveyor," is placed within the innermost circle. The size shall be approximately 1 3/4 inches in diameter.

*Authority G.S. 89C-10; 89C-16.*

### **.1103 STANDARD CERTIFICATION REQUIREMENTS**

(a) Certification. The seal of a registrant licensee on a map, drawing, plan, specification, plat, document, or report shall signify that it is the final work of the registrant licensee unless the work is stamped or clearly marked as "preliminary work" as follows: follows, in which case certification is optional:

- (1) "Preliminary - Do not use for construction",
- (2) "Progress Drawings - Do not use for construction",
- (3) "Preliminary Plat - Not for recordation, conveyances, or sales",
- (4) "Final Drawing - Not released for construction",
- (5) "Final Drawing - For Review Purposes Only".

(b) Certification of Final Drawings. ~~Certification is not required for "preliminary work."~~ All other drawings Drawings or maps not conforming to Paragraph (a) of this Rule shall conform to the following:

- (1) Certification is required on reproducibles or original drawings.
- (2) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other facsimile that becomes a permanent addition to a plan sheet or map.
- (3) The registrant's licensee's written signature must be placed over, or near, the seal on the original document. A facsimile signature is not acceptable.
- (4) The date of signing must be annotated on the original document.
- (5) All sheets of engineering and surveying drawings must be sealed.
- (6) The name and address of the registrant's licensee's firm shall be included on each sheet of engineering drawings. For surveys, the registrant's licensee's name and address shall be included on the first sheet of the survey or title sheet.

(c) Certification of Specifications and Reports. ~~Certification is not required for "preliminary work."~~ All other specifications and reports specifications, reports, or other documents, including letter reports and calculations, not conforming to Paragraph (a) of this Rule shall conform to the following:

- (1) Certification is required on original specifications, specifications, reports, or other documents, including letter reports and calculations.
- (2) The seal may be a rubber stamp, or other facsimile.
- (3) The registrant's licensee's written signature must be placed over, or near, the seal on the original document. A facsimile signature is not acceptable.
- (4) The date of signing must be annotated on the original document.
- (5) The title sheet of engineering specifications or other reports must be sealed and bear the name and address of the registrant's licensee's firm. The title sheet of any survey report or written description of property shall include the name and address of the Registered Professional Land Surveyor.

(d) Electronically transmitted drawings. Drawings that are transmitted electronically to a client or a governmental agency shall have the computer-generated seal removed from the original file. The electronic media shall have the following inserted in lieu of the signature and date: This document

originally issued and sealed by (name of sealer), (registration number), (license number), on (Date of sealing). This media shall not be considered a certified document.

Authority G.S. 89C-10; 89C-16.

#### **.1104 CERTIFICATION WITH TEMPORARY PERMIT**

All plans, specifications, plats, and reports issued by a person holding temporary registration license in North Carolina, and for use in North Carolina, shall be stamped with the registrant's licensee's seal from the state of residence where permanently registered licensed and in good standing. Directly beneath this seal, the registrant licensee shall note the North Carolina Temporary Permit Number, written signature, and the date of signing. A facsimile signature is not acceptable.

Authority G.S. 89C-10; 89C-16; 89C-25.

#### **.1105 FIRM SEAL**

The use of a seal by a firm is not required for certification. A firm seal is not authorized for use in lieu of the required seal of a Professional Engineer or Registered Professional Land Surveyor. When a firm seal is used, it does not relieve the individual registrant licensee of the requirements and responsibilities pertaining to the individual's seal.

Authority G.S. 89C-10; 89C-16; 89C-25.

#### **.1106 CERTIFICATION OF STANDARD DESIGN PLANS**

Standard design plans must initially be prepared and sealed by a Professional Engineer properly registered licensed in the state of origin of such plans. Standard design plans may then be reviewed by a North Carolina Professional Engineer for code conformance, design adequacy, and site adaption adaptation for the specific application within North Carolina. The Professional Engineer who is registered licensed in North Carolina assumes responsibility for such standard designs. Standard plans, which bear the seal of a Professional Engineer who is registered licensed in another state, shall be sealed by the North Carolina resident Professional Engineer who is assuming responsibility. In addition to the seal, a statement shall be included as follows: "These plans have been properly examined by the undersigned. I have determined that they comply with existing local North Carolina codes, and have been properly site adapted for use in this area."

Authority G.S. 89C-10; 89C-16.

### **SECTION .1200 - RULEMAKING PROCEDURES**

#### **.1201 PETITIONS**

(a) Any person wishing to submit a petition requesting the adoption, amendment or repeal of a rule by the Board shall send the petition to the executive secretary director at the Board's



office in Raleigh, North Carolina.

(b) The petition shall contain the following information:

- (1) a draft of the proposed rule;
- (2) reason for proposal;
- (3) effect on existing rules;
- (4) any data supporting proposal;
- (5) effect of the proposed rule on existing practices in the area involved, including cost factors;
- (6) names of those most likely to be affected by the proposed rule, with addresses if reasonably known; and
- (7) name and address of each petitioner.

(c) A review committee made up of one member of the Board, the executive secretary director and the legal counsel for the Board, on behalf of the Board, shall determine, based on a study of the facts stated in the petition, whether the public interest will be served by granting it. It shall consider all the contents of the submitted petition, plus any additional information it deems relevant.

(d) The executive secretary director, on behalf of the review committee, shall make a recommendation to the Board for the denial of the petition or the institution of rulemaking proceedings, as the case may be.

(e) Within 120 days of submission of the petition, the Board shall render a final decision.

(f) If the decision is to deny the petition, the executive secretary, director, on behalf of the Board, will notify the petitioner in writing, stating the reasons therefore. If the decision is to grant the petition, the Board shall publish notice of rulemaking proceedings.

*Authority G.S. 89C-10; 150B-20.*

### **.1203 HEARINGS**

(a) Unless otherwise stated in a particular rulemaking notice, hearings before the Board shall be held in the Board office.

(b) Presentations may not exceed 10 minutes unless, upon request, either before or at the hearing, the Board grants an extension of time, for a fuller explanation.

(c) Upon receipt of a request to make an oral presentation the executive secretary director shall acknowledge receipt of the request, and inform the person making the request of the imposition of any limitations deemed necessary to the end of a full and effective public hearing on the proposed rule.

(d) Any person may file a written submission containing data, comments or arguments after publication of a rulemaking notice as allowed by G.S. 150B-21.2(f). Written submissions, except when otherwise stated in the particular rulemaking notice, shall be sent to the Board. Such submissions shall clearly state the proposed rule(s) to which the comments are addressed.

(e) Upon receipt of such written comments, prompt acknowledgment shall be made by the Board.

(f) The presiding officer at the hearing shall have complete control of the proceedings, including extensions of any time requirements, recognition of speakers, time allotments for presentations, direction of the flow of the discussion and the

management of the hearing. The presiding officer, at all times, shall take care that each person participating in the hearing is given a fair opportunity to present views, data and comments.

(g) A record of all rulemaking proceedings shall be maintained at the Board's office.

*Authority G.S. 89C-10; 150B-21.2.*

## **SECTION .1300 - BOARD DISCIPLINARY PROCEDURES**

### **.1301 IMPROPER PRACTICE BY A LICENSEE**

(a) General. Alleged improper practice by a registrant licensee shall be subject to Board investigation and disciplinary action by the Board if necessary.

(b) Preferring Charges. Any person who believes that any licensed Professional Engineer, Registered Professional Land Surveyor or firm holding a certificate of authorization is in violation of the provisions of G.S. 89C or the rules in this Chapter may prefer charges against that person or firm by setting forth in writing those charges and swearing to their authenticity. authenticity, along with providing corroborative evidence. The charges shall be filed at the Board's office in Raleigh, North Carolina.

(c) Preliminary Review:

- (1) Upon receipt of a properly filed charge, an investigation shall be initiated.
- (2) A written notice and explanation of the charge shall be forwarded to the person or firm against whom the charge is made and a response is requested of the person or firm so charged to show compliance with all lawful requirements for retention of the license. Notice of the charge and of the alleged facts or alleged conduct shall be given personally or by certified mail, return receipt requested.
- (3) In the discretion of the executive secretary, director, a field investigation may be performed.
- (4) After preliminary evidence has been obtained, the matter shall be referred to the Board's review committee which is made up of the following individuals:
  - (A) one member of the Board, Board who is licensed in the respective profession,
  - (B) the legal counsel of the Board, and
  - (C) the executive secretary director of the Board.
- (5) Upon review of the available evidence, the review committee shall present to the Board a written recommendation that:
  - (A) The charge be dismissed as unfounded or trivial;
  - (B) When the charge is admitted as true, the Board accept the admission of guilt by the person charged and order that person not to commit in the future the specific act or acts admitted and also not to violate any of the provisions of the Board Rules or the statutes at any time in the

- future;
- (C) The charge, whether admitted or denied, be presented to the full Board for a hearing and determination by the Board on the merits of the charge in accordance with the substantive and procedural requirements of the provisions of Section .1400 of this Chapter and the provisions of G.S. 150B; or
  - (D) Whether the charge is admitted or denied, the Board give notice to the registrant licensee of a contemplated action as set out in Rule .1403(b) of this Chapter.

(d) Consultant. A consultant to the review committee shall be designated by the Board Chair if a current board member is a complainant, witness or respondent in a case. The consultant shall be a currently licensed professional engineer or professional land surveyor, depending on the nature of the case, selected from a list provided by the executive director. The consultant shall review all case materials and make a recommendation for consideration by the review committee as to the merits of the case. The consultant shall review any new information presented in the event of a settlement conference and make a recommendation to the settlement conference committee.

(d) (e) Board Decision. Notice of the decision by the Board on recommendations of the review committee shall be given to the party against whom the charges have been brought and the party submitting the charge. Though it is not forbidden to do so, the Board is not required to notify the parties of the reasons of the Board in making its determination.

(e) (f) Settlement Conference. When the Board issues a citation for hearing or notice of a contemplated action, the registrant licensee may request in writing a settlement conference to pursue resolution of the issue(s) through informal procedures. If, after the completion of a settlement conference, the registrant licensee and Board's settlement committee do not agree to a resolution of the dispute for the full Board's consideration, the original administrative proceeding shall commence. During the course of the settlement conference, no sworn testimony shall be taken nor shall any witnesses be cross-examined.

- (1) The Board's settlement committee shall be made up of the following individuals:
  - (A) the member of the Board who served on the review committee or the replacement if no longer a member of the Board,
  - (B) one public member from the Board,
  - (C) the legal counsel of the Board, and
  - (D) the executive secretary director of the Board.
- (2) Upon review of the available evidence, the settlement committee shall present to the Board a written recommendation that:
  - (A) the charge be dismissed as unfounded or trivial;
  - (B) when the charge is admitted as true, the Board accept the admission of guilt by the person charged and order the person not to commit in

the future the specific act or acts admitted and, also, not to violate any provisions of the Board Rules or the statutes at any time in the future;

- (C) the charge, whether admitted or denied, be presented to the full Board for a hearing and determination by the Board on the merits of the charge in accordance with the substantive and procedural requirements of the provisions of Section .1400 of this Chapter and the provisions of G.S. 150B; or
- (D) whether the charge is admitted or denied, the Board give notice to the registrant licensee of a contemplated action as set out in Rule .1403(b) of this Chapter.

Authority G.S. 89C-10; 89C-21; 89C-22.

### **.1302 UNLAWFUL PRACTICE BY AN UNLICENSED PERSON**

(a) General. Alleged unlawful practice by an unregistered unlicensed person shall be subject to Board investigation and reference referral to an agency of the state for appropriate legal action.

(b) Preferring Charges. Any person who believes that any person or firm is in violation of the acts specified in G.S. 89C may prefer charges against that person or firm by setting forth in writing those charges and swearing to their authenticity. The charges shall be filed at the Board's office in Raleigh, North Carolina.

(c) Preliminary or Threshold Determination:

- (1) Upon receipt of a properly filed charge, an investigation shall be initiated.
- (2) At the discretion of the executive secretary, director, a field investigation may be performed without notifying any of the parties involved.
- (3) After preliminary evidence has been obtained, the matter shall be referred to the Board's review committee which is made up of the following individuals:
  - (A) one member of the Board,
  - (B) the legal counsel of the Board, and
  - (C) the executive secretary director.
- (4) The review committee shall recommend to the Board whether there is probable cause to believe that a party against whom a charge has been brought in fact has violated the provisions of G.S. 89C.
- (5) Upon review of the available evidence, the review committee shall make a threshold determination of the charges brought. The review committee shall then present to the Board written recommendations that:
  - (A) The investigation be continued,
  - (B) The charge be dismissed as unfounded or trivial,
  - (C) The matter be referred to an appropriate agency for necessary legal action.

(d) Board Decision. Notice of decision by the Board on recommendations of the review committee shall be given to the



party submitting the charge.

*Authority G.S. 89C-10; 89C-23.*

## **SECTION .1400 - CONTESTED CASES**

### **.1409 CONDUCT OF CONTESTED CASE**

(a) Failure to Appear:

- (1) If a party served with notice requests a hearing within the time required and fails to appear without having notified the Board, and no continuance or adjournment is ordered, the party is considered to have waived the right to appear at the hearing and the Board may proceed with the hearing in the party's absence.
- (2) If the absent party is the only party other than the Board, the Board may proceed with the hearing and make its decision in the party's absence.
- (3) Continuances and adjournments shall be granted to a party only in compelling circumstances and for hardship noted.
- (4) If a hearing is conducted or a decision reached in the absence of a party, that party may petition the Board for a reopening of the case. Petitions will not be granted, except when petitioner can show that the reasons for the failure to appear were justifiable and that fairness requires reopening of the case. The decision made by the Board will be in writing. A copy will be sent to the petitioner and made a part of the record of the contested case.

(b) Simplification of Issues. The parties to a contested case may agree in advance to simplify the hearing by eliminating issues to be contested at the hearing, accepting the validity of certain proposed evidence, accepting the findings in some other case with relevance to the case at hand, or agreeing to such other matters as may expedite the hearing.

(c) Subpoenas:

- (1) The executive secretary director shall issue subpoenas in the Board's name.
- (2) Subpoenas requiring the attendance of witnesses, or those to produce documents, evidence, or things, will be issued by the executive secretary director within five business days of the receipt of a request from a party to the case for such subpoena.
- (3) Any person receiving a subpoena from the Board may object thereto by filing a written objection to the subpoena with the Board. Such objection must include a concise, but complete statement of reasons why the subpoena should be revoked or modified. These reasons may include lack of relevancy of the evidence requested, lack of particularity in the description of the evidence sought, or any other reasons sufficient in law for holding the subpoena invalid, such as that the evidence is privileged, that appearance or production would be so disruptive as to be unreasonable in light of the significance of the

evidence sought, or other undue hardships.

- (4) The objecting witness shall serve the objection on the party who requested the subpoena as soon as the objection is filed with the Board.
- (5) The party requesting the subpoena, within five days, may file a written response to the objection. The response shall be served in like manner as the objection.
- (6) After receipt of the objection and response thereto, if any, the Board shall issue a notice to the party who requested and the party challenging the subpoena, and may notify all other parties of an open hearing, to be scheduled as soon as practicable, at which time evidence and testimony may be presented limited to the questions raised by the objection and response, if any.
- (7) Promptly after the close of such hearing, the Board will rule on the challenge and issue a written decision. A copy of this decision will be issued to all parties and made a part of the record.

*Authority G.S. 89C-10; 89C-21; 89C-22; 150B-38; 150B-39; 150B-40.*

## **SECTION .1500 - FEES**

### **.1501 GENERAL**

(a) The secretary and executive secretary director shall annually enumerate the costs to the Board of items for which fees are to be set by the Board and charged to applicants for registration licensure or to registrants; licensees. The amounts, upon being approved by the Board, shall be published as the fees to be charged. The amounts set cannot exceed the maximum amounts established by statute.

(b) Fees for returned checks shall be in the maximum amount established by G.S. 25-3.512.

*Authority G.S. 89C-14; 89C-17; 89C-18.*

## **SECTION .1600 - STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA**

### **.1601 GENERAL**

In order to better serve the general public in regulating the practice of land surveying in North Carolina, these minimum standards of practice are established, and shall be observed by Registered Professional Land Surveyors in the practice of land surveying.

*Authority G.S. 89C-10; 89C-21.*

### **.1602 SURVEYING PROCEDURES**

(a) A Registered Professional Land Surveyor shall spend the necessary time and effort to make adequate investigation to determine if there are encroachments, gaps, lappages, or other irregularities along each line surveyed. Points may be placed on

the line from nearby closed or verified traverses and the necessary investigations made from these points. If these investigations are not made, then the surveyor shall not certify to an actual survey of that line and the plat must contain the appropriate qualifications in accordance with these standards.

(b) Any and all visible or determined encroachments or easements on the property being surveyed shall be accurately located and clearly indicated.

(c) With respect to investigation of property boundaries and recorded easements, the surveyor shall, at a minimum, examine the most recent deeds and recorded plats adjacent to the subject property as well as all deeds and plats recorded after the date of the deed or plat upon which the survey is being based: based (the survey reference deed or plat).

(e) (d) Except as provided in Paragraph (d) (e) of the Rule, metal stakes or materials of comparable permanence shall be placed at all corners.

(d) (e) Where a corner falls in a right-of-way, in a tree, in a stream, or on a fence post, boulder, stone, etc., one or more monuments or metal stakes shall be placed in the boundary line so that the inaccessible point may be located accurately on the ground and the map. ~~Corners of a property line on a road right-of-way or margin shall be monumented at the points of entry and exit. The intermediate corners need not be monumented if, due to proximate location to the entry and exit points, they may be confused with the entry and exit points:~~

(e) (f) The results of a survey when reported to the user of that survey, whether in written or graphic form, shall be prepared in a clear and factual manner. All reference sources shall be identified. Artificial monuments called for in such reports shall be described as found or set. When no monument is found or set for points described in Paragraph (d) of this Rule, ~~shown in such reports; that fact shall be noted.~~

(f) (g) Where the results of a survey are reported in the form of a plat or a written description, one or more corners shall, by a system of azimuths or courses and distances, be accurately tied to and coordinated with a horizontal control monument of some United States or State Agency survey system, such as the North Carolina Geodetic Survey, where such monument is within 2000 feet of the subject property, right-of-way, easement or other surveyed entity. Where the North Carolina grid system coordinates of said monument are on file in the North Carolina Department of Environment and Natural Resources, the coordinates of both the referenced corner or point and the monument(s) shall be shown in X (easting) and Y (northing) coordinates on the plat or in the written description or document.

The coordinates shall be identified as based on 'NAD 83', indicating North American Datum of 1983 or as 'NAD 27' indicating North American Datum of 1927. The tie lines to the monuments must be sufficient to establish true north or grid north bearings for the plat or description if the monuments exist in pairs. Control monuments within a previously recorded subdivision may be used in lieu of grid control. In the interest of bearing consistency with previously recorded plats, existing bearing control may be used where practical. In the absence of Grid Control, other natural or artificial monuments or landmarks shall be used. In all cases, the tie lines shall be sufficient to

accurately reproduce the subject lands from the control or reference points used.

(g) (h) Area is to be computed by double meridian distance or equally accurate method and shown on the face of the plat, written description or other document. Area computations by estimation, by planimeter, by scale, or by copying from another source are not acceptable methods, except in the case of tracts containing inaccessible areas and in these areas the method of computation will be clearly stated.

Authority G.S. 89C-10; 89C-21.

## .1603 CLASSIFICATION OF BOUNDARY SURVEYS

General. Boundary surveys are defined as surveys made to establish or to retrace a boundary line on the ground, or to obtain data for constructing a map or plat showing a boundary line. For the purpose of this Rule the term refers to all surveys, including "loan" or "physical" surveys, which involve the determination or depiction of property lines. For the purpose of specifying minimum allowable surveying standards for boundary surveys, the following four general classifications of lands in North Carolina are established from the standpoint of their real value, tax value, or location. Each map shall contain a statement of the calculated ratio of precision before adjustments. Positional accuracy may be used in lieu of Ratio of Precision when a network of multiple traverse loops is used in the field and the network has been adjusted by the least squares method.

- (1) Local Control Network Surveys (Class AA). Local control network surveys are traverse networks utilizing permanent points for the purpose of establishing local horizontal control networks for future use of local surveyors. For Class AA boundary surveys in North Carolina, the angular error of closure shall not exceed ten seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 20,000 feet of perimeter of the parcel of land (1:20,000). When using positional accuracy standards for Class AA control and boundary surveys, neither axis of the error ellipse for any control point or property corner shall exceed 0.05 feet or 0.015 meters measured relative to the position(s) of the horizontal control points used and referenced on the survey.
- (2) Urban Land Surveys (Class A). Urban surveys include lands which normally lie within a town or city. For Class A boundary surveys in North Carolina, the angular error of closure shall not exceed 20 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 10,000 feet of perimeter of the parcel of land (1:10,000). When using positional accuracy standards for Class A control and boundary surveys, neither axis of the error ellipse for any control point or property corner shall exceed 0.10 feet or 0.030 meters measured relative to the position(s) of the horizontal control points used and referenced on the survey.



- (3) Suburban Land Surveys (Class B). Suburban surveys include lands in or surrounding the urban properties of a town or city. For Class B boundary surveys in North Carolina, the angular error of closure shall not exceed 25 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 7,500 feet of perimeter of the parcel of land (1:7,500). When using positional accuracy standards for Class B control and boundary surveys, neither axis of the error ellipse for any control point or property corner shall exceed 0.12 feet or 0.037 meters measured relative to the position(s) of the horizontal control points used and referenced on the survey.
- (4) Rural and Farmland Surveys (Class C). Rural and farmland surveys include lands located in rural areas of North Carolina and generally outside the suburban properties. For Class C boundary surveys in North Carolina, the angular error of closure shall not exceed 30 seconds times the square root of the number of angles turned. The ratio of precision shall not exceed an error of closure of one foot per 5,000 feet of perimeter of the parcel of land (1:5,000).

Authority G.S. 89C-10; 89C-21.

#### **.1604 MAPPING REQUIREMENTS FOR BOUNDARY SURVEYS**

- (a) The size of a map shall be such that all details can be shown clearly.
- (b) Any lines which are not actually surveyed must be clearly indicated on the map and a statement included revealing the source of information from which the line is derived.
- (c) Any revision on a map after a surveyor's seal is affixed shall be noted and dated.
- (d) All surveys based on the North Carolina grid system shall contain a statement identifying the coordinate system used as the ~~North American Datum of 1983 ("NAD 83") or the North American Datum of 1927 ("NAD 27")~~; referenced datum used.
- (e) All plats (maps), unless clearly marked as "Preliminary Plat - Not for recordation, conveyances, or sales" shall be sealed, signed and dated by the Registered Professional Land Surveyor and shall contain the following:
  - (1) An accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, North Carolina grid ('NAD 83' or 'NAD27'), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to old deed or plat bearings, the date and the source (if known) ~~such index was originally determined determined~~ shall be clearly indicated.
  - (2) The azimuth or courses and distances of every property line surveyed shall be shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the

- class of survey required.
- (3) All plat lines shall be horizontal or grid measurements. All lines shown on the plat shall be correctly plotted to the scale shown. Enlargement Enlargements of portions of a plat are acceptable in the interest of clarity, where shown as inserts. Where the North Carolina grid system is ~~used~~; used, the combined grid factor shall be shown on the face of the plat. If grid distances are used, it must be shown on the plat.
- (4) Where a boundary is formed by a curved line, the following data must be given: actual survey data, or as a traverse of series of subchords with bearings and distances around the curve. If standard curve data is ~~used~~; used, the bearing and distance of the long chord (from point of curvature to point of tangency) must be shown on the face of the plat.
- (5) Where a subdivision of land is set out on the plat, all streets and lots shall be accurately plotted with dimension lines indicating widths and all other information pertinent to retracing all lines in the field. This shall include bearings and distances sufficient to form a continuous closure of the entire perimeter.
- (6) Where control corners have been established in compliance with G.S. 39-32.1, 39-32.2, 39-32.3, and 39-32.4, as amended, the location and information as required in the referenced statute shall be plotted shown on the plat. All other corners which are marked by monument or natural object shall be so identified on all plats, and where practical all corners of adjacent owners along the boundary lines of the subject tract which are marked by monument or natural object shall be shown.
- (7) The surveyor shall show one of the following where they could be determined:
  - (A) The names of adjacent land owners; or
  - (B) The lot, block, parcel and subdivision designations; or
  - (C) Other legal reference where applicable.
- (8) All visible and apparent rights-of-way, easements, watercourses, utilities, roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown.
- (9) Tie lines as required and defined in Rule ~~71602(f)~~ .1602(g) of this Section shall be clearly and accurately shown on the face of the plat, whether or not the plat is to be recorded.
- (10) A vicinity map (location map) shall appear on the face of the plat.
- (11) Each map shall contain the property designation, name of owner or prospective owner, location (including township, county, and state), and the date or dates the survey was conducted. In addition each map will shall contain a scale of the drawing listed in words or figures; a ~~bar-graph when required or~~

necessary; bargraph; the name, address, registration license number, and seal of the surveyor; the title source; and a legend depicting nomenclature; nomenclature or symbols not otherwise labeled.

*Authority G.S. 89C-10; 89C-21.*

### **.1605 CLASSIFICATION OF TOPOGRAPHIC SURVEYS**

(a) General. Topographic surveys are defined as the measurement of lands for the purpose of plotting the accurate location of existing surface and subsurface objects, elevations, and contour lines. For the purpose of specifying minimum allowable surveying standards, three general classifications of topographic surveys are established. All plats (maps), unless clearly marked as "Preliminary Plat - Not for recordation, conveyances, or sales" will shall be sealed, signed and dated by the registrant: Professional Land Surveyor or Professional Engineer.

(b) Urban and suburban topographic surveys. (Class A). Urban and suburban topographic surveys include lands which lie within or adjoining a town or city. For Class A topographic surveys in North Carolina, the vertical error in feet shall not exceed 0.10 times the square root of the number of miles run from the reference datum.

(c) Other topographic surveys (Class B). Other topographic surveys include all lands which are not covered by Class A as described in Paragraphs (a) and (b) of this Rule. For Class B topographic surveys in North Carolina, the vertical error in feet shall not exceed 0.20 times the square root of the number of miles run from the reference datum.

(d) Trigonometric topographic surveys (Class C). Trigonometric topographic surveys can be used for vertical control for aerial and topographic mapping. The vertical error in feet shall not exceed 0.3 times the square root of the number of miles run from the reference datum.

*Authority G.S. 89C-10; 89C-21.*

### **.1606 SPECIFICATIONS FOR TOPOGRAPHIC SURVEYS**

(a) The accuracy for all topographic surveys shall be determined by the following method: The elevation represented by any contour line as plotted on the final plat shall not have a vertical error greater than one-half of the interval of the platted contours over 90% of the area covered. (E.g., e.g., 5-foot contour interval = 2.5 feet maximum vertical error.)

(b) Locations of significant items such as horizontal control lines or control points, buildings, utilities, roads, walks, trees, boundary, easements and setbacks, etc., shall be shown within scaling accuracy of and in relationship to the horizontal control line, or control points and each other.

(c) A minimum of one benchmark on site and the vertical datum used shall be shown.

*Authority G.S. 89C-10; 89C-21.*

### **.1607 GLOBAL POSITIONING SYSTEM SURVEYS**

(a) General. Global Positioning System (GPS) surveys are defined as any survey performed by using the GPS 3-dimensional measurement system based on observations of the radio signals of the Department of Defense's NAVSTAR (Navigation Satellite Timing and Ranging) GPS System. All GPS boundary and geodetic control surveys surveys, aerial photography control surveys, and GIS/LIS collection surveys of features included in G.S. 89C-3(7) performed in North Carolina shall be performed by a Registered Professional Land Surveyor licensed in North Carolina Carolina, in accordance with specifications established by the Federal Geodetic Control Committee. These specifications are incorporated by reference including subsequent amendments and editions. The material is available for inspection at the office of the North Carolina Geodetic Survey, 512 North Salisbury Street, Archdale Building, Raleigh, North Carolina 27611. Copies may be obtained at the office of the North Carolina Geodetic Survey at no costs.

(b) Geodetic control surveys for inclusion of the data in the National Spatial Data Network (Blue Book) shall be performed in accordance with specifications established by the Federal Geographic Data Committee (FGDC) and the National Geodetic Survey. These specifications are incorporated by reference including subsequent amendments and editions. The material is available for inspection at the office of the North Carolina Geodetic Survey, 121 W. Jones Street (Elks Building), Raleigh, North Carolina 27603. Copies may be obtained at the office of the North Carolina Geodetic Survey at no cost. GPS surveys performed to other Federal Standards shall conform to the appropriate Federal standard procedures for the specific project. The Registered Professional Land Surveyor in responsible charge of the GPS survey shall certify, sign and seal all prepared documents. When a map or document consists of more than one sheet, only one sheet must contain the certificate and all others must be signed and sealed.

- (1) The certificate shall contain the following information:
  - (A) Class of GPS survey.
  - (B) Type of GPS field procedure (Static, Kinematic, Pseudo-Kinematic).
  - (C) Type of adjustment used.
  - (D) Dates of survey.
  - (E) Type and model of GPS receivers used.
  - (F) What datum coordinates or geographic positions are based on.
- (2) The certificate shall be substantially in the following form: "I, \_\_\_\_\_, certify that this map was drawn under my supervision from an actual GPS survey made under my supervision; that this GPS survey was performed to \_\_\_\_\_ FGCC specifications and that I used \_\_\_\_\_ . GPS field procedures and coordinates were obtained by \_\_\_\_\_ adjustment. That this survey was performed on \_\_\_\_\_ using (type) (number) of receivers and all coordinates are based on \_\_\_\_\_



(3) (c) Prepared documents shall include coordinates (see Paragraph (f) in this Rule for the list of data to show) of all monuments and a map showing all non-trivial vectors measured. The map shall also contain the following information:

- (A) Scale (bar or numerical).
- (B) Legend.
- (C) Loop closures before any adjustment.
- (D) Certification.
- (E) Company name, address and phone number.

(c) GPS surveys performed to provide local control networks for use as a network base shall be performed using static or rapid static methods. These surveys shall be performed in such a manner that a 95% confidence level of the positional accuracy of each point relative to the published positions of the control points used and shall meet the accuracy standards of a Class AA survey as set out in Rule .1603 of this Section.

(d) GPS surveys performed to provide local horizontal and/or vertical Grid control on a parcel of land where the boundary or topography of that parcel will be shown relative to NC Grid horizontal or vertical datum shall be performed using approved static or rapid static techniques, or kinematic or real time kinematic techniques. These surveys shall be performed using techniques that will provide the standards of accuracy for the class of survey being performed while determining the horizontal and/or vertical positions of objects as set out in Rule .1603 and/or Rule .1606 as applicable.

(e) All plats, maps, and reports published based upon this type of GPS survey shall contain a statement worded substantially as follows: "The NC Grid coordinates shown on this [plat or report] were derived by [static or rapid static or kinematic or real time kinematic] differential GPS observations using [number of receivers] [brand name] [model number] receivers. The vectors were adjusted using the fixed station(s) shown using [software brand and program name] software producing a weighted least squares adjustment of the [WGS 84 or NAD 83 or other system] positions. The median vector error is computed to be [x.x] ppm. A loop of [miles or kilometers or feet or meters] using the un-adjusted vectors passing through the fixed and derived control stations yields a loop precision of [1:xxx or xx.x ppm]."

(f) A list or note showing the fixed station(s) used for the project shall appear on the map, plat, or report. The minimum data shown for each fixed station shall be station name, latitude, longitude, elevation (ellipsoid or orthometric), and geoid height and epoch (93, 96, 99, etc.), and the coordinate reference system. State plane coordinates may be added if desired.

Authority G.S. 89C-10; 89C-21.

#### **.1608 CLASSIFICATION/LAND INFORMATION SYSTEM/GEOGRAPHIC INFORMATION SYSTEM SURVEYS**

(a) General: Land Information System/Geographic Information System (LIS/GIS) surveys are defined as the

measurement of existing surface and subsurface features for the purpose of determining their accurate geospatial location for inclusion in an LIS/GIS database. All LIS/GIS surveys as they relate to property lines, rights-of-way, easements, subdivisions of land, the position for any survey monument or reference point, the determination of the configuration or contour of the earth's surface or the position of fixed objects thereon, and geodetic surveying which includes surveying for determination of the size and shape of the earth both horizontally and vertically and the precise positioning of points on the earth utilizing angular and linear measurements through spatially oriented spherical geometry, shall be performed by a Land Surveyor who is a registrant licensee of this Board. For the purpose of specifying minimum allowable surveying standards, three general classifications of LIS/GIS surveys are established:

- (1) Urban and Suburban LIS/GIS surveys (Class A). Urban and suburban LIS/GIS surveys include the location of features within lands which lie in or adjoining a town or city. For Class A LIS/GIS surveys in North Carolina, the relative accuracy shall be equal to or less than 0.5 meter (1.64 feet).
- (2) Rural LIS/GIS surveys (Class B). Rural LIS/GIS surveys include the location of features within lands which lie outside of suburban areas. For Class B LIS/GIS surveys in North Carolina, the relative accuracy shall be equal to or less than 2 meters (6.56 feet).
- (3) Regional LIS/GIS surveys (Class C). Regional LIS/GIS surveys include the location of features within lands which lie in multi-county areas. For Class C LIS/GIS surveys in North Carolina, the relative accuracy shall be equal to or less than 5 meters (16.40 feet).

(b) Nothing in this Section shall be construed to negate or replace the relative accuracy standards found in Rules .1601 through .1607.

(c) The Registered Professional Land Surveyor in responsible charge of the LIS/GIS boundary or geodetic control survey shall certify to all of the following in either written or digital form:

- (1) Class of LIS/GIS survey,
- (2) Method of measurement (i.e. global positioning system, theodolite and electronic distance meter, transit and tape),
- (3) Date(s) of the survey,
- (4) Datum used for the survey.

Authority G.S. 89C-10; 89C-21.

#### **.1609 MINIMUM PHOTOGRAMMETRIC PRODUCTION STANDARDS**

The minimum standards for photogrammetric production shall be in accordance with the standards established by the Federal Geographic Data Committee (FGDC). These standards are incorporated by reference including subsequent amendments and editions. The material is available at the Board office or from the FGDC.

Authority G.S. 89C-10; 89C-21.

## **SECTION .1700 - CONTINUING PROFESSIONAL COMPETENCY**

### **.1701 INTRODUCTION**

Every registrant licensee shall meet the continuing professional competency requirements of this Section for professional development as a condition for registration licensure renewal.

Authority G.S. 89C-10(a); 89C-17.

### **.1702 DEFINITIONS**

Terms used in this Section are defined as follows:

- (1) Professional Development Hour (PDH) - A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit.
- (2) Continuing Education Unit (CEU) - Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 contact hours of instruction or presentation.
- (3) College/Unit Semester/Quarter Hour - Credit for Accreditation Board for Engineering and Technology approved course or other related college course.
- (4) Course/Activity - Any course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice.
- (5) Dual Registrant Licensee - A person who is registered licensed as both an engineer and a land surveyor.
- (6) Sponsor - Organization or individual that has supplied information on a form prescribed and furnished by the Board with respect to the organization or individual's ability to provide instruction in "for credit" courses. Courses offered by those designated as "Sponsor" must contain a clear purpose and objective, and result in the maintenance, improvement, or and expansion of skills and knowledge relevant to a licensee's field of practice. Courses offered by "Sponsors" are deemed acceptable for PDH credit without scrutiny of individual course content.

Authority G.S. 89C-10(a); 89C-17.

### **.1703 REQUIREMENTS**

Every registrant licensee shall obtain 15 PDH units during the renewal period. If a registrant licensee exceeds the annual requirement in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period. Selection of courses and activities which meet the requirements of Rule .1702 Item (4) of this Section is the responsibility of the registrant: licensee. Registrant Licensees have the option of selecting courses other than those offered by sponsors. Post evaluation of courses offered by other than sponsors as defined in Rule .1702 Item (6) of this Section may result in non-

acceptance. PDH units may be earned as follows:

- (1) Completion of college courses.
- (2) Completion of continuing education courses.
- (3) Completion of correspondence, televised, videotaped, audiotaped, and other short courses/tutorials.
- (4) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions or conferences.
- (5) Teaching or instructing in Items (1) through (4) of this Rule.
- (6) Authoring published papers, articles, or books.
- (7) Active participation in professional or technical societies.
- (8) Patents.
- (9) Authoring exam questions accepted for use in the national engineering or land surveying exam: exams.

Authority G.S. 89C-10(a); 89C-17.

### **.1704 UNITS**

The conversion of other units of credit to PDH units is as follows:

- |     |                                                                                                                                                                                                                                                                                                |        |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (1) | 1 College or unit semester hour                                                                                                                                                                                                                                                                | 45 PDH |
| (2) | 1 College or unit quarter hour                                                                                                                                                                                                                                                                 | 30 PDH |
| (3) | 1 Continuing Education Unit                                                                                                                                                                                                                                                                    | 10 PDH |
| (4) | 1 Hour <u>Contact hour</u> of professional development in course work, seminars, or professional or technical presentations made at meetings, conventions or conferences. <u>Contact hours equal the actual time of instruction and shall be credited to the nearest one-third of an hour.</u> | 1 PDH  |
| (5) | For teaching in Items (1) - (4) of this Rule, PDH credits are doubled*: <u>doubled. Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty, as defined by the institution where a licensee is teaching.</u>    |        |
| (6) | Each published paper, article or book.                                                                                                                                                                                                                                                         | 10 PDH |
| (7) | Active participation in professional and technical society. (Each organization.)                                                                                                                                                                                                               | 2 PDH  |
| (8) | Each patent                                                                                                                                                                                                                                                                                    | 10 PDH |
| (9) | Each question used.                                                                                                                                                                                                                                                                            | 52 PDH |

\*Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty, as defined by the institution where a registrant is teaching.

Authority G.S. 89C-10(a); 89C-17.

### **.1705 DETERMINATION OF CREDIT**

The Board of Registration Examiners has final authority with respect to approval of courses, sponsors, credit, PDH value for courses, and other methods of earning credit.

- (1) Credit for college or community college courses will be based upon course credit established by the college.



- (2) Credit for seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at programs presented at professional and technical society meetings will earn PDH units for the actual time of each program.
- (3) Credit determination for published papers, articles and books and obtaining patents is the responsibility of the registrant: licensee.
- (4) Credit for active participation in professional and technical societies (limited to 2 PDH per organization), requires that a licensee serve as an officer or actively participate in a committee of the organization. PDH credits are not earned until the end of each year of service is completed.

*Authority G.S. 89C-10(a); 89C-17.*

#### **.1706 RECORDKEEPING**

The responsibility of maintaining records to be used to support credits claimed is the responsibility of the registrant: licensee. Records required include, but are not limited to:

- (1) a log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned;
- (2) attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance; or
- (3) records as maintained by the National Professional Development Registry for Engineers and Surveyors (NPDRS): (NPDRS) of the National Society of Professional Engineers (NSPE).

These records must be maintained for a period of three years and copies may be requested by the board for audit verification purposes.

*Authority G.S. 89C-10(a); 89C-17.*

#### **.1707 EXEMPTIONS**

A registrant licensee may be exempt from the professional development educational requirements for one of the following reasons:

- (1) New registrants licensees by way of examination or reciprocity shall be exempt for their first renewal period.
- (2) A registrant licensee serving on temporary active duty

in the uniformed services of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from obtaining the professional development hours required during that year.

- (3) Registrant Licensees experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board.
- (4) Registrants Licensees who list their occupation as "Inactive" on the board approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or land surveying services shall be exempt from the professional development hours required. In the event such a person elects to return to active practice of professional engineering or land surveying, professional development hours must be earned in accordance with the requirements of Rule .1708 in this Section before returning to active practice for each year exempted not to exceed the annual requirement for two years.

*Authority G.S. 89C-10(a); 89C-17.*

#### **.1708 REINSTATEMENT**

A registrant licensee may bring an inactive license to active status by obtaining all delinquent PDH units. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required.

*Authority G.S. 89C-10(a); 89C-17.*

#### **.1709 COMITY/OUT-OF-JURISDICTION RESIDENT**

Registrants Licensees who are residents of jurisdictions other than North Carolina must meet the CPC requirements of their resident jurisdiction. The requirements for North Carolina will be deemed as satisfied when a non-resident registrant licensee provides evidence of having met the requirements of his or her resident jurisdiction. If registrants reside in a jurisdiction that has no CPC requirement, the resident must meet the requirements of North Carolina.

*Authority G.S. 89C-10(a); 89C-17.*

*The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

## TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

**Rule-making Agency:** DHHS - Division of Medical Assistance

**Rule Citation:** 10 NCAC 26H .0401

**Effective Date:** January 1, 2000

**Findings Reviewed by Julian Mann III:** Approved

**Authority for the rule-making:** G.S. 108A-25(b)

**Reason for Proposed Action:** *This change increases Medicaid physician allowables to match Medicare rates.*

**Comment Procedures:** *Written comments concerning this rule-making action must be submitted to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, 2504 Mail Service Center, Raleigh, NC 27603.*

**NOTE:** *The text in bold has been approved by the RRC and is waiting for legislative approval.*

### CHAPTER 26 - MEDICAL ASSISTANCE

#### SUBCHAPTER 26H - REIMBURSEMENT PLANS

##### SECTION .0400 - PROVIDER FEE SCHEDULES

##### **.0401 PHYSICIAN'S FEE SCHEDULE**

(a) Effective January 1, 2000, ~~1995~~, (see Paragraph (b) of this Rule) physicians' services whether furnished in the office, the patient's home, a hospital, a nursing facility or elsewhere **will shall** be reimbursed based on the North Carolina Medicaid Fee Schedule, except for payments to the various Medical Faculty Practice Plans of the University of North Carolina - Chapel Hill and East Carolina University which **will shall** be reimbursed at cost and cost settled at year ~~end~~; ~~end~~. Effective January 1, 1998, the ~~The North Carolina Medicaid Fee Schedule is based on the Medicare Fee Schedule Resource Based Relative Value System (RBRVS), in effect in fiscal year 1993-1997 (as adopted by Medicare at 56 F.R. 59501 (November 25, 1991, effective January 1, 1992, applicable to services furnished beginning January 1, 1992); but with the following clarifications and modifications:~~

- (1) A maximum fee is established for each service and is applicable to all specialties and settings in which the service is rendered. Payment is equal to the lower of the maximum fee or the provider's customary charge

to the general public for the particular service rendered.

- (2) ~~Fees are established on a statewide basis using the Medicare Geographic Practice Cost Indices for North Carolina.~~
- (3) ~~There will be no transition period in applying the Medicaid fees whereas Medicare has a five year phase-in period.~~
- (4) ~~Annual changes in the Medicaid payments will shall be applied each January 1 and fee increases will shall be applied based on the forecasted Gross National Product (GNP) Implicit Price Deflator. Said annual changes in the Medicaid payments shall not exceed the percentage increase granted by the North Carolina General Assembly.~~
- (5) (2) Fees for services deemed to be associated with adequacy of access to health care services may be increased based on administrative review. The service must be essential to the health needs of the Medicaid recipients, no other comparable treatment available and a fee adjustment must be necessary to maintain physician participation at a level adequate to meet the needs of Medicaid recipients. A fee may also be decreased based on administrative review if it is determined that the fee may exceed the Medicare allowable amount for the same or similar services, or if the fee is higher than Medicaid fees for similar services, or if the fee is too high in relation to the skills, time, and other resources required to provide the particular service.
- (6) (3) Fees for new services are established based on this Rule, utilizing the most recent RBRVS, if applicable. If there is no relative value unit (RVU) available from Medicare, fees **will shall** be established based on the fees for similar services. If there is no RVU or similar service, the fee **will shall** be set at 75 percent of the provider's customary charge to the general public. For codes not covered by Medicare that Medicaid covers, annual changes in the Medicaid payments will be applied each January 1 and fee increases will be applied based on the forecasted Gross National Product (GNP) Implicit Price Deflator. Said annual changes in the Medicaid payments shall not exceed the percentage increase granted by the North Carolina State Legislature.
- (4) For codes not covered by Medicare that Medicaid covers, a code may also be decreased, based on administrative review, if it is determined that the fee may exceed the Medicare allowable amount for similar services, or if the fee is higher than Medicaid fees for similar services, or if the fee is too high in



relation to the skills, time, and other resources required to provide the particular service.

(b) This reimbursement limitation shall become effective in accordance with the provisions of G.S. 108A-55(c). These changes to the Physician's Fee Schedule allowables shall become effective when the Health Care Financing Administration, U. S. Department of Health and Human Services, approves amendment to HCFA by the Director of the Division of Medical Assistance on or about January 1, 2000 as #MA 99-12, 1998 as #MA-98-07, wherein the Director proposes amendments of the State Plan to amend the Physician's Fee Schedule.

*History Note: Authority G.S. 108A-25(b);*

*Eff. October 1, 1982;*

*Temporary Amendment Eff. January 22, 1998;*

*Temporary Amendment Eff. July 22, 1998;*

*Temporary Amendment Eff. January 1, 2000;*

*Amended Eff. August 1, 2000; April 1, 1999; July 1, 1997; July 1, 1995; January 4, 1993; June 1, 1990; December 1, 1988.*

## TITLE 15A -DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**Rule-making Agency:** *Environmental Management Commission*

**Rule Citation:** *15A NCAC 2B .0259-.0261*

**Effective Date:** *January 1, 2000*

**Findings Reviewed and Approved by:** *Julian Mann, III*

**Authority for the rule-making:** *G.S. 143-211; 143.214.1; 143-215.3(a)(1); 143-215.6A through 6C; 143-242(d); 1999 S.L. c. 329;*

**Reason for Proposed Action:** *Water quality problems in North Carolina estuaries such as fish kills and diseases, harmful algal blooms, and proliferation of toxic microorganisms have been tied in part to excessive nutrient loading. The Pamlico estuary has experienced such water quality problems. As a key part of a nutrient reduction strategy for the Tar-Pamlico River Basin, the EMC is currently adopting permanent rules to protect vegetated riparian buffers in the basin. The rule protects only existing buffers, and allows existing, ongoing activities in the buffer to continue. Permanent rules would not be effective until August 1, 2000. In the interim, significant losses of buffer could not occur as people initiate uses within them. Field staff have reported some clearing activities in the basin that may have been prompted by the proposed rules. For this reason, the EMC has enacted temporary buffer rules in the Neuse basin, and will consider the same action in the Tar-Pamlico Basin. On July 21, 1999, the General Assembly adopted the Clean Water Act of 1999, House Bill 1160 (S.L. 1999 c. 239), which allows the EMC*

*to adopt temporary rules in the Tar-Pamlico Basin and two others to protect water quality standards. The EMC intends to use this authority to adopt temporary rules.*

**Comment Procedures:** *Written comments may be submitted to Rich Gannon, DENR, Division of Water Quality, Planning Branch, 1617 Mail Service Center, Raleigh, NC 27699-1617. Questions may be directed to Rich Gannon at (919) 733-5083, ext 356, or email to rich\_gannon@h2o.enr.state.nc.us.*

## CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

### SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

#### SECTION .0200 - CLASSIFICATIONS AND WATER QUALITY STANDARDS APPLICABLE TO SURFACE WATERS AND WETLANDS OF NORTH CAROLINA

#### **.0259 TAR-PAMLICO RIVER BASIN: NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS**

The following is the management strategy for maintaining and protecting existing riparian buffers in the Tar-Pamlico River Basin.

- (1) **PURPOSE.** The purpose of this Rule shall be to protect and preserve existing riparian buffers buffers, to maintain their nutrient removal functions, in the entire Tar-Pamlico River Basin Basin, whose surface waters are described in the Schedule of Classifications, 15A NCAC 2B .0316, to maintain their nutrient removal functions.
- (2) **DEFINITIONS.** For the purpose of this Rule, these terms shall be defined as follows:
  - (a) 'Channel' means a natural water-carrying trough cut vertically into low areas of the land surface by erosive action of concentrated flowing water or a ditch or canal excavated for the flow of water. (current definition in Forest Practice Guidelines Related to Water Quality, 15A NCAC II .0102)
  - (b) 'DBH' means Diameter at Breast Height of a tree, which is measured at 4.5 feet above ground surface level.
  - (c) 'Ditch or canal' means a man-made channel other than a modified natural stream constructed for drainage purposes that is typically dug through inter-stream divide areas. A ditch or canal may have flows that are perennial, intermittent, or ephemeral and may exhibit hydrological and biological characteristics similar to perennial or

- intermittent streams.
- (d) 'Ephemeral (stormwater) stream' means a feature that carries only stormwater in direct response to precipitation with water flowing only during and shortly after large precipitation events. An ephemeral stream may or may not have a well-defined channel, the aquatic bed is always above the water table, and stormwater runoff is the primary source of water. An ephemeral stream typically lacks the biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water.
  - (f) 'Forest plantation' means an area of planted trees that may be conifers (pines) or hardwoods. On a plantation, the intended crop trees are planted rather than naturally regenerated from seed on the site, coppice (sprouting), or seed that is blown or carried into the site.
  - (g) 'High Value Tree' means a tree that meets or exceeds the following standards: for pine species, 14-inch DBH or greater or 18-inch or greater stump diameter; and, for hardwood hardwoods and or wetland species, 16-inch DBH or greater or 24-inch or greater stump diameter.
  - (h) 'Intermittent stream' means a well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the water table. The flow may be heavily supplemented by stormwater runoff. An intermittent stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water.
  - (i) 'Modified natural stream' means an on-site channelization or relocation of a stream channel and subsequent relocation of the intermittent or perennial flow as evidenced by topographic alterations in the immediate watershed. A modified natural stream must have the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.
  - (j) 'Perennial stream' means a well-defined channel that contains water year round during a year of normal rainfall with the aquatic bed located below the water table for most of the year. Groundwater is the primary source of water for a perennial stream, but it also carries stormwater runoff. A perennial stream exhibits the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.
  - (k) 'Perennial waterbody' means a natural or man-made basin that stores surface water permanently at depths sufficient to preclude growth of rooted plants, including lakes, ponds, sounds, non-stream estuaries and ocean. For the purpose of the State's riparian buffer protection program, the waterbody must be part of a natural drainageway (i.e., connected by surface flow to a stream).
  - (l) 'Stream' means a body of concentrated flowing water in a natural low area or natural channel on the land surface.
  - (m) 'Tree' means a woody plant with a DBH equal to or exceeding five inches.
  - (n) 'Surface waters' means all waters of the state as defined in G.S. 143-212 except underground waters.
  - (o) 'Tree' means a woody plant with a DBH equal to or exceeding five inches.
- (3) APPLICABILITY. This Rule shall apply to 50-foot wide riparian buffers directly adjacent to surface waters in the Tar-Pamlico River Basin (intermittent streams, perennial streams, lakes, ponds, and estuaries), excluding wetlands. Except as described in (4)(a)(iii), wetlands adjacent to surface waters or within 50 feet of surface waters will be considered as part of the riparian buffer but are regulated pursuant to 15A NCAC 2H .0506. The riparian buffers protected by this Rule shall be measured pursuant to Item (4) of this Paragraph. For the purpose of this Rule, a surface water shall be present if the feature is approximately shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture or the most recent version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS). Riparian buffers adjacent to surface waters that do not appear on either of the maps shall not be subject to this Rule. Riparian buffers adjacent to surface waters that appear on the maps shall be subject to this Rule unless one of the following applies.
- (a) EXEMPTION WHEN AN ON-SITE DETERMINATION SHOWS THAT SURFACE WATERS ARE NOT PRESENT. When a landowner or other affected party believes that the maps have inaccurately depicted surface waters, he or she shall consult the Division or the appropriate delegated local authority. Upon request, the Division or delegated local authority shall make on-site determinations. Any disputes over on-site determinations shall be referred to the Director in writing. A determination of the Director as to the accuracy or application of the maps is subject to review as provided in Articles 3 and 4 of G. S. 150B. Surface waters that appear on



the maps shall not be subject to this Rule if an on-site determination shows that they fall into one of the following categories.

- (i) Ditches and manmade conveyances other than modified natural streams unless constructed for navigation and/or boat access.
- (ii) Manmade ponds and lakes that are located outside natural drainage ways.
- (iii) Ephemeral (stormwater) streams.

(b) EXEMPTION WHEN EXISTING USES ARE PRESENT AND ONGOING. This Rule shall not apply to portions of the riparian buffer where a use is existing and ongoing according to the following:

- (i) A use shall be considered existing if it was present within the riparian buffer as of ~~August 1, 2000~~: January 1, 2000. Existing uses shall include, but not be limited to, agriculture, buildings, industrial facilities, commercial areas, transportation facilities, maintained lawns, utility lines and on-site sanitary sewage systems. Only the portion of the riparian buffer that contains the footprint of the existing use is exempt from this Rule. Activities necessary to maintain uses are allowed provided that no additional vegetation is removed from Zone 1, except that grazed or trampled by livestock, and existing diffuse flow is maintained, ~~maintained, and surface waters are not disturbed.~~ Grading and revegetating Zone 2 is allowed provided that the health of the vegetation in Zone 1 is not compromised, the ground is stabilized and existing diffuse flow is maintained.

(ii) At the time an existing use is proposed to be converted to another use, this Rule shall apply. An existing use shall be considered to be converted to another use if any of the following applies:

- (A) Impervious surface is added to the riparian buffer in locations where it did not exist previously.
- (B) An agricultural operation within the riparian buffer is ~~taken out of production~~ converted to a non-agricultural use.
- (C) A lawn within the riparian buffer ceases to be maintained.

(4) ZONES OF THE RIPARIAN BUFFER. The protected riparian buffer shall have two zones as follows:

- (a) Zone 1 shall consist of a vegetated area that is

undisturbed except for uses provided for in Item (6) of this Paragraph. The location of Zone 1 shall be as follows:

- (i) For intermittent and perennial streams, Zone 1 shall begin at the most landward limit of the top of bank or the rooted herbaceous vegetation and extend landward a distance of 30 feet on all sides of the surface water, measured horizontally on a line perpendicular to the surface water.
- (ii) For ponds, lakes and reservoirs located within a natural drainage way, Zone 1 shall begin at the most landward limit of the normal water level or the rooted herbaceous vegetation and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to the surface water.
- (iii) For surface waters within the 20 Coastal Counties (defined in 15A NCAC 2B .0202) within the jurisdiction of the Division of Coastal Management, Zone 1 shall begin at the most landward limit of:

- (A) the normal high water level,
- (B) the normal water level, or
- (C) the landward limit of coastal wetlands as defined by the Division of Coastal Management and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to the surface water water, whichever is more restrictive.

(b) Zone 2 shall consist of a stable, vegetated area that is undisturbed except for activities and uses provided for in Item (6) of this Paragraph. Grading and revegetating Zone 2 is allowed provided that the health of the vegetation in Zone 1 is not compromised. Zone 2 shall begin at the outer edge of Zone 1 and extend landward 20 feet as measured horizontally on a line perpendicular to the surface water. The combined width of Zones 1 and 2 shall be 50 feet on all sides of the surface water.

(5) DIFFUSE FLOW REQUIREMENT. Diffuse flow of runoff shall be maintained in the riparian buffer by dispersing concentrated flow and reestablishing vegetation.

- (a) Concentrated runoff from new ditches or manmade conveyances shall be converted to diffuse flow before the runoff enters Zone 2 of the riparian buffer.
- (b) Periodic corrective action to restore diffuse flow shall be taken if necessary to impede the

formation of erosion gullies.

- (6) **TABLE OF USES.** The following chart sets out the uses and their designation under this Rule as exempt,

allowable, allowable with mitigation, or prohibited. The requirements for each category are given in Item (7) of this Paragraph.

	Exempt	Allowable	Allowable with Mitigation	Prohibited
Airport facilities: <ul style="list-style-type: none"> <li>• Airport facilities that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer</li> <li>• Airport facilities that impact greater than 150 linear feet or one-third of an acre of riparian buffer</li> </ul>		X	X	
Archaeological activities	X			
Bridges		X		
Dam maintenance activities	X			
Drainage ditches, roadside ditches and stormwater outfalls through riparian buffers: <ul style="list-style-type: none"> <li>• Existing drainage ditches, roadside ditches, and stormwater outfalls provided that they are managed to minimize the sediment, nutrients and other pollution that convey to waterbodies</li> <li>• New drainage ditches, roadside ditches and stormwater outfalls provided that a stormwater management facility is installed to control nitrogen and attenuate flow before the conveyance discharges through the riparian buffer</li> <li>• New drainage ditches, roadside ditches and stormwater outfalls that do not provide control for nitrogen before discharging through the riparian buffer</li> <li>• Excavation of the streambed in order to bring it to the same elevation as the invert of a ditch</li> </ul>	X	X		X  X
Drainage of a pond in a natural drainage way provided that a new riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the new channel	X			
<u>Driveway crossings of streams and other surface waters subject to this Rule:</u> <ul style="list-style-type: none"> <li>• Driveway crossings on single family residential lots that disturb equal to or less than 25 linear feet or 2,500 square feet of riparian buffer</li> <li>• Driveway crossings on single family residential lots that disturb greater than 25 linear feet or 2,500 square feet of riparian buffer</li> <li>• In a subdivision that cumulatively disturb equal to or less than 150 linear feet or one-third of an acre of riparian buffer</li> <li>• In a subdivision that cumulatively disturb greater than 150 linear feet or one-third of an acre of riparian buffer</li> </ul>	X	X  X	X	
Fences provided that disturbance is minimized and installation does not result in removal of forest vegetation	X			
Forest harvesting - see Item (11) of this Rule				
Fertilizer application: <ul style="list-style-type: none"> <li>• One-time fertilizer application to establish replanted vegetation</li> <li>• Ongoing fertilizer application</li> </ul>	X			X



Grading and revegetation in Zone 2 only provided that diffuse flow and the health of existing vegetation in Zone 1 is not compromised and disturbed areas are stabilized	X			
Greenway/hiking trails		X		
Historic preservation	X			
Landfills as defined by G.S. 130A-290.				X
Mining activities: <ul style="list-style-type: none"> <li>• Mining activities that are covered by the Mining Act provided that new riparian buffers that meet the requirements of Items (4) and (5) are established adjacent to the relocated channels</li> <li>• Mining activities that are not covered by the Mining Act OR where new riparian buffers that meet the requirements of Items (4) and (5) are not established adjacent to the relocated channels</li> <li>• <u>Wastewater or mining dewatering wells with approved NPDES permit</u></li> </ul>	X	X	X	
Non-electric utility lines: <ul style="list-style-type: none"> <li>• Impacts other than perpendicular crossings in Zone 2 only<sup>3</sup></li> <li>• Impacts other than perpendicular crossings in Zone 1<sup>3</sup></li> </ul>		X	X	
<u>Non-electric utility line perpendicular crossings of streams and other surface waters subject to this Rule<sup>3</sup>:</u> <ul style="list-style-type: none"> <li>• Perpendicular crossings that disturb equal to or less than 40 linear feet of riparian buffer <u>with a maintenance corridor equal to or less than 10 feet in width</u></li> <li>• Perpendicular crossings that disturb equal to or less than 40 linear feet of riparian buffer <u>with a maintenance corridor greater than 10 feet in width</u></li> <li>• Perpendicular crossings that disturb greater than 40 linear feet but equal to or less than 150 linear feet of riparian buffer <u>with a maintenance corridor equal to or less than 10 feet in width</u></li> <li>• <u>Perpendicular crossings that disturb greater than 40 linear feet but equal to or less than 150 linear feet of riparian buffer with a maintenance corridor greater than 10 feet in width</u></li> <li>• Perpendicular crossings that disturb greater than 150 linear feet of riparian buffer</li> </ul>	X	X	X	
On-site sanitary sewage systems - new ones that use ground absorption				X
Overhead electric utility lines: <ul style="list-style-type: none"> <li>• Impacts other than perpendicular crossings in Zone 2 only<sup>3</sup></li> <li>• Impacts other than perpendicular crossings in Zone 1<sup>1,2,3</sup></li> </ul>	X			
<u>Overhead electric utility line perpendicular crossings of streams and other surface waters subject to this Rule<sup>3</sup>:</u> <ul style="list-style-type: none"> <li>• Perpendicular crossings that disturb equal to or less than 150 linear feet of riparian buffer<sup>1</sup></li> <li>• Perpendicular crossings that disturb greater than 150 linear feet of riparian buffer<sup>1,2</sup></li> </ul>	X	X		
Periodic maintenance of modified natural streams such as canals and a grassed travelway on one side of the surface water when alternative forms of maintenance access are not practical		X		

<sup>1</sup> Provided that, in Zone 1, all of the following BMPs for overhead utility lines are used. If all of these BMPs are not used, then the overhead utility lines shall require a no practical alternative evaluation by the Division.

- A minimum zone of 10 feet wide immediately adjacent to the water body shall be managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed.
- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.
- Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain where trees are cut.
- Rip rap shall not be used unless it is necessary to stabilize a tower.
- No fertilizer shall be used other than a one-time application to re-establish vegetation.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
- Active measures shall be taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
- In wetlands, mats shall be utilized to minimize soil disturbance.

<sup>2</sup> Provided that poles or towers shall not be installed within 10 feet of a water body unless the Division completes a no practical alternative evaluation.

<sup>3</sup> Perpendicular crossings are those that intersect the surface water at an angle between 75° and 105°.

Playground equipment: • Playground equipment on single family lots provided that installation and use does not result in removal of vegetation • Playground equipment installed on lands other than single-family lots or that requires removal of vegetation	X			
Ponds in natural drainage ways <u>ways, excluding dry ponds</u> : • New ponds provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the pond • New ponds where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the pond		X	X	
Protection of existing <u>structures, and facilities and streambanks</u> when this requires additional disturbance of the riparian buffer or the stream channel		X		
<u>Railroad impacts other than crossings of streams and other surface waters subject to this Rule.</u>			X	
Railroad crossings <u>of streams and other surface waters subject to this Rule</u> : • <u>Railroad crossings that impact equal to or less than 40 linear feet of riparian buffer</u> • <u>Railroad crossings that impact greater than 40 linear feet but equal to or less than 150 linear feet or one-third of an acre of riparian buffer</u> • <u>Railroad crossings that impact greater than 150 linear feet or one-third of an acre of riparian buffer</u>	X	X	X	
Removal of previous fill or debris provided that diffuse flow is maintained and any vegetation removed is restored	X			
<u>Road impacts other than crossings of streams and other surface waters subject to this Rule</u>			X	



Road crossings of streams and other surface waters subject to this Rule: <ul style="list-style-type: none"> <li>• Road crossings that impact equal to or less than 40 linear feet of riparian buffer</li> <li>• Road crossings that impact greater than 40 linear feet but equal to or less than 150 linear feet or one-third of an acre of riparian buffer</li> <li>• Road crossings that impact greater than 150 linear feet or one-third of an acre of riparian buffer</li> </ul>	X	X	X	
Scientific studies and stream gauging	X			
Stormwater management ponds excluding dry ponds: <ul style="list-style-type: none"> <li>• New stormwater management ponds provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the pond</li> <li>• New stormwater management ponds where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the pond</li> </ul>		X	X	
Stream restoration	X			
Streambank stabilization		X		
Temporary roads: <ul style="list-style-type: none"> <li>• Temporary roads that disturb less than or equal to 2,500 square feet provided that vegetation is restored within six months of initial disturbance</li> <li>• Temporary roads that disturb greater than 2,500 square feet provided that vegetation is restored within six months of initial disturbance</li> <li>• Temporary roads used for bridge construction or replacement provided that restoration activities such as soil stabilization and revegetation, occur immediately after construction</li> </ul>	X	X  X		
Temporary sediment and erosion control devices: <ul style="list-style-type: none"> <li>• In Zone 2 only provided that the vegetation in Zone 1 is not compromised and that discharge is released as diffuse flow in accordance with Item (5)</li> <li>• In Zones 1 and 2 to control impacts associated with uses approved by the Division or that have received a variance provided that sediment and erosion control for upland areas is addressed to the maximum extent practical outside the buffer</li> <li>• In-stream temporary erosion and sediment control measures for work within a stream channel</li> </ul>	X  X	X		
Underground electric utility lines: <ul style="list-style-type: none"> <li>• Impacts other than perpendicular crossings in Zone 2 only</li> <li>• Impacts other than perpendicular crossings in Zone 1<sup>3,4</sup></li> </ul>	X  X			
Underground electric utility line perpendicular crossings of streams and other surface waters subject to this Rule: <ul style="list-style-type: none"> <li>• Perpendicular crossings that disturb less than or equal to 40 linear feet of riparian buffer<sup>3,4</sup></li> <li>• Perpendicular crossings that disturb greater than 40 linear feet of riparian buffer<sup>3,4</sup></li> </ul>	X	X		

<sup>3,4</sup> Provided that, in Zone 1, all of the following BMPs for underground utility lines are used. If all of these BMPs are not used, then the underground utility line shall require a no practical alternative evaluation by the Division.

- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.
- Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain, except in the trench,

where trees are cut.

- Underground cables shall be installed by vibratory plow or trenching.
- The trench shall be backfilled with the excavated soil material immediately following cable installation.
- No fertilizer shall be used other than a one-time application to re-establish vegetation.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
- Active measures shall be taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
- In wetlands, mats shall be utilized to minimize soil disturbance.

Vegetation management:				
• Emergency fire control measures provided that topography is restored	X			
• Periodic mowing and harvesting of plant products in Zone 2 only	X			
• Planting vegetation to enhance the riparian buffer	X			
• Pruning forest vegetation provided that the health and function of the forest vegetation is not compromised	X			
• Removal of individual trees which are in danger of causing damage to dwellings, other structures or human life	X			
• Removal of poison ivy	X			
• Removal of understory nuisance vegetation as defined in: Smith, Cherri L. 1998. Exotic Plant Guidelines. Dept. of Environment and Natural Resources. Division of Parks and Recreation. Raleigh, NC. Guideline #30	X			
Water dependent structures as defined in 15A NCAC 2B .0202		X		
Water supply reservoirs:		X		
• New reservoirs provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the reservoir				
• New reservoirs where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the reservoir			X	
Water wells	X			
Wetland restoration	X			

**(7) REQUIREMENTS FOR CATEGORIES OF USES.**

Uses designated as exempt, allowable, allowable with mitigation and prohibited in Item (6) of this Paragraph shall have the following requirements:

- (a) **EXEMPT.** Uses designated as exempt are allowed within the riparian buffer. Exempt uses shall be designed, constructed and maintained to minimize soil disturbance and to provide the maximum water quality protection practicable. In addition, exempt uses shall meet requirements listed in Item (6) of this Paragraph for the specific use.
- (b) **ALLOWABLE.** Uses designated as allowable may proceed within the riparian buffer provided that there are no practical alternatives to the requested use pursuant to Item (8) of this Paragraph. These uses require written authorization from the Division or the

delegated local authority.

- (c) **ALLOWABLE WITH MITIGATION.** Uses designated as allowable with mitigation may proceed within the riparian buffer provided that there are no practical alternatives to the requested use pursuant to Item (8) of this Paragraph and an appropriate mitigation strategy has been approved pursuant to Item (10) of this Paragraph. These uses require written authorization from the Division or the delegated local authority.
- (d) **PROHIBITED.** Uses designated as prohibited may not proceed within the riparian buffer unless a variance is granted pursuant to Item (9) of this Paragraph. Mitigation may be required as one condition of a variance approval.
- (8) **DETERMINATION OF "NO PRACTICAL**



ALTERNATIVES." Persons who wish to undertake uses designated as allowable or allowable with mitigation shall submit a request for a "no practical alternatives" determination to the Division or to the delegated local authority. The applicant shall certify that the criteria identified in Sub-Item (8)(a) of this Paragraph are met. The Division or the delegated local authority shall grant an Authorization Certificate upon a "no practical alternatives" determination. The procedure for making an Authorization Certificate shall be as follows:

(a) For any request for an Authorization Certificate, the Division or the delegated local authority shall review the entire project and make a finding of fact as to whether the following requirements have been met in support of a "no practical alternatives" determination:

- (i) The basic project purpose cannot be practically accomplished in a manner that would better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
- (ii) The use cannot practically be reduced in size or density, reconfigured or redesigned to better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
- (iii) Best management practices will be used if necessary to minimize disturbance, preserve aquatic life and habitat, and protect water quality.

(b) Requests for an Authorization Certificate shall be reviewed and either approved or denied within 60 days of receipt of a complete submission based on the criteria in Sub-Item (8)(a) of this Paragraph by either the Division or the delegated local authority. Failure to issue an approval or denial within 60 days shall constitute that the applicant has demonstrated "no practical alternatives." The Division or the delegated local authority may attach conditions to the Authorization Certificate that support the purpose, spirit and intent of the riparian buffer protection program. Complete submissions shall include the following:

- (i) The name, address and phone number of the applicant;
- (ii) The nature of the activity to be conducted by the applicant;
- (iii) The location of the activity, including the jurisdiction;
- (iv) A map of sufficient detail to accurately delineate the boundaries of the land to be utilized in carrying out the activity, the location and dimensions of any

disturbance in riparian buffers associated with the activity, and the extent of riparian buffers on the land;

- (v) An explanation of why this plan for the activity cannot be practically accomplished, reduced or reconfigured to better minimize disturbance to the riparian buffer, preserve aquatic life and habitat and protect water quality; and
- (vi) Plans for any best management practices proposed to be used to control the impacts associated with the activity.

(c) Any disputes over determinations regarding Authorization Certificates shall be referred to the Director for a decision. The Director's decision is subject to review as provided in Articles 3 and 4 of G. S. 150B.

(9) VARIANCES. Persons who wish to undertake uses designated as prohibited have the option of pursuing a variance. The Division or the appropriate delegated local authority may grant minor variances. The variance request procedure shall be as follows:

(a) For any variance request, the Division or the delegated local authority shall make a finding of fact as to whether the following requirements have been met:

- (i) There are practical difficulties or unnecessary hardships that prevent compliance with the strict letter of the riparian buffer protection requirements. Practical difficulties or unnecessary hardships shall be evaluated in accordance with the following:

(A) If the applicant complies with the provisions of this Rule, he/she can secure no reasonable return from, nor make reasonable use of, his/her property. Merely proving that the variance would permit a greater profit from the property will not be considered adequate justification for a variance. Moreover, the Division or delegated local authority shall consider whether the variance is the minimum possible deviation from the terms of this Rule that will make reasonable use of the property possible.

(B) The hardship results from application of this Rule to the property rather than from other factors such as deed restrictions or other hardship.

(C) The hardship is due to the

physical nature of the applicant's property, such as its size, shape, or topography, which is different from that of neighboring property.

- (D) The applicant did not cause the hardship by knowingly or unknowingly violating this Rule.
- (E) The applicant did not purchase the property after the effective date of this Rule, and then request an appeal.
- (F) The hardship is unique to the applicant's property, rather than the result of conditions that are widespread. If other properties are equally subject to the hardship created in the restriction, then granting a variance would be a special privilege denied to others, and would not promote equal justice.
- (ii) The variance is in harmony with the general purpose and intent of the State's riparian buffer protection requirements and preserves its spirit; and
- (iii) In granting the variance, the public safety and welfare have been assured, water quality has been protected, and substantial justice has been done.
- (b) MINOR VARIANCES. A minor variance request pertains to activities that are proposed only to impact any portion of Zone 2 of the riparian buffer. Minor variance requests shall be reviewed and approved based on the criteria in Sub-Item (9)(a) of this Paragraph by the either the Division or the delegated local authority pursuant to G.S. 153A-Article 18, or G.S. 160A-Article 19. The Division or the delegated local authority may attach conditions to the variance approval that support the purpose, spirit and intent of the riparian buffer protection program. Requests for appeals of decisions made by the Division shall be made to the Office of Administrative Hearings. Request for appeals made by the delegated local authority shall be made to the appropriate Board of Adjustment under G.S. 160A-388 or G.S. 153A-345.
- (c) MAJOR VARIANCES. A major variance request pertains to activities that are proposed to impact any portion of Zone 1 or any portion of both Zones 1 and 2 of the riparian buffer. If the Division or the delegated local authority has determined that a major variance request meets the requirements in Sub-Item (9)(a) of this Paragraph, then it shall prepare a

preliminary finding and submit it to the Commission. Preliminary findings on major variance requests shall be reviewed by the Commission within 90 days after receipt by the Director. Requests for appeals of determinations that the requirements of Sub-Item (9)(a) of this Paragraph have not been met shall be made to the Office of Administrative Hearings for determinations made by the Division or the appropriate Board of Adjustments under G.S. 160A-388 or G.S. 153A-345 for determinations made by the delegated local authority. The purpose of the Commission's review is to determine if it agrees that the requirements in Sub-Item (9)(a) of this Paragraph have been met. Requests for appeals of decisions made by the Commission shall be made to the Office of Administrative Hearings. The following actions shall be taken depending on the Commission's decision on the major variance request:

- (i) Upon the Commission's approval, the Division or the delegated local authority shall issue a final decision granting the major variance.
- (ii) Upon the Commission's approval with conditions or stipulations, the Division or the delegated local authority shall issue a final decision, which includes these conditions or stipulations.
- (iii) Upon the Commission's denial, the Division or the delegated local authority shall issue a final decision denying the major variance.
- (10) MITIGATION. Persons who wish to undertake uses designated as allowable with mitigation shall meet the following requirements in order to proceed with their proposed use.
  - (a) Obtain a determination of "no practical alternatives" to the proposed use pursuant to Item (8) of this Paragraph.
  - (b) Obtain approval for a mitigation proposal pursuant to 15A NCAC 2B .0260.
- (11) REQUIREMENTS SPECIFIC TO FOREST HARVESTING. The following requirements shall apply for forest harvesting operations and practices.
  - (a) The following measures shall apply in the entire riparian buffer:
    - (i) Logging decks and sawmill sites shall not be placed in the riparian buffer.
    - (ii) Access roads and skid trails shall be prohibited except for temporary and permanent stream crossings established in accordance with 15A NCAC 11 .0203. Temporary stream crossings shall be permanently stabilized after any site disturbing activity is completed.



- (iii) Timber felling shall be directed away from the stream or water body.
  - (iv) Skidding shall be directed away from the stream or water body and shall be done in a manner that minimizes soil disturbance and prevents the creation of channels or ruts.
  - (v) Individual trees may be treated to maintain or improve their health, form or vigor.
  - (vi) Harvesting of dead or infected trees or application of pesticides necessary to prevent or control extensive tree pest and disease infestation shall be allowed. These practices must be approved by the Division of Forest Resources for a specific site. The Division of Forest Resources must notify the Division of all approvals.
  - (vii) Removal of individual trees that are in danger of causing damage to structures or human life shall be allowed.
  - (viii) Natural regeneration of forest vegetation and planting of trees, shrubs, or ground cover plants to enhance the riparian buffer shall be allowed provided that soil disturbance is minimized. Plantings shall consist primarily of native species.
  - (ix) High intensity prescribed burns shall not be allowed.
  - (x) Application of fertilizer shall not be allowed except as necessary for permanent stabilization. Broadcast application of fertilizer or herbicides to the adjacent forest stand shall be conducted so that the chemicals are not applied directly to or allowed to drift into the riparian buffer.
- (b) In Zone 1, forest vegetation shall be protected and maintained. Selective harvest as provided for below is allowed on forest lands that have a deferment for use value under forestry in accordance with G.S. 105-277.2 through 277.6 or on forest lands that have a forest management plan prepared or approved by a registered professional forester. Copies of either the approval of the deferment for use value under forestry or the forest management plan shall be produced upon request. For such forest lands, selective harvest is allowed in accordance with the following:
- (i) Tracked or wheeled vehicles are not permitted except at stream crossings designed, constructed and maintained in accordance with 15A NCAC II .0203.
  - (ii) Soil disturbing site preparation activities are not allowed.
- (iii) Trees shall be removed with the minimum disturbance to the soil and residual vegetation.
  - (iv) The following provisions for selective harvesting shall be met:
    - (A) The first 10 feet of Zone 1 directly adjacent to the stream or waterbody shall be undisturbed except for the removal of individual high value trees as defined provided that no trees with exposed primary roots visible in the streambank be cut.
    - (B) In the outer 20 feet of Zone 1, a maximum of 50 percent of the trees greater than five inches dbh may be cut and removed. The reentry time for harvest shall be no more frequent than every 15 years, except on forest plantations where the reentry time shall be no more frequent than every five years. In either case, the trees remaining after harvest shall be as evenly spaced as possible.
    - (C) In Zone 2, harvesting and regeneration of the forest stand shall be allowed provided that sufficient ground cover is maintained to provide for diffusion and infiltration of surface runoff.
- (12) REQUIREMENTS SPECIFIC TO LOCAL GOVERNMENTS WITH STORMWATER PROGRAMS FOR NITROGEN CONTROL. Local governments in the Tar-Pamlico River Basin that are required to have local stormwater programs to control nitrogen loading shall have two options for ensuring protection of riparian buffers on new developments within their jurisdictions as follows.
- (a) Obtain authority to implement a local riparian buffer protection program pursuant to 15A NCAC 2B .0261.
  - (b) Refrain from issuing local approvals for new development projects unless either:
    - (i) The person requesting the approval does not propose to impact the riparian buffer of a surface water that appears on either the most recent versions of the soil survey maps prepared by the Natural Resources Conservation Service of the United States Department of Agriculture or the most recent versions of the 1:24,000 scale (7.5 minute quadrangle)

- topographic maps prepared by the United States Geologic Survey (USGS).
- (ii) The person requesting the approval proposes to impact the riparian buffer of a surface water that appears on the maps described in Sub-Item (12)(b)(i) of this Paragraph and either:

- (A) Has received an on-site determination from the Division pursuant to Sub-Item (3)(a) of this Paragraph that surface waters are not present;
- (B) Has received an Authorization Certificate from the Division pursuant to Item (8) of this Paragraph for uses designated as Allowable under this Rule;
- (C) Has received an Authorization Certificate from the Division pursuant to Item (8) of this Paragraph and obtained the Division's approval on a mitigation plan pursuant to Item (10) of this Paragraph for uses designated as Allowable with Mitigation under this Rule; or
- (D) Has received a variance from the Commission pursuant to Item (9) of this Paragraph.

- (13) OTHER LAWS, REGULATIONS AND PERMITS. In all cases, compliance with this Rule does not preclude the requirement to comply with all federal, state and local regulations and laws.

*History Note: Authority 143-214.1; 143-214.7; 143-215.3(a)(1); 143-215.6A; 143-215.6B; 143-215.6C; 143B-242(d); S.L. 1999, c. 329, s. 7;*

*Temporary Adoption Eff. January 1, 2000.*

**.0260 TAR-PAMLICO RIVER BASIN - NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: MITIGATION PROGRAM FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS**

The following are requirements for the Riparian Buffer Mitigation Program for the Tar-Pamlico Basin:

- (1) PURPOSE. The purpose of this Rule is to set forth the mitigation requirements that apply to the Tar-Pamlico Basin riparian buffer protection program; riparian buffer protection program in the Tar-Pamlico Basin, as described in Rule 15A NCAC 2B .0259 and whose surface waters are described in the Schedule of Classifications, 15A NCAC 2B .0316.
- (2) APPLICABILITY. This Rule applies to persons who wish to impact a riparian buffer in the Tar-Pamlico Basin when one of the following applies:

- (a) A person has received an Authorization Certificate pursuant to 15A NCAC 2B .0259 for a proposed use that is designated as "allowable with mitigation."
- (b) A person has received a variance pursuant to 15A NCAC 2B .0259 and is required to perform mitigation as a condition of a variance approval.

- (3) THE AREA OF MITIGATION. The required area of mitigation shall be determined by either the Division or the delegated local authority according to the following:

- (a) The impacts in square feet to each zone of the riparian buffer shall be determined by the Division or the delegated local authority by adding the following:
- (i) The area of the footprint of the use causing the impact to the riparian buffer.
- (ii) The area of the boundary of any clearing and grading activities within the riparian buffer necessary to accommodate the use.
- (iii) The area of any ongoing maintenance corridors within the riparian buffer associated with the use.
- (b) The required area of mitigation shall be determined by applying the following multipliers to the impacts determined in Sub-item (3)(a) of this Paragraph to each zone of the riparian buffer:
- (i) Impacts to Zone 1 of the riparian buffer shall be multiplied by 3.
- (ii) Impacts to Zone 2 of the riparian buffer shall be multiplied by 1.5.
- (iii) Impacts to wetlands within Zones 1 and 2 of the riparian buffer that are subject to mitigation under 15A NCAC 2H .0506 shall comply with the mitigation ratios in 15A NCAC 2H .0506.

- (4) THE LOCATION OF MITIGATION. The mitigation effort shall be located the same distance from the Pamlico River estuary as the proposed impact, or closer to the estuary than the impact impact, and as close to the location of the impact as feasible.

- (5) ISSUANCE OF THE MITIGATION DETERMINATION. The Division or the delegated local authority shall issue a mitigation determination that specifies the required area and location of mitigation pursuant to Items (3) and (4) of this Paragraph.

- (6) OPTIONS FOR MEETING THE MITIGATION DETERMINATION. The mitigation determination made pursuant to Item (5) of this Paragraph may be met through one of the following options:

- (a) Payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to Item (7) of this Paragraph.



- (b) Donation of real property or of an interest in real property pursuant to Item (8) of this Paragraph.
  - (c) Restoration or enhancement of a non-forested riparian buffer, ~~that is not otherwise required to be protected~~. This shall be accomplished by the applicant after submittal and approval of a restoration plan pursuant to Item (9) of this Paragraph.
- (7) **PAYMENT TO THE RIPARIAN BUFFER RESTORATION FUND.** Persons who choose to satisfy their mitigation determination by paying a compensatory mitigation fee to the Riparian Buffer Restoration Fund shall meet the following requirements:
- (a) **SCHEDULE OF FEES:** The amount of payment into the Fund shall be determined by multiplying the acres or square feet of mitigation determination made pursuant to Item (5) of this Paragraph by ninety-six cents per square foot or forty-one thousand, six hundred and twenty-five dollars per acre.
  - (b) The required fee shall be submitted to the Division of Water Quality, Wetlands Restoration Program, ~~P.O. Box 29535,~~ Raleigh, NC 27626-0535 1619 Mail Service Center, Raleigh, NC 27699-1619 prior to any activity that results in the removal or degradation of the protected riparian buffer for which a "no practical alternatives" determination has been made.
  - (c) The payment of a compensatory mitigation fee may be fully or partially satisfied by donation of real property interests pursuant to Item (8) of this Paragraph.
  - (d) The fee outlined in Sub-item (7)(a) of this Paragraph shall be reviewed every two years and compared to the actual cost of restoration activities conducted by the Department, including site identification, planning, implementation, monitoring and maintenance costs. Based upon this biennial review, revisions to Sub-item (7)(a) of this Paragraph will be recommended when adjustments to this Schedule of Fees are deemed necessary.
- (8) **DONATION OF PROPERTY.** Persons who choose to satisfy their mitigation determination by donating real property or an interest in real property shall meet the following requirements:
- (a) The donation of real property interests may be used to either partially or fully satisfy the payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to Item (7) of this Paragraph. The value of the property interest shall be determined by an appraisal performed in accordance with Sub-item (8)(d)(iv) of this Paragraph. The donation shall satisfy the mitigation determination if the appraised value of the donated property interest is equal to or greater than the required fee. If the appraised value of the donated property interest is less than the required fee calculated pursuant to Sub-item (7)(a) of this Paragraph, the applicant shall pay the remaining balance due.
  - (b) The donation of conservation easements to satisfy compensatory mitigation requirements shall be accepted only if the conservation easement is granted in perpetuity.
  - (c) Donation of real property interests to satisfy the mitigation determination shall be accepted only if such property meets all of the following requirements:
    - (i) The property shall be located within an area that is identified as a priority for restoration in the Basinwide Wetlands and Riparian Restoration Plan or shall be located at a site that is otherwise consistent with the goals outlined in the Basinwide Wetlands and Riparian Restoration Plan.
    - (ii) The property shall contain riparian buffers not currently protected by the State's riparian buffer protection program that are in need of restoration.
    - (iii) The restorable riparian buffer on the property shall have a minimum length of 1000 linear feet along a surface water and a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water.
    - (iv) The size of the restorable riparian buffer on the property to be donated shall equal or exceed the acreage of riparian buffer required to be mitigated under the mitigation responsibility determined pursuant to Item (3) of this Paragraph.
    - (v) The property shall not require excessive measures for successful restoration, such as removal of structures or infrastructure. Restoration of the property shall be capable of fully offsetting the adverse impacts of the requested use;
    - (vi) The property shall be suitable to be successfully restored, based on existing hydrology, soils, and vegetation;
    - (vii) The estimated cost of restoring and maintaining the property shall not exceed the value of the property minus site identification and land acquisition costs.

- (ix) The property shall not contain cultural or historic resources.
- (x) The property shall not contain any hazardous substance or solid waste.
- (xi) The property shall not contain structures or materials that present health or safety problems to the general public. If wells, septic, water or sewer connections exist, they shall be filled, remediated or closed at owner's expense in accordance with state and local health and safety regulations.
- (xii) The property shall have the potential to remove nitrogen, improve water quality and enhance natural resources after restoration. The Division shall consider whether the property is adjacent to or includes:
  - (A) a Department-approved restoration or preservation project or public lands;
  - (B) a sensitive natural resource, as identified in the Basinwide Wetland and Riparian Restoration Plan;
  - (C) known occurrences of rare species as identified by the North Carolina Natural Heritage Program in the "Natural Heritage Program List of Rare Animal Species of North Carolina" or the "Natural Heritage Program List of the Rare Plant Species of North Carolina;"
  - (D) significant Natural Heritage Area as identified by the North Carolina Natural Heritage Program in the "North Carolina Natural Heritage Program Biennial Protection Plan, List of Significant Natural Heritage Areas." Copies of these documents may be obtained from the Department of Environment and Natural Resources, Division of Parks and Recreation, Natural Heritage Program, P.O.—Box 27687—Raleigh, North Carolina 27611 1615 Mail Service Center, Raleigh, NC 27699-1615;
  - (E) federally or state-listed sensitive, endangered, or threatened species, or their critical habitat;
  - (F) non-supporting, partially supporting, or support-threatened waters as designated by the Division pursuant to 40 CFR 131.10(a) through (g). This material is available at the Department of Environment and Natural Resources, Division of Water Quality, Water Quality Section, 512 North Salisbury Street, Raleigh, North Carolina 27604 27604, or by mail at 1617 Mail Service Center, Raleigh, NC 27699-1617;
- (xiii) The property and adjacent properties shall not have prior, current, and known future land use that would inhibit the function of the restoration effort.
- (xiv) The property shall not have any encumbrances or conditions on the transfer of the property interests.
- (d) At the expense of the applicant or donor, the following information shall be submitted to the Division with any proposal for donations or dedications of interest in real property:
  - (i) Documentation that the property meets the requirements laid out in Sub-Item (8)(c) of this Paragraph.
  - (ii) US Geological Survey 1:24,000 (7.5 minute) scale topographic map, county tax map, USDA Natural Resource Conservation Service County Soil Survey Map, and county road map showing the location of the property to be donated along with information on existing site conditions, vegetation types, presence of existing structures and easements.
  - (iii) A current property survey performed in accordance with the procedures of the North Carolina Department of Administration, State Property Office as identified by the State Board of Registration for Professional Engineers and Land Surveyors in "Standards of Practice for Land Surveying in North Carolina." Copies may be obtained from the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609.
  - (iv) A current appraisal of the value of the property performed in accordance with the procedures of the North Carolina Department of Administration, State Property Office as identified by the Appraisal Board in the "Uniform Standards of Professional North Carolina Appraisal Practice." Copies may be obtained from the Appraisal



Foundation, Publications Department,  
P.O. Box 96734, Washington, D.C.  
20090-6734.

(v) A title certificate.

(9) **RIPARIAN BUFFER RESTORATION OR ENHANCEMENT.** Persons who choose to meet their mitigation requirement through riparian buffer restoration or enhancement shall meet the following requirements:

(a) The applicant may restore or enhance a non-forested riparian buffer ~~that is not protected under the State's riparian buffer protection program~~ if either of the following applies:

(i) The area of riparian buffer restoration is equal to the required area of mitigation determined pursuant to Item (3) of this Paragraph.

(ii) The area of riparian buffer enhancement is three times larger than the required area of mitigation determined pursuant to Item (3) of this Paragraph.

(b) The location of the riparian buffer restoration or enhancement shall comply with the requirements in Item (4) of this Paragraph.

(c) The riparian buffer restoration or enhancement site shall have a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water.

(d) The applicant shall first receive an Authorization Certificate for the proposed use according to the requirements of 15A NCAC 2B .0259. After receiving this determination, the applicant shall submit a restoration or enhancement plan for approval by the Division. The restoration or enhancement plan shall contain the following.

(i) A map of the proposed restoration or enhancement site.

(ii) A vegetation plan. The vegetation plan shall include a minimum of at least two native hardwood tree species planted at a density sufficient to provide 320 trees per acre at maturity.

(iii) A grading plan. The site shall be graded in a manner to ensure diffuse flow through the riparian buffer.

(iv) A fertilization plan.

(v) A schedule for implementation.

(e) Within one year after the Division has approved the restoration or enhancement plan, the applicant shall present proof to the Division that the riparian buffer has been restored or enhanced. If proof is not presented within this timeframe, then the person shall be in violation of the State's or the delegated local authority's riparian buffer protection program.

(f) The mitigation area shall be placed under a perpetual conservation easement whose terms are acceptable to the Division.

(g) The applicant shall submit annual reports for a period of five years after the restoration or enhancement showing that the trees planted have survived and that diffuse flow through the riparian buffer has been maintained. The applicant shall be responsible for replacing trees that do not survive and for restoring diffuse flow if needed during that five-year period.

*History Note: Authority 143-214.1; 143-214.7; 143-215.3(a)(1); 143-215.6A; 143-215.6B; 143-215.6C; 143B-242(d); S.L. 1999, c. 329, s. 7;*

*Temporary Adoption Eff. January 1, 2000.*

**.0261 TAR-PAMLICO RIVER BASIN - NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: DELEGATION OF AUTHORITY FOR THE PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS**

This Rule sets out the following requirements for delegation of the responsibility for implementing and enforcing the Tar-Pamlico Basin riparian buffer protection program program, as described in Rule 15A NCAC 2B .0259, to local governments:

(1) **PROCEDURES FOR GRANTING AND RESCINDING DELEGATION.** The Commission shall grant and rescind local government delegation of the Tar-Pamlico River Basin Riparian Buffer Protection requirements, as described in Rule 15A NCAC 2B. 0259, according to the following procedures.

(a) Local governments within the Tar-Pamlico River Basin may submit a written request to the Commission for authority to implement and enforce the Tar-Pamlico Basin riparian buffer protection requirements within their jurisdiction. The written request shall be accompanied by information which shows:

(i) The local government has land use jurisdiction for the riparian buffer demonstrated by delineating the local land use jurisdictional boundary on USGS 1:24,000 topographical map(s) or other appropriate scale map(s);

(ii) The local government has the administrative organization, staff, legal authority, financial and other resources necessary to implement and enforce the Tar-Pamlico Basin riparian buffer protection requirements based on its size and projected amount of development;

(iii) The local government has adopted

- ordinances, resolutions, or regulations necessary to establish and maintain the Tar-Pamlico Basin riparian buffer protection requirements; and
- (iv) The local government has provided a plan to address violations with appropriate remedies and actions.
- (b) Within 90 days after the Commission has received the request for delegation, the Commission shall notify the local government whether it has been approved, approved with modifications, or denied.
- (c) The Commission, upon determination that a delegated local authority is failing to implement or adequately enforce the Tar-Pamlico Basin riparian buffer protection requirements, shall notify the delegated local authority in writing of the local program's inadequacies. If the delegated local authority has not corrected the deficiencies within 90 days of receipt of the written notification, then the Commission shall rescind the delegation of authority to the local government and shall implement and enforce the Tar-Pamlico Basin riparian buffer protection requirements.
- (d) The Commission may delegate its duties and powers for granting and rescinding local government delegation of the Tar-Pamlico Basin riparian buffer protection requirements, in whole or in part, to the Director.
- (2) **APPOINTMENT OF A RIPARIAN BUFFER PROTECTION ADMINISTRATOR.** Upon receiving delegation, local governments shall appoint a Riparian Buffer Protection Administrator who shall coordinate the implementation and enforcement of the program. The Administrator shall attend an initial training session by the Division and subsequent annual training sessions. The Administrator shall ensure that local government staff working directly with the program receive training to understand, implement and enforce the program.
- (3) **PROCEDURES FOR USES WITHIN RIPARIAN BUFFERS THAT ARE ALLOWABLE AND ALLOWABLE WITH MITIGATION.** Upon receiving delegation, local authorities shall be responsible for reviewing proposed uses within the riparian buffer and issuing approvals if the uses meet the Tar-Pamlico Basin riparian buffer protection requirements. Delegated local authorities shall issue an Authorization Certificate for uses if the proposed use meets the Tar-Pamlico Basin riparian buffer protection requirements, or provides for appropriate mitigated provisions to the Tar-Pamlico Basin riparian buffer protection requirements. The Division shall have the authority to challenge a decision made by a delegated local authority for a period of 30 days after the Authorization Certificate is issued. If the

Division does not challenge an Authorization Certificate within 30 days of issuance, then the delegated local authority's decision will stand.

- (4) **VARIANCES.** After receiving delegation, local governments shall be responsible for reviewing variance requests, providing approvals for minor variance requests and making recommendations to the Commission for major variance requests pursuant to the Tar-Pamlico Basin riparian buffer protection program.
- (5) **LIMITS OF DELEGATED LOCAL AUTHORITY.** The Commission shall have jurisdiction to the exclusion of local governments to implement the Tar-Pamlico Basin riparian buffer protection requirements for the following types of activities:
  - (a) Activities conducted under the authority of the State;
  - (b) Activities conducted under the authority of the United States;
  - (c) Activities conducted under the authority of multiple jurisdictions;
  - (d) Activities conducted under the authority of local units of government.
- (6) **RECORD-KEEPING REQUIREMENTS.** Delegated local authorities are required to maintain on-site records for a minimum of 5 years. Delegated local authorities must furnish a copy of these records to the Director within 30 days of receipt of a written request for the records. The Division will inspect local riparian buffer protection programs to ensure that the programs are being adequately implemented and enforced. Each delegated local authority's records shall include the following:
  - (a) A copy of variance requests;
  - (b) The variance request's finding of fact;
  - (c) The result of the variance proceedings;
  - (d) A record of complaints and action taken as a result of the complaint;
  - (e) Records for stream origin calls and stream ratings; and

Copies of request for authorization, records approving authorization and Authorization Certificates.

*History Note: Authority G. S. 143-214.1; 143-214.7; 143-215.3(a)(1); 143-215.6A; 143-215.6B; 143-215.6C; 143B-242(d); S.L. 1999, c. 329, s. 7;*

*Temporary Adoption Eff. January 1, 2000.*

## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 4 - COMMISSION FOR AUCTIONEERS**

**Rule-making Agency:** *North Carolina Auctioneers Commission*



**Rule Citation:** 21 NCAC 4B .0201-.0202, .0302, .0404, .0601, .0801-.0819

**Effective Date:** January 1, 2000

**Findings Reviewed and Approved by:** Beecher R. Gray

**Authority for the rule-making:** G.S. 85B-3(f); 85B-4; 85B-4(d); 85B-4(e1); 85B-4.1; 85B-5; 85B-6; 85B-8(a)(1)

**Reason for Proposed Action:** *Effective July 1, 1999, the General Assembly amended Chapter 85B of the General Statutes, the enabling legislation for the North Carolina Auctioneers Commission. The amendments included three major changes requiring the adoption of administrative rules: 1) A high school diploma or equivalency is now required for licensure; 2) A criminal history check, including submission of fingerprint cards, is now required for licensure; and, 3) Licensees are now required to have minimum continuing education as a condition of renewal.*

**Comment Procedures:** *Written comments concerning this rule-making action should be submitted to Robert A. Hamilton, Executive Director, NC Auctioneer Licensing Board, 1001 Navaho Drive, Suite 105, Raleigh, NC 27609-7318.*

## SUBCHAPTER 4B - AUCTIONEER LICENSING BOARD

### SECTION .0200 - APPLICATION FOR LICENSE

#### **.0201 APPLICATION FORMS**

(a) Auctioneer. Each applicant for an auctioneer license shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:

- (1) one recent passport-type photograph for identification;
- (2) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official in other states) in each county where the applicant has resided and maintained a business within the immediate preceding 60 months (five years);
- (3) the completed fingerprint cards provided by the Board and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
- (4) a copy of the applicant's high school diploma or proof of equivalency;
- (3) (5) the proper fees, as required by 21 NCAC 4B .0202;
- (4) (6) documentation of required schooling or experience, as follows:
  - (A) Applicants who base their application upon their successful completion of an approved

school of auctioneering shall submit a photostatic copy of their diploma or certificate of successful completion. Applicants who base their application upon their successful completion of an approved school of auctioneering shall have successfully completed this school within the previous five years, or if completed more than five years before, the applicant shall submit documentation verifying the applicant's active lawful participation in auctions within the two years preceding the date of application.

- (B) Applicants who base their application upon their successful completion of an apprenticeship shall submit a log which was maintained and completed during the apprenticeship period which details the exact hours and dates on which they obtained apprenticeship experience, with each entry being verified and signed by their supervising auctioneer. A minimum of 100 hours of experience during the apprenticeship two-year period shall be obtained. Not less than 25 of the total hours accumulated must be attributable to bid calling and not less than 50 hours shall be attributable to working as a ring person, drafting and negotiating contracts, appraising merchandise, advertising, clerking and cashing, with not less than five hours of accumulated experience documented for each category. An apprentice who applies for an auctioneer license under this Part shall submit his application and supporting documentation and obtain a passing score on the auctioneer exam prior to the expiration of his apprentice auctioneer license: license; and

- (5) (7) Non-resident applicants shall also submit a properly completed "Designation of Agent for Service of Process Form" with notarized signature and notarial seal affixed.

(b) Non-Resident Reciprocal Auctioneer. Each non-resident applicant for auctioneer license, who applies for a North Carolina license pursuant to G.S. 85B-5 shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:

- (1) one recent passport-type photograph for identification;
- (2) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official) in each county where the applicant has resided and maintained a business within the immediate preceding 60 months (five years);
- (3) the completed fingerprint cards provided by the Board and the form signed by the applicant consenting to the check of the criminal history and to the use of

- fingerprints and other identifying information;
- (4) a copy of the applicant's high school diploma or proof of equivalency;
- (3) (5) the proper fees, as required by 21 NCAC 4B .0202;
- (4) (6) a statement of good standing from the licensing board or Commission of each and every jurisdiction where the applicant holds an auctioneer, apprentice auctioneer or auction firm license; and
- (5) (7) a properly completed "Designation of Agent for Service of Process Form" with notarized signature and notarial seal affixed.

(c) Apprentice Auctioneer. Each applicant for an apprentice auctioneer license shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:

- (1) one recent passport-type photograph for identification;
- (2) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official) in each county where the applicant has resided and maintained a business within the immediate preceding 60 months (five years);
- (3) the completed fingerprint cards provided by the Board and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
- (4) a copy of the applicant's high school diploma or proof of equivalency;
- (3) (5) the proper fees, as required by 21 NCAC 4B .0202;
- (4) (6) the signature, as designated on the applicant form, of the licensed auctioneer who will be supervising the apprentice auctioneer;
- (5) (7) a written statement of the proposed supervisor's background and experience in the auction profession to include the number and types of auctions conducted or participated in annually; and
- (6) (8) if applicant is a non-resident, a properly completed "Designation of Agent for Service of Process Form" with notarized signature and notarial seal affixed.

(d) Auction Firms. Each applicant for an auction firm license shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:

- (1) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official) in each county where any principal and designated person of the auction firm has resided and maintained a business within the immediate preceding 60 months (five years);
- (2) the completed fingerprint cards provided by the Board and the form signed by the applicant, any principal and designated person of the auction firm consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
- (3) a copy of each principal's and designated person's high school diploma or proof of equivalency;
- (2) (4) the proper fees, as required by 21 NCAC 4B .0202;

- (3) (5) a certified copy of any applicable Articles of Incorporation, Partnership Agreement, and Assumed Name Certificate;
- (4) (6) a statement of good standing from the licensing board or Commission of each jurisdiction where the applicant firm and any principal and designated person of such firm holds an auctioneer license of any type; and
- (5) (7) if applicant firm is a non-resident, a properly completed "Designation of Agent for Service of Process Form" (one each for the auction firm and for each principal and designated person of the firm) with notarized signature and notarial seal affixed and, if a corporation, the corporate seal and corporate secretary's signature affixed.

*History Note: Authority G.S. 85B-3(f); 85B-4; 85B-4(d); 85B-5;*

*Eff. November 1, 1984;*

*Amended Eff. April 1, 1996; January 1, 1995; June 1, 1991;*

*Temporary Amendment Eff. January 1, 2000.*

## **.0202 FILING AND FEES**

(a) Properly completed applications must be filed (received, not postmarked) in the Board office at least seven days prior to an established Board meeting date, or in the case of an application for auctioneer examination, at least 10 days prior to a scheduled examination and must be accompanied by all required documents.

(b) License fees are as follows:

- (1) New auctioneer license for an applicant who did not serve an apprenticeship ~~\$175.00~~ \$250.00  
This includes a ~~\$100.00~~ \$150.00 annual license fee; ~~\$50.00~~ \$50.00 application fee; and ~~\$25.00~~ \$50.00 examination fee.
- (2) New auctioneer license for an apprentice auctioneer ~~\$125.00~~ \$200.00  
This includes a ~~\$100.00~~ \$150.00 annual license fee; and ~~\$25.00~~ \$50.00 examination fee.
- (3) Renewal of auctioneer license ~~\$100.00~~ \$150.00
- (4) New apprentice auctioneer license ~~\$100.00~~ \$150.00  
This includes a ~~\$50.00~~ \$100.00 license fee and a ~~\$50.00~~ \$50.00 application fee.
- (5) Renewal of apprentice auctioneer license ~~\$50.00~~ \$100.00
- (6) New auction firm license (no examination) ~~\$150.00~~ \$200.00  
This includes a ~~\$100.00~~ \$150.00 annual license fee; and ~~\$50.00~~ \$50.00 application fee.
- (7) New auction firm license (examination) ~~\$175.00~~ \$250.00  
This includes a ~~\$100.00~~ \$150.00 annual license fee; ~~\$50.00~~ \$50.00 application fee; and ~~\$25.00~~ \$50.00 examination fee.
- (8) Renewal of an auction firm license ~~\$100.00~~ \$150.00
- (9) Application and processing fee for conversion of non-resident reciprocal license to ~~\$25.00~~ \$ 50.00



in state license

- (10) Reinstatement of lapsed license

fee or late fee \$25.00 \$ 50.00

(c) The renewal fee for a non-resident reciprocal licensee under G.S. 85B-5 shall be calculated in the same manner as the initial application fee pursuant to G.S. 85B-6.

(e) (d) Fees may be paid in the form of a cashier's check, certified check or money order made payable to the North Carolina Auctioneer Licensing Board. Checks drawn on escrow or trust accounts shall not be accepted. Personal checks may be accepted for payment of renewal fees.

*History Note: Authority G.S. 85B-4.1; 85B-6;*

*Eff. November 1, 1984;*

*Amended Eff. April 1, 1996; January 1, 1995; April 1, 1989;*

*Temporary Amendment Eff. January 1, 2000.*

## SECTION .0300 - EXAMINATIONS

### .0302 RE-EXAMINATION/REFUND OF FEES

If the applicant does not appear at the initial examination for which he has been scheduled or fails to pass such examination, he will be re-scheduled for the next scheduled examination. If the applicant again does not appear or fails to pass this examination, a refund of the annual auctioneer or apprentice license fee will be made and a refund of any Auctioneer Recovery Fund contribution will be made. No refund of the application application, examination or fingerprint and criminal history check or examination fee is allowed. A complete new application and proper fees are required if the person wishes to reapply.

*History Note: Authority G.S. 85B-4; 85B-6;*

*Eff. November 1, 1984;*

*Amended Eff. June 1, 1991;*

*Temporary Amendment Eff. January 1, 2000.*

## SECTION .0400 - LICENSING

### .0404 GROUNDS FOR LICENSE DENIAL OR DISCIPLINE

(a) The Board may assess a civil penalty in accordance with G.S. 85B-3.1(b) or deny, suspend, or revoke a license, or issue a letter of reprimand to a licensee, upon any of the following grounds:

- (1) violation of any provision of G.S. 85B;
- (2) violation of any provision of the Rules under 21 NCAC, Subchapter 4B;
- (3) a check given to the Board in payment of required fees which is returned unpaid;
- (4) allowing an unlicensed person (auctioneer) to call a bid at a sale;
- (5) calling a bid at an unlicensed auction firm sale;
- (6) failure to properly, completely and fully complete an application or making any false statement or giving any false information in connection with an

application for a license, renewal or reinstatement of a license or any investigation by the Board or the Board's designee;

- (7) been adjudicated mentally incompetent by a court;
- (8) committed a crime the circumstances of which substantially relate to the auctioneering profession;
- (9) violated any federal or state statute or rule which relates to the auctioneering profession;
- (10) practiced the profession for which the holder has a license while the holder's ability to practice was impaired by alcohol or other drugs or physical or mental disability or disease;
- (11) been incompetent in practice. A licensee has been incompetent in practice if the licensee engaged in conduct which evidences a lack of ability, fitness or knowledge to apply principles or skills of the auctioneering profession;
- (12) engaged in unprofessional conduct. In this Paragraph "unprofessional conduct" means the violation of any standard of professional behavior which through professional experience has become established in the auctioneering profession;
- (13) obtained or attempted to obtain compensation by fraud or deceit;
- (14) violated any order of the Auctioneer Licensing Board;
- (15) failure to possess truth, honesty and integrity sufficient to be entitled to the high regard and confidence of the public; or
- (16) failure to properly make the disclosures required by 21 NCAC 4B .0405.

(b) When applying the requirements of Rule .0404(a) to auction firms or their applications, the requirements shall apply to the firm, the applicant for the license, and all the principals, officers and designated person of the firm.

*History Note: Authority G.S. 85B-3(f); 85B-8(a)(1);*

*Eff. November 1, 1984;*

*Amended Eff. January 1, 1995;*

*Temporary Amendment Eff. January 1, 2000.*

## SECTION .0600 - GENERAL AUCTIONEERING

### .0601 CHANGE OF ADDRESS OR BUSINESS NAME OR OWNERSHIP

(a) All licensees shall notify the Board in writing of each change or addition of residence or business address (including mailing address) and change of trade name, assumed name, or combination of names under which the licensee conducts business related to auctions.

(b) In the case of a corporate licensee, licensee, said licensee shall immediately notify the Executive Director of any change in the directors or officers of the corporation and such new director(s) or officer(s) shall comply with the provisions of Subparagraphs ~~(d)(1), (4) and (5)~~ (d)(1), (2), (3), (5), (6) and (7) in Rule .0201 of this Subchapter. If the new directors or officers have a 51% or greater controlling interest in the corporation, the

firm license shall be retired and the firm shall apply for a new license.

(c) In the case of a partnership license, said licensee shall immediately notify the Executive Director of any change in partners and such new partners shall comply with the provisions of Subparagraphs (d)(1), (4) and (5) (d)(1), (2), (3), (5), (6) and (7) in Rule .0201 of this Subchapter.

(d) In the case of an auction firm license, the licensee shall immediately notify the Executive Director of any change in designated person(s) and such designated persons shall comply with the provisions of Subparagraphs (d)(1), (4) and (5) in Rule .0201 of this Subchapter. In the case of an auction firm license, the licensee shall immediately notify the Executive Director of any change in a designated person(s). If the designated person is a currently licensed auctioneer under Chapter 85B, the designated person shall be required to comply with the provisions of Subparagraphs (d)(1), (6) and (7) in Rule .0201 of this Subchapter. If the designated person is not a currently licensed auctioneer under Chapter 85B, the designated person shall be required to comply with the provisions of Subparagraphs (d)(1), (2), (3), (6) and (7) in Rule .0201 of this Subchapter.

(e) Any change in address, business name or ownership required by these Rules shall be reported within 10 days of the occurrence of such change.

*History Note: Authority G.S. 85B-3(f);*

*Eff. November 1, 1984;*

*Amended Eff. April 1, 1996; January 1, 1995;*

*Temporary Amendment Eff. January 1, 2000.*

## SECTION .0800 - CONTINUING EDUCATION

### .0801 CONTINUING EDUCATION COURSE

(a) To renew a license on active status, an auctioneer, apprentice auctioneer, or designated person(s) in an auction firm shall complete a Board approved course(s) consisting of the hours of instruction as established in Paragraph (d) of this Rule and shall provide documentation of completion of the above Board approved course(s) within one year preceding license expiration.

- (1) "Within one year preceding license expiration" is defined as the May 15 to May 15 time period.
- (2) An auctioneer, apprentice auctioneer, or designated person(s) in an auction firm shall provide documentation on required continuing education courses by the May 15 deadline of the current renewal period.
- (3) If the required documentation is not received by the established deadline as set forth in Subparagraph (a)(2) of this Rule, the licensee will automatically be assessed a late fee as set forth in Paragraph .0202(b)(1) of this Subchapter.
- (4) The renewal shall not be processed until compliance is achieved and the required fees are received as set forth in Paragraph .0402(b) of this Subchapter.

(b) The Board shall approve courses that shall be conducted

by sponsors approved by the Board under this Rule. The subject matter of this course shall be determined by the course sponsor subject to Subparagraph (g) of this Rule. The course sponsor shall produce or acquire instructor and student materials for use by course sponsors. The course must be conducted as prescribed by the rules in this Section. At the beginning of the course, sponsors must provide licensees participating in their classes a copy of the student materials developed by the sponsor.

(c) Approval of a sponsor to conduct a course authorizes the sponsor to conduct the course using an instructor who has been approved by the Board as a course instructor under Rule .0804 of this Section. The sponsor may conduct the course at any location as frequently as is desired during the approval period.

(d) The Board shall establish at its April monthly Board meeting of each year the minimum classroom hours of instruction for the upcoming year. Upon receipt of renewal, licensees shall be notified of the required minimum hours for the following year's renewal.

(e) An auctioneer, an apprentice auctioneer, or a designated person(s) in an auction firm shall complete the continuing education requirements for each renewal period that their license was lapsed or suspended.

(f) Credit hours applied to the current renewal of a license shall not be used for future renewals.

(g) Excess continuing education hours may be carried forward as credits for a maximum of one renewal year.

(h) The Board shall have the authority in its discretion to mandate the topic(s) for all or part of an approved course.

(i) No part of the 80 hour preclicensing course curriculum shall count as continuing education credit hours.

*History Note: Authority G.S. 85B-4.(e1);*

*Temporary Adoption Eff. January 1, 2000.*

### .0802 APPLICATION FOR ORIGINAL APPROVAL

(a) An entity seeking original approval to sponsor a course must make application on a form prescribed by the Board. The applicant must submit a nonrefundable fee of one hundred dollars (\$100.00) which may be in the form of a check payable to the North Carolina Auctioneers Commission; provided, however, that no fee is required if the entity making application is a community college, junior college, college or university located in this State and accredited by the Southern Association of Colleges and Schools, is an agency of federal, state or local government, or an incorporated trade organization or an association of licensees to whom the Board has donated funds pursuant to G.S. 85B-4.1(c). An applying entity that is not a resident of North Carolina shall also file with the application a consent to service of process and pleadings.

(b) Approval to sponsor a course shall be granted to an applicant upon showing to the satisfaction of the Board that:

- (1) The applicant has submitted all information required by the Board and paid the application fee, if applicable;
- (2) The applicant has at least one proposed instructor who has been approved by the Board as a course instructor under Rule .0804 of this Section;



- (3) The applicant satisfies all of the requirements of Rule .0805 of this Section relating to qualifications or eligibility of course sponsors; and
- (4) The applicant and the continuing education coordinator required by Rule .0805(e) must be truthful, honest and of high integrity. In this regard, the Board may consider the reputation and character of any owner, officer or director of any corporation, association or organization applying for sponsor approval.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

### **.0803 STUDENT FEE FOR COURSES**

Sponsors of a course may establish the amount of the fee to be charged to students taking this course; provided, however, that the established fee must be an all-inclusive fee and no separate or additional fee may be charged to students for providing course materials, providing course completion certificates, reporting course completion to the Board, or for recouping similar routine administrative expenses.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

### **.0804 APPROVAL OF CONTINUING EDUCATION INSTRUCTORS**

(a) Approval of course instructors shall be accomplished at the time of the approval of the course sponsor. Approval of a course instructor authorizes the instructor to teach the course only for the approved course sponsor. An approved course instructor may not independently conduct a course unless the instructor has also obtained approval as a course sponsor.

(b) An entity seeking original approval as a course sponsor must provide the name, address, and qualifications of the instructors for the course on the application form prescribed by the Board. No additional application fee is required. All required information regarding the instructor's qualifications must be submitted.

(c) The applicant must be truthful, honest and of high integrity.

(d) The applicant must be qualified under one or more of the following standards:

- (1) Possession of a baccalaureate or higher degree with a major in the field of marketing, finance, or business administration.
- (2) Possession of a current North Carolina auctioneer or auction firm license, three years active full-time experience in auctioneering within the previous ten years, and 30 classroom hours of auction education, excluding prelicensing education, within the past three years, such education covering topics which are acceptable under Board rules for continuing education credit.
- (3) Possession of a current North Carolina real estate

broker license, but not a licensed auctioneer or auction firm, and experience teaching real estate prelicensing and continuing education courses.

(4) Possession of a license to practice law in North Carolina and three years experience in law practice within the previous ten years.

(5) Possession of qualifications found by the Board to be equivalent to one or more of the standards set forth in this Rule.

(e) The Board may deny or withdraw approval of any course instructor upon finding that:

(1) The course sponsor or the instructor has made any false statements or presented false information in connection with an application for approval;

(2) The instructor has failed to meet the criteria for approval described in Paragraph (d) of this Rule or has refused or failed to comply with any other provisions of this Subchapter;

(3) The instructor has failed to demonstrate, during the teaching of courses, those effective teaching skills described in Rule .0817 of this Section; or

(4) The instructor has provided false or incorrect information in connection with any reports a course sponsor is required to submit to the Board.

(f) If a licensee who is an approved course instructor engages in any dishonest, fraudulent or improper conduct in connection with the licensee's activities as an instructor, the licensee shall be subject to disciplinary action pursuant to G.S. 85B-8 and G.S. 85B-9.

(g) Upon the written request of the Board, an approved course instructor must submit to the Board a videotape depicting the instructor teaching the course. The videotape must have been made within 12 months of the date of submission, must be in VHS format, must include a label which clearly identifies the instructor and the date of the videotaped presentation.

(h) An approved instructor who is a licensee of the Board shall receive continuing education credit hours for instruction at a rate of one hour for every one-half hour of approved course taught.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

### **.0805 SPONSOR REQUIREMENTS**

(a) Any legal entity is eligible to seek approval as a sponsor of continuing education courses, provided that the entity seeking approval of a course as a continuing education course is either the owner of the proprietary rights to the course or has lawfully acquired from the course owner the right to seek course approval from the Board and to conduct such course.

(b) The official name to be used by any course sponsor in connection with the offering of an approved continuing education course must clearly distinguish the sponsor from any other previously approved continuing education course sponsor. Unless the sponsor is an auction school approved pursuant to G.S. 85B-4(d) proposing to operate continuing education

courses in its own name, the official name also must clearly distinguish the sponsor from any approved auction school. Sponsor applicants proposing to use a sponsor name which does not comply with this standard may be required to adopt a different name as a condition of approval.

(c) Any advertisement or promotional material utilized by an approved course sponsor must include the course sponsor's official name and shall not include any other name for the sponsor.

(d) Prospective sponsors of a course must obtain written approval from the Board to conduct such course prior to conducting the course and prior to advertising or otherwise representing that the course is or may be approved for continuing education credit in North Carolina. No retroactive approval to conduct a course will be granted for any reason.

(e) A sponsor of a course must designate one person to serve as the continuing education coordinator for all Board-approved continuing education courses offered by the sponsor. The designated coordinator shall serve as the official contact person for the sponsor and shall be responsible for the following:

- (1) Supervising the conduct of all the sponsor's Board-approved continuing education courses;
- (2) Signing the course completion certificates provided by the sponsor to licensees completing courses; and
- (3) Submitting to the Board all required fees, rosters, reports and other information.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0806 COURSE COMPLETION REPORTING AND FEES**

(a) Course sponsors must prepare and submit to the Board reports verifying completion of a continuing education course for each licensee who satisfactorily completes the course and who desires continuing education credit for the course. Such reports shall be completed on forms prescribed by the Board, and sponsors will be held accountable for the completeness and accuracy of all information on such reports. Sponsors must submit these reports to the Board in a manner that will assure receipt by the Board within fifteen calendar days following the course, but in no case later than May 15 for courses conducted prior to that date.

(b) At the request of the Board, course sponsors must provide licensees enrolled in each continuing education course an opportunity to complete an evaluation of the course upon completion of the course.

(c) Course sponsors shall provide each licensee who satisfactorily completes an approved continuing education course a course completion certificate on a form prescribed by the Board. Sponsors must provide the certificates to licensees within fifteen calendar days following the course, but in no case later than May 15 for any course completed prior to that date. The certificate is to be retained by the licensee as proof of having completed the course.

(d) When a licensee in attendance at a continuing education course does not comply with the student participation standards,

the course sponsor shall advise the Board of this matter in writing at the time reports verifying completion of continuing education for the course are submitted. A sponsor who determines that a licensee failed to comply with either the Board's attendance or student participation standards shall not provide the licensee with a course completion certificate nor shall the sponsor include the licensee's name on the reports verifying completion of continuing education.

(e) Notwithstanding the provisions of Paragraphs (a) and (c) of this Rule, approved course sponsors who are national professional trade organizations or national associations of licensees and who conduct Board-approved continuing education courses out of state shall not be obligated to submit reports verifying completion of continuing education courses on forms prescribed by the Board, provided that such sponsors submit to the Board a roster which includes the names of North Carolina licensees who completed the course and who desire continuing education credit for the course. A separate roster shall be submitted for each class session. Rosters must be submitted in a manner which assures receipt by the Board within 15 calendar days following the course. Such sponsors may also provide each licensee who completes an approved course a sponsor-developed course completion certificate in place of a certificate on a form prescribed by the Board. Sponsors shall provide the certificates to licensees within 15 calendar days following the course.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0807 CHANGE IN SPONSOR OWNERSHIP AND OTHER INFORMATION**

(a) The approval granted to a course sponsor may be transferred to a new or different entity only with the advance approval of the Board.

(b) Course sponsors must notify the Board in writing prior to any change in business name, continuing education coordinator, address or business telephone number.

(c) Course sponsors must obtain advance approval from the Board for any changes to be made in the content or number of hours for courses; provided that changes in course content which are solely for the purpose of assuring that information provided in a course is current and accurate do not require approval during the approval period, but shall be reported at the time the sponsor requests renewal of course approval. Requests for approval of changes shall be in writing.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0808 COURSE RECORDS**

All course sponsors must retain on file for two years records of student registration and attendance for each session of a continuing education course that is conducted and shall make such records available to the Board, or its designee, upon request.



*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

**.0809 RENEWAL OF COURSE AND SPONSOR APPROVAL**

(a) Board approval of all continuing education course sponsors expires on the next June 30 following the date of issuance. In order to assure continuous approval, a completed renewal application prescribed by the Board, accompanied by the prescribed renewal fee, must be submitted to the Board annually on or before April 30. Any continuing education course sponsor's renewal applications and/or renewal fees that are not received or that are not complete on or before April 30 shall not have met the guidelines for renewal and must meet the criteria for original approval as set forth in Rule .0804 of this Section.

(b) The fee for renewal of Board approval shall be fifty dollars (\$50.00) for each course sponsor, provided that no fee is required for course sponsors that are exempted from original application fees. The fee shall be paid by check payable to the North Carolina Auctioneers Commission and is nonrefundable.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

**.0810 DENIAL OR WITHDRAWAL OF APPROVAL**

(a) The Board may deny or withdraw approval of any course or course sponsor upon finding that:

- (1) The course sponsor has made any false statements or presented any false information in connection with an application for course or sponsor approval or renewal of such approval;
- (2) The course sponsor or any official or instructor in the employ of the course sponsor has refused or failed to comply with any of the provisions of this Rule;
- (3) The course sponsor or any official or instructor in the employ of the course sponsor has provided false or incorrect information in connection with any reports the course sponsor is required to submit to the Board;
- (4) The course sponsor has provided to the Board in payment for required fees a check which was returned unpaid;
- (5) An instructor in the employ of the course sponsor fails to conduct approved courses in a manner that demonstrates possession of the teaching skills described in Rule .0817 of this Section; or
- (6) Any court of competent jurisdiction has found the course sponsor or any official or instructor in the employ of the course sponsor to have violated, in connection with the offering of continuing education courses, any applicable federal or state law or regulation prohibiting discrimination on the basis of disability, requiring places of public accommodation to be in compliance with prescribed accessibility standards, or requiring that courses related to licensing or certification for professional or trade

purposes be offered in a place and manner accessible to persons with disabilities.

(b) If a licensee who is an approved course sponsor or an instructor in the employ of an approved course sponsor engages in any dishonest, fraudulent or improper conduct in connection with the licensee's activities as a course sponsor or instructor, the licensee shall be subject to disciplinary action pursuant to G.S. 85B-8 and G.S. 85B-9.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

**.0811 MINIMUM CLASS SIZE**

The minimum class size for any session of an approved continuing education course shall be five students, as determined by the sponsor's preregistration records. The minimum class size requirement shall not apply to class sessions when the sponsor notifies the Board in writing of the scheduled class session as provided in this Rule and advertises in advance the scheduled class session in the general auction community where the class session is to be held. A sponsor who conducts a class session for fewer than five students shall submit with the reports verifying completion of the course a copy of the advertisement for the class session plus a statement or other documentation indicating the date of the advertisement and the advertising method.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

**.0812 SCHEDULING AND NOTICE OF SCHEDULED COURSES**

(a) An hour of creditable instruction is defined as 50 minutes of instruction or practical exercise accompanied by a 10 minute break.

(b) Sponsors must provide the Board written notice of all scheduled course offerings not later than 10 days prior to a scheduled course date. The notice shall include the name of the sponsor and, for each scheduled course, the name of the course, the scheduled date and time, specific location, and name of the instructor(s).

(c) Sponsors must notify the Board of any schedule changes or course cancellations at least five days prior to the original scheduled course date. If a last minute change or cancellation is necessary due to some unforeseen circumstance, then notice shall be provided to the Board as soon as possible.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

**.0813 ADVERTISING; PROVIDING COURSE INFORMATION**

(a) Course sponsors must not utilize advertising of any type that is false or misleading in any respect. If the number of continuing education credit hours awarded by the Board for an approved course is less than the number of scheduled hours for

the course, any course advertisement or promotional materials which indicate that the course is approved for mandatory auctioneer continuing education credit in North Carolina must specify the number of continuing education credit hours awarded by the Board for the course.

(b) Any flyers, brochures or similar materials utilized to promote a continuing education course must clearly describe the fee to be charged and the sponsor's cancellation and fee refund policies.

(c) Upon course approval, course sponsors may include in course descriptions and promotional materials the information contained in the following illustration: This course [seminar or program] has been approved by the Auctioneer Licensing Board for continuing education credit in the amount of \_\_\_ hours. This course is not sponsored by the Board.

(d) Course sponsors of any course must, upon request, provide any prospective student a description of the course content sufficient to give the prospective student a general understanding of the instruction to be provided in the course.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0814 CONDUCT OF CLASSES**

(a) All class sessions of approved continuing education courses must be open to all licensees on a first-come/first-served basis; provided that the sponsor of a course which has a bona fide education or experience prerequisite, such as an advanced course leading to a special auctioneer designation, may refuse admission to a licensee not satisfying such prerequisite.

(b) Courses not conducted electronically must be conducted in a facility that provides an appropriate learning environment as set forth in Rule .0502(e) of this Subchapter.

(c) Upon initially checking in for a class session, sponsors and instructors shall require each licensee to provide their license number and shall provide each student with a copy of the continuing education student information sheet provided to sponsors by the Board.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0815 INSTRUCTOR CONDUCT AND PERFORMANCE**

(a) Instructors must assure that class sessions are commenced in a timely manner and are conducted for the full amount of time that is scheduled. Instructors must also assure that each student is furnished appropriate student materials.

(b) Instructors must conduct themselves in a professional and courteous manner when performing their instructional duties and must conduct classes in a manner that demonstrates a mastery of the following basic teaching skills:

- (1) The ability to communicate effectively through speech, including the ability to speak clearly at an appropriate rate of speed and with appropriate voice inflection, grammar and vocabulary.
- (2) The ability to present an effective visual image to a

class, including appropriate appearance and physical mannerisms.

- (3) The ability to present instruction in a thorough, accurate, logical, orderly and understandable manner, to utilize illustrative examples as appropriate, and to respond appropriately to questions from students.
- (4) The ability to effectively utilize varied instructional techniques in addition to straight lecture, such as class discussion, role playing or other techniques.
- (5) The ability to effectively utilize instructional aids to enhance learning.
- (6) The ability to maintain an appropriate learning environment and effective control of a class.
- (7) The ability to interact with adult students in a positive manner that encourages students to learn, that demonstrates an understanding of varied student backgrounds, that avoids offending the sensibilities of students, and that avoids personal criticism of any other person, agency or organization.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0816 MONITORING ATTENDANCE**

(a) Sponsors and instructors must strictly monitor attendance for the duration of each class session to assure that all students reported as satisfactorily completing a course according to these Rules have attended at least 90 percent of the scheduled classroom hours. Students shall not be admitted to a class session after ten percent of the scheduled classroom hours have been conducted. Students shall not be allowed to sign a course completion card, shall not be issued a course completion certificate, and shall not be reported to the Board as having completed a course unless the student fully satisfies the attendance requirement. Sponsors and instructors may not make any exceptions to the attendance requirement for any reason.

(b) Sponsors must assure that adequate personnel, in addition to the instructor, are present during all class sessions to assist the instructor in monitoring attendance and performing the necessary administrative tasks associated with conducting a course.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0817 STUDENT PARTICIPATION STANDARDS**

(a) In addition to requiring student compliance with the attendance requirement, sponsors and instructors shall require that students comply with the following student participation standards:

- (1) A student shall direct his active attention to the instruction being provided and refrain from engaging in activities unrelated to the instruction.
- (2) A student shall refrain from engaging in any activities which are distracting to other students or the instructor, or which otherwise disrupt the orderly conduct of a class.



(3) A student shall comply with all instructions provided by the sponsor or instructor related to providing information needed to properly report completion of a course by the student.

(b) Instructors and sponsors have the authority to dismiss from a class session any student who fails to comply with the student participation standards prescribed in Paragraph (a) of this Rule.

(c) Sponsors shall not issue a course completion certificate to any student who fails to comply with the student participation standards set forth in Paragraph (a) of this Rule, nor shall sponsors include the name of such student on their reports verifying completion of a continuing education course. Sponsors shall submit to the Board with their reports for the class session a written statement which includes the name and license number of the student for whom the sponsor does not report course credit, details concerning the student's failure to comply with the student participation standards, and names of other persons in attendance at the class who witnessed the student's conduct.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

#### **.0818 ADDITIONAL SPONSOR REQUIREMENTS**

(a) Sponsors and instructors may make available for purchase by continuing education students materials that belong to the sponsor, instructor, or some other party; however, class time may not be used to promote or sell any materials or to solicit affiliation or membership in any business, organization, or association.

(b) Course sponsors must administer course cancellation and fee refund policies in a non-discriminatory manner. In the event a scheduled course is canceled, reasonable efforts must be made to notify preregistered students of the cancellation and all prepaid fees received from such preregistered students must be refunded within 30 days of the date of cancellation or, with the student's permission, applied toward the fees for another course.

(c) Course sponsors shall admit the Board's authorized representative to monitor any continuing education class without prior notice. Such representative shall not be required to register or pay any fee and shall not be reported as having completed the course.

(d) Course sponsors may deviate from these Rules concerning the conduct of continuing education courses, such as rules addressing classroom facilities, minimum class size and instructional methods, as may be necessary in order for the sponsor to comply with the Americans with Disabilities Act or other laws requiring such sponsors to accommodate persons with disabilities. A sponsor providing a special accommodation for a licensee with a disability that requires the sponsor to deviate from these Rules shall notify the Board in writing of the accommodation at the time reports are submitted for the class session attended by the licensee.

*History Note: Authority G.S. 85-4(e1);*

*Temporary Adoption Eff. January 1, 2000.*

#### **.0819 ALTERNATIVE COMPLIANCE**

(a) An auctioneer, apprentice auctioneer, or designated person of an auction firm who is unable, for good cause shown, to attend a Board-approved course and obtain the requisite hours of instruction established by the Board may apply to the Board for alternative compliance.

(b) An application for alternative compliance shall be on a form provided by the Board.

(c) An application for alternative compliance shall be received by the Board by May 15 of the year in which the requisite hours of instruction are to be completed. If approved, the course of instruction shall be completed prior to license renewal and shall be exempt from the late fee.

(d) Alternative compliance shall include, but shall not be limited to:

- (1) Academic courses at a community college, junior college, or college or university located in this State and accredited by the Southern Association of Colleges and Schools in any of the following topics:
  - (A) Accounting
  - (B) Finance
  - (C) Business Management
  - (D) Business Law
  - (E) Economics
  - (F) Marketing
  - (G) Computer Science
  - (H) Sales
  - (I) Enhancing Personal or Professional Skills
- (2) Completion of any non-real estate appraisal course and certification; and
- (3) Publication of an article in a recognized professional journal.

(e) Credit hours to be awarded shall be in the discretion of the Board.

*History Note: Authority G.S. 85B-4(e1);  
Temporary Adoption Eff. January 1, 2000.*

### **TITLE 23 - DEPARTMENT OF COMMUNITY COLLEGES**

**Rule-making Agency:** *NC State Board of Community Colleges*

**Rule Citation:** *23 NCAC 2E .0205*

**Effective Date:** *December 6, 1999*

**Findings Reviewed by Beecher R. Gray:** *Approved*

**Authority for the rule-making:** *G.S. 115D-5, 115D-31.3, 1999 S.L., c. 237 s. 9.2, 1993 S.L., c. 321; 1995 S.L., c. 625*

**Reason for Proposed Action:** *Pursuant to 1999 S.L. c. 237, s.*

9.2, the State Board of Community Colleges is required to establish new accountability measures and performance standards for performance budgeting in the community college system. Beginning with the 2000-2001 fiscal year, colleges meeting these standards may carry forward funds. Also, beginning with the 2001 academic year colleges are required to publish their performance on these measures in their catalogs. We need this rule in effect immediately so that the colleges will have sufficient experience and ample time to implement these measures prior to the 2000-2001 fiscal year and the 2001 academic year.

**Comment Procedures:** Written comments may be sent to Clay T. Hines, North Carolina Community Colleges System, 5004 Mail Service Center, Raleigh, NC 27699-5004.

## CHAPTER 2 - COMMUNITY COLLEGES

### SUBCHAPTER 2E - EDUCATIONAL PROGRAMS

#### SECTION .0200 - CURRICULUM PROGRAMS

##### .0205 PROGRAM REVIEW

(a) Each college shall monitor the quality and viability of all its programs and services. Each curriculum program, each program area within continuing education, including Basic Skills, occupational extension, and community service, and each service area shall be reviewed at least every five years to determine program strengths and weaknesses and to identify areas for program improvement. The program review process shall be consistent with the requirements of the regional accrediting agency, and occupational extension program shall be reviewed annually. Colleges shall provide information to the Department of Community Colleges on program enrollment; cost; student progress; achievement and outcomes; and employer satisfaction.

(b) Each college shall submit data to the System Office on the performance measures related to the following outcomes: progress of Basic Skills students; performance of college transfer students; passing rates on licensure and certification examinations; success of developmental studies students; curriculum student success; and employer satisfaction. Each college shall publish its data on all performance measures in its catalog, beginning with catalogs published after April 2001. Associate in Applied Science, diploma and certificate programs shall meet the following standards for performance:

- (1) — the standard required by an outside licensure or accrediting agency for passing rates on licensure or

- certification examinations, where applicable; and  
(2) — a satisfactory level on at least five of the following eight required elements:  
(A) — a three year annual average enrollment of at least 10 students, unduplicated headcount;  
(B) — student goal accomplishment for program completion;  
(C) — student goal accomplishment for other student goals;  
(D) — program completer satisfaction with program;  
(E) — early leaver satisfaction with program;  
(F) — program completer employment rate;  
(G) — early leaver employment rate;  
(H) — employer satisfaction.

The performance level on Parts (b)(2)(B) through (b)(2)(H) of this Rule shall be no more than 15 percent below the system average and shall be determined by an annual survey conducted by each college based on a standard set of questions developed by the Department of Community Colleges.

(c) The System Office shall report annually to the State Board of Community Colleges on these performance measures. The Associate in Arts, Associate in Science, and Associate in Fine Arts degree programs' performance level shall be no more than 15 percent below the system average grade point average earned after two semesters in a four-year institution for students who completed 60 or more semester credit hours at the community college:

(d) The System Office shall monitor the colleges' performance on all measures and ensure that all measures are being used for the purpose of program improvement. Programs which do not meet these standards shall be subject to further review to document temporary or permanent conditions which shall be taken into account to justify offering the program. If further review fails to provide a justification for the program or to lead to improvement so that the program meets the standards, the program shall be terminated.

*Note: Substance of former 23 NCAC 2C.0604 was incorporated into this Rule.*

*History Note: Authority G.S. 115D-5; 115D-31.3, 1999 S.L., c. 237, s. 9.2, 1993 S.L., c. 321, s. 109; S.L. 1995, c. 625; Eff. February 1, 1990;  
Amended Eff. August 1, 1995; September 1, 1993;  
Temporary Amendment Eff. June 1, 1997;  
Amended Eff. July 1, 1998;  
Temporary Amendment Eff. December 6, 1999.*



This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, January 20, 2000, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Friday, January 13, 2000, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

**RULES REVIEW COMMISSION MEMBERS**

**Appointed by Senate**

Teresa L. Smallwood, Vice Chairman  
 John Arrowood  
 Laura Devan  
 Jim Funderburke  
 David Twiddy

**Appointed by House**

Paul Powell, Chairman  
 Walter Futch  
 Jennie J. Hayman  
 George Robinson  
 R. Palmer Sugg

**RULES REVIEW COMMISSION MEETING DATES**

January 20, 2000  
 February 17, 2000

March 16, 2000  
 April 13, 2000

**LOG OF FILINGS**

**RULES SUBMITTED: NOVEMBER 20, 1999 THROUGH DECEMBER 20, 1999**

AGENCY/DIVISION	RULE NAME	RULE CITATION	ACTION
<b>CULTURAL RESOURCES, DEPARTMENT OF/NC HISTORICAL COMMISSION</b>			
	Statement of Purpose	7 NCAC 4S .0101	Amend
	Visiting Hours	7 NCAC 4S .0102	Amend
	Admission Prices	7 NCAC 4S .0103	Amend
	Visitation Rules	7 NCAC 4S .0104	Amend
	Use of the Auditorium	7 NCAC 4S .0105	Amend
	Research	7 NCAC 4S .0106	Amend
	Audiovisual Aids	7 NCAC 4S .0107	Amend
	Photographic Services	7 NCAC 4S .0108	Amend
	Acquisition of Artifacts	7 NCAC 4S .0109	Amend
	Operation	7 NCAC 4S .0110	Amend
<b>DEPARTMENT OF INSURANCE</b>			
	Contents of Full Application	11 NCAC 6B .0201	Repeal
	Modification of Application	11 NCAC 6B .0202	Repeal
	Duration of Initial Certificate	11 NCAC 6B .0203	Repeal
	Application for Renewal of Certificate	11 NCAC 6B .0204	Repeal
	Renewal Certificate of Registration	11 NCAC 6B .0205	Repeal
	Financial Statements	11 NCAC 6B .0301	Repeal
	Determination of Financial Responsibility	11 NCAC 6B .0302	Repeal
	Financial Information Public Records	11 NCAC 6B .0303	Repeal
	Surety Bond Issued by Licensed Company	11 NCAC 6B .0304	Repeal
	Service Contracts w/Insurance Companies	11 NCAC 6B .0401	Repeal
	Adjusting Claims by Administrators	11 NCAC 6B .0402	Repeal
	Violations: Penalties	11 NCAC 6B .0403	Repeal
	Definitions	11 NCAC 6B .0404	Repeal
	Payment of Claims	11 NCAC 6B .0405	Repeal
	Bank Credit Card Facility	11 NCAC 12 .0308	Repeal
	Use of Credit Cards Prohibited	11 NCAC 13 .0406	Repeal

**DENR/ENVIRONMENTAL MANAGEMENT COMMISSION**

Outstanding Resource Waters	15 NCAC 2B .0225	Amend
Neuse River Basin	15 NCAC 2B .0233	Adopt
Neuse River Basin	15 NCAC 2B .0241	Adopt
Neuse River Basin	15 NCAC 2B .0242	Adopt
Tar-Pamlico River Basin	15 NCAC 2B .0259	Adopt
Tar-Pamlico River Basin	15 NCAC 2B .0260	Adopt
Tar-Pamlico River Basin	15 NCAC 2B .0261	Adopt
Little Tennessee River Basin	15 NCAC 2B .0303	Amend
French Broad River Basin	15 NCAC 2B .0304	Amend
Broad River Basin	15 NCAC 2B .0306	Amend
Catawba River Basin	15 NCAC 2B .0308	Amend
Lumber River Basin	15 NCAC 2B .0310	Amend
Pasquotank River Basin	15 NCAC 2B .0317	Amend
Control of Conical Incinerators	15 NCAC 2D .0523	Repeal
Definitions	15 NCAC 2D .1202	Amend
Hazardous Waste Incinerators	15 NCAC 2D .1203	Amend
Sewage Sludge and Sludge Incinerators	15 NCAC 2D .1204	Amend
Municipal Waste Combustors	15 NCAC 2D .1205	Amend
Hosp/Med/Infectious Waste Incinerators	15 NCAC 2D .1206	Amend
Conical Incinerators	15 NCAC 2D .1207	Amend
Other Incinerators	15 NCAC 2D .1208	Amend
Compliance Schedules	15 NCAC 2D .1209	Repeal
Activities Exempted-Permit Requirements	15 NCAC 2Q .0102	Amend
Activities Exempted-Permit Requirements	15 NCAC 2Q .0102	Amend
Definitions	15 NCAC 2Q .0103	Amend
Definitions	15 NCAC 2Q .0202	Amend
Permits Requiring Public Participation	15 NCAC 2Q .0306	Amend
Applicability	15 NCAC 2Q .0502	Amend
Definitions	15 NCAC 2Q .0503	Amend
Application	15 NCAC 2Q .0507	Amend
Permit Content	15 NCAC 2Q .0508	Amend
Exemptions	15 NCAC 2Q .0702	Amend

**DENR/COASTAL RESOURCES COMMISSION**

Permit Fee	15 NCAC 7H .1103	Amend
Permit Fee	15 NCAC 7H .1203	Amend
Permit Fee	15 NCAC 7H .1303	Amend
Permit Fee	15 NCAC 7H .1403	Amend
Application Fee	15 NCAC 7H .1503	Amend
Permit Fee	15 NCAC 7H .1603	Amend
Permit Fee	15 NCAC 7H .1803	Amend
Permit Fee	15 NCAC 7H .1903	Amend
Permit Fee	15 NCAC 7H .2003	Amend
Permit Fee	15 NCAC 7H .2103	Amend
Permit Fee	15 NCAC 7H .2203	Amend
Permit Fee	15 NCAC 7H .2303	Amend
Processing the Application	15 NCAC 7J .0204	Amend
Development Period Extension	15 NCAC 7J .0404	Amend
Permit Modification	15 NCAC 7J .0405	Amend
Permit Issuance and Transfer	15 NCAC 7J .0406	Amend
Eligible Applicants/Grant Sel Criteria	15 NCAC 7M .0307	Amend
Declaration of General Policy	15 NCAC 7M .0401	Amend
Definitions	15 NCAC 7M .0402	Amend
Policy Statements	15 NCAC 7M .0403	Amend

**SECRETARY OF STATE**

Notice Filing Procedures for Offerings	18 NCAC 6 .1212	Amend
Securities Registration and Filing Fees	18 NCAC 6 .1304	Amend



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**RULES REVIEW COMMISSION**

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<b>STATE BOARDS/DENTAL EXAMINERS, BOARD OF</b>	Application to Exchange Securities	18 NCAC 6 .1502	Amend
	Functions Which May Be Delegated	21 NCAC 16G .0101	Amend
	Functions Which Shall not be Delegated	21 NCAC 16G .0102	Amend
	Procedures Prohibited	21 NCAC 16G .0103	Amend
	Dental Assistant II	21 NCAC 16H .0103	Amend
	Approved Education & Training Programs	21 NCAC 16H .0104	Amend
	Gen Permitted Functions-Dental Asst I	21 NCAC 16H .0201	Amend
	Specific Permitted Functions	21 NCAC 16H .0202	Amend
	Permitted Functions of Dental Assistant II	21 NCAC 16H .0203	Amend
	Gen Prohibited Functions of Dental Assts	21 NCAC 16H .0204	Amend
	Spec Prohibited Functions of Dental Assts	21 NCAC 16H .0205	Amend
	Credentials and Permit	21 NCAC 16Q .0201	Amend
	Equipment	21 NCAC 16Q .0202	Amend
	Sedation Credentials and Permit	21 NCAC 16Q .0301	Amend
	Equipment	21 NCAC 16Q .0302	Amend
	Definition	21 NCAC 16V .0101	Amend
	Definition	21 NCAC 16V .0102	Amend
<b>STATE BOARDS/NC BOARD OF PHYSICAL THERAPY EXAMINERS</b>			
	Fees	21 NCAC 48F .0102	Amend
<b>N C STATE BOARD OF COMMUNITY COLLEGES</b>			
	Mission-Community College System	23 NCAC 2B .0104	Amend
	Donated Property	23 NCAC 2C .0503	Adopt
	Acquisition of Equipment	23 NCAC 2C .0504	Adopt
	Noncertified Source Purchases	23 NCAC 2C .0505	Adopt

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**RULES REVIEW COMMISSION****December 16, 1999  
MINUTES**

The Rules Review Commission met on December 16, 1999, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Chairman Teresa Smallwood, Jennie J. Hayman, Walter Futch, Paul Powell, Jim R. Funderburk, Palmer Sugg, John Arrowood, Laura Devan, David R. Twiddy, and George Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Baruch A. Fellner	UPS
Marge Howell	LABOR
Becky Brown	LABOR
Dedra Alston	DENR
Tom West	Poyner and Spruill
Leslie Bevacqua	N C Citizens for Business & Industry
Butch Gunnells	N C Soft Drink Association
Joy Mayo	Womble Carlyle
Charles Jones	DENR/Coastal Management
Jessica Gill	DENR/Coastal Management
Bill Crowell	DENR/Coastal Management
James Rosich	DENR/Coastal Management
Hazel Chavis	CAT
Bobby Lowe	DENP/DWQ
Vega George	DENR/DWQ
Amy Simes	DENR/DWQ

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Juanita Gaskill	DENR/Marine Fisheries Commission
George Hurst	Attorney General
Jerry Perkins	DENR/DWS
Janice Fain	DHHS/DCD
Thomas Allen	DENR/DAQ
Ryke Longest	Attorney General
Julie Campbell	NC Citizens for Business and Industry
Frank Crawly	Attorney General
Henry Jones	Attorney
Andy Ellen	N C Retail Merchants Association
Fran Preston	N C Retail Merchants Association
Lauren Steele	Coca-Cola
Shirley Bullard	DHHS/Public Housing
Renee Myatt	DHHS
Kathleen Sherman Glancy	Attorney
Tom O'Conner	NCOSH
Joe Wiggs	Cape Fear Pilots Association
Sabrina Jones	News and Observer
Leanne Winner	N C School Board Association
James Andrews	AFL-CIO
Tim Childen	LABOR/OSHA
Wayne Bumgardner	Bernhardt Furniture
Dave Masters	Thomasville Furniture
White Watkins	American Furniture
Perri Morgan	National Federation Individual Business
Harry Payne	LABOR
Angela Waldorf	LABOR
Mike Lynch	RDU Airport
Bob Andrews	LABOR
Jessica Miles	DENR/Public Water Supply
Bob Midgett	DENR/Public Water Supply
James McGuire	DENR/Public Water Supply
Sarah Meacham	Attorney General
Leanne Winner	N C School Board Association
Tim Devinney	Glaxo-Wellcome
Mike Okun	N C State AFL
Robin Smith	DENR
Ronald Raxter	Sanford Holshouser
Jackie Stalnaker	DHHS/Vocational Rehabilitation
Jackie Sheppard	DHHS/DFS

## **APPROVAL OF MINUTES**

The meeting was called to order at 10:01 a.m. with Chairman Smallwood presiding. She asked for any discussion, comments, or corrections concerning the minutes of the November 17, 1999 meeting. There being none, the minutes were approved.

## **FOLLOW-UP MATTERS**

2 NCAC 52B .0207 and .0302: AGRICULTURE/Board of Agriculture – No action was necessary on these rules.

2 NCAC 52E .0209: AGRICULTURE/Board of Agriculture – No action was necessary on this rule.

4 NCAC 3L .0701: COMMERCE/Banking Commission – The agency requested that the rule be returned to them. The rule was subsequently returned.

10 NCAC 3R .6234: DHHS/Division of Facility Services – The rewritten rule submitted by the agency was approved by the Commission.



10 NCAC 3S .1101, .1203, .1207, .1301, .1601, .1802, and .2001: DHHS/Division of Facility Services – The rewritten rules submitted by the agency were approved by the Commission with the exception of .1207 which was returned to the agency and its request.

13 NCAC 7F .0601, .0602, .0603, .0604, .0605, and .0606: DEPARTMENT OF LABOR – The Commission objected to these rules due to lack of statutory authority. Session Law 1999-395, Section 19.1(a) prohibits the use of funds appropriated to the Department of Labor for the 1999-2000 fiscal year or the 2000-2001 fiscal year to implement an ergonomics standard. The Commission found that the act of adopting these rules and taking other steps to put them into place involves using funds to implement the standard in violation of that provision. There is thus no authority to do so. Commissioner Hayman recused herself from these rules and Commissioners Smallwood and Arrowood voted not to object to the rules.

15A NCAC 2D .0541, .1801, and .1802: DENR/Environmental Management Commission – The rewritten rules submitted by the agency were approved by the Commission.

15A NCAC 3I .0117: DENR/Marine Fisheries Commission – The repeal was approved by the Commission.

15A NCAC 16A .1104 – DHHS/Commission for Health Services – At the request of the agency no action was taken on this rule until the January meeting.

21 NCAC 1 .0101: N C Acupuncture Licensing Board – No response was received from the agency.

## **LOG OF FILINGS**

Chairman Smallwood presided over the review of the log and all rules were approved with the following exceptions:

4 NCAC 15 .0120: COMMERCE/Cape Fear River Navigation & Pilotage Commission - The Commission objected to this rule due to lack of statutory authority. The added sentence is not consistent with G.S. 76A-5(c) which requires the Commission to renew each license if the holder has complied with the statutes and rules. This applies to limited licenses as well as full licenses.

4 NCAC 15 .0121: COMMERCE/Cape Fear River Navigation & Pilotage Commission - The Commission objected to this rule due to lack of statutory authority and ambiguity. In (a)(1), it is not clear what constitutes "satisfactory" evidence of graduation. It is also not clear what is meant by "accredited" college or university. In (a)(2), it is not clear what is meant by "good moral character." There is the same issue in (g)(3). In (a)(3), (4), (5), (6), and (8) also, it is not clear what constitutes "satisfactory" evidence. In (a)(5), it is not clear what constitutes "good natural hearing." In (a)(8), there is no authority to require evidence of physical and mental qualifications that have not been adopted as rules. There is no authority for the provision in (b) requiring a majority vote of the association for an apprentice to be licensed. There is no authority for the Commission to set requirements outside rulemaking as (c)(8) implies. In addition, the requirements are to be set by the Commission, not the association. There is no authority for the provision in (e) requiring the recommendation by the association for the issuance of a limited license or additional limited licenses. There is also no authority for the time limitation. In (f), it is not clear what is meant by "satisfactory" progress. There is no authority for the provision in (g)(4) requiring the recommendation of the association to be appointed as a pilot. In (g)(6), it is not clear what constitutes "immediate family."

10 NCAC 3R .0212: DHHS/Division of Facility Services – The Commission objected to this rule due to lack of statutory authority. There is no authority for the provision in (g) setting additional limitations on contested case proceedings beyond those found in the Administrative Procedure Act, other statutes, or rules adopted by the Office of Administrative Hearings to implement the APA.

10 NCAC 3U .0102: DHHS/Child Care Commission – The Commission objected to this rule due to lack of statutory authority. There is no authority for the agency to establish occupational qualifications for basic school age care trainers as the rule does in (5) and (6).

10 NCAC 3U .2510: DHHS/Child Care Commission – The Commission objected to this rule due to ambiguity. In (k)(1), it is not clear what other life saving certificate issuing entities will be approved by the division.

15A NCAC 1J .0402: DENR – The Commission objected to this rule due to ambiguity. In (b)(3), it is not clear what constitutes "significantly" contributes to the implementation of the plan.

15A NCAC 1J .0504: DENR – The Commission objected to this rule due to ambiguity. In (1) and (2), it is not clear what constitutes

an "acceptable" sewer use ordinance. The final sentence in the rule is unclear. Either an applicant is entitled to the points or he is not. There is no provision for partial value plus both items are either done or not done. The only question is whether to assign points, not how many to assign.

15A NCAC 1J .0604: DENR - The Commission objected to this rule due to ambiguity. In (1) and (2), it is not clear what constitutes an "acceptable" sewer use ordinance. The final sentence in the rule is unclear. Either an applicant is entitled to the points or he is not. There is no provision for partial value plus both items are either done or not done. The only question is whether to assign points, not how many to assign.

15A NCAC 1J .0701: DENR - The Commission objected to this rule due to ambiguity. In (2)(a), (b), (c), (d), and (e), each item begins by saying that a maximum number of points shall be awarded. Then items are listed under them which either are, or are not, met. Logically, the project would get all points or none, which is also what an earlier rule states will happen. If a fewer number of points can be awarded, it is not clear what standards the agency will use in awarding them.

15A NCAC 1J .0903: DENR - The Commission objected to this rule due to ambiguity. In (1), it is not clear what standards the receiving agency is to use to approve loan commitment decreases. In (2), it is not clear what standards the receiving agency is to use to approve increases greater than 10% of the loan commitment.

15A NCAC 1L .0503: DENR - The Commission objected to this rule due to ambiguity. In (1) and (2), it is not clear what constitutes "acceptable" sewer use ordinance. The final sentence in the rule is also unclear. Either an applicant is entitled to the points or he is not. There is no provision for partial value plus both items are either done or not done. The only question is whether to assign points, not how many to assign.

15A NCAC 1L .0604: DENR - The Commission objected to this rule due to ambiguity. In (1) and (2), it is not clear what constitutes "acceptable" sewer use ordinance. The final sentence in the rule is also unclear. Either an applicant is entitled to the points or he is not. There is no provision for partial value plus both items are either done or not done. The only question is whether to assign points, not how many to assign.

15A NCAC 1L .0701: DENR - The Commission objected to this rule due to ambiguity. In (2)(a), (b), (c), (d), and (e), each item begins by saying that a maximum number of points shall be awarded. Then items are listed under them which either are, or are not, met. Logically, the project would get all points or none, which is also what an earlier rule states will happen. If a fewer number of points can be awarded, it is not clear what standards the agency will use in awarding them.

15A NCAC 1L .1003: DENR - The Commission objected to this rule due to ambiguity. In (1), it is not clear what standards the receiving agency is to use to approve loan commitment decreases. In (3), it is not clear what standards the receiving agency is to use to approve increases greater than 10% of the loan commitment.

15A NCAC 3I .0106: DENR/Marine Fisheries Commission - The Commission objected to this rule due to ambiguity. In (a), it is not clear what is meant by "significant" adverse effect.

15A NCAC 3O .0101: DENR/Marine Fisheries Commission - The Commission objected to this rule due to ambiguity. In the added portion of (a)(5), it is not clear what is meant by "incorporation of an individual fishing vessel." While a corporation may own a vessel, the vessel itself cannot be the corporation.

15A NCAC 3O .0404: DENR/Marine Fisheries Commission - The Commission objected to this rule due to ambiguity. In (1)(a), (b), and (f), it is not clear what is meant by "significant" involvement.

15A NCAC 7H .0209: DENR/Coastal Resources Commission - The Commission objected to this rule due to ambiguity. In (d), it is not clear what the sentence "Every effort shall be made to conserve these shorelines and their vital components" requires or from whom. In (d)(4)(B), it is not clear what is meant by "adequate" erosion control devices or structures. In (d)(5), it is not clear what is meant by "significant" adverse impact. In (d)(6), it is not clear what is meant by "significantly" interfere. In (d)(7), it is not clear what is meant by "major" public facility or "extraordinary" public expenditures. In (d)(8), it is not clear what is meant by "major" damage or "valuable documented historic architectural or archeological resources." In (g)(2)(B), it is not clear what is meant by "substantial" financial resources.

## **COMMISSION PROCEDURES AND OTHER MATTERS**



Mr. DeLuca informed the Commission that the Auditor's Office had notified us that we were being audited again this year. Commissioner Futch asked if the disaster relief reserve in the budget was a new item. He was informed that it was and that our office would be appealing the amount to be taken from our budget.

The next meeting will be on Thursday, January 20, 2000.

The meeting adjourned at 1:20 p.m.

Respectfully submitted,  
Sandy Webster

*This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.*

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
JULIAN MANN, III

*Senior Administrative Law Judge*  
FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Sammie Chess Jr.  
Beecher R. Gray  
Melissa Owens

Meg Scott Phipps  
Robert Roosevelt Reilly Jr.  
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>ADMINISTRATION</b>				
Brithaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs, Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
<b>OFFICE OF ADMINISTRATIVE HEARINGS</b>				
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
<b>AGRICULTURE</b>				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
<b>ALCOHOLIC BEVERAGE CONTROL COMMISSION</b>				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Stop 1, Inc, T/A Stop 1 Grocery	98 ABC 1337	Phipps	09/29/99	
Alcoholic Beverage Control Commission v. George Steven Everett t/a Casino Snooks Place	98 ABC 1546	Reilly	10/19/99	
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Bev. Control Comm.v. Partnership T/A Mermaid Rest. & Lge.	99 ABC 0367	Chess	09/17/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Lillian Sarah Clary	99 ABC 0615	Phipps	09/01/99	
Alcoholic Beverage Control Commission v. Circle K Stores, Inc., T/A Circle K #8357	99 ABC 0656	Gray	11/29/99	
Alcoholic Beverage Control Commission v. Vnus Enterprices, LLC, t/a Rendez Vous Club & City of Charlotte	99 ABC 0684	Morgan	10/15/99	
Alcoholic Beverage Control Commission v. Mohammad Salim Pirani	99 ABC 0780	Morrison	09/21/99	
Alcoholic Beverage Control Commission v. Creek Lounge, Inc. t/a Creek Lounge	99 ABC 0820	Morgan	10/13/99	
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
Alcoholic Beverage Control Commission v. Partnership T/A Corrothers Community Center/Private Club	99 ABC 0986	Lassiter	11/03/99	
<b>CRIME CONTROL AND PUBLIC SAFETY</b>				
Ray Anthony Breeding v. Crime Control & Public Safety	93 CPS 0695	Gray	09/13/99	
John Ray Webb v. Crime Victims Compensation Commission	95 CPS 1353	Gray	09/13/99	
Sarene Franklin Holloway v. Crime Victims Compensation Comm.	97 CPS 1172	Chess	10/12/99	



<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Paul Richard Mull v. Crime Victims Compensation Commission	98 CPS 0342	Chess	07/26/99	
Coradene Mayhand v. Crime Victims Compensation Commission	98 CPS 0398	Chess	10/09/99	
Edna Carr v. Crime Victims Compensation Commission	98 CPS 0788	Chess	10/28/99	
Eric Charles Williams v. Crime Control & Public Safety, Div. of State Highway Patrol	98 CPS 1279	Chess	11/01/99	
Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	
Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99	
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99	
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm.	99 CPS 0504	Reilly	07/29/99	
Lemuel Ray Jenkins v. Crime Victims Compensation Commission	99 CPS 0521	Gray	09/08/99	
Annabell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99	
<b>ENVIRONMENT AND NATURAL RESOURCES</b>				
R.J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1600	Reilly	10/08/99	14:11 NCR 926
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1601	Reilly	10/08/99	
Town of Maysville v. Environment and Natural Resources	99 EHR 0069	Owens	09/27/99	
Willie Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0344 <sup>9</sup>	Phipps	09/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0380 <sup>9</sup>	Phipps	09/28/99	
James P. and Irene P. Wilson v. Cleveland Co. Health & Sanitary	99 EHR 0506	Lassiter	10/07/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. Department of Env. & Natural Resources	99 EHR 0560 <sup>11</sup>	Reilly	11/01/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. City of Greensboro, Piedmont Triad Regional Water Authority	99 EHR 0613 <sup>11</sup>	Reilly	11/01/99	
Mazzella's Restaurant, Peter D. Mazzella v. Carteret County Env. Health	99 EHR 0692	Reilly	08/19/99	
Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	
John W. Venable v. Department of Environment and Natural Resources	99 EHR 0773	Wade	10/13/99	
Shell Island Homeowners' Association v. DENR, Div. of Env. Health	99 EHR 0814	Owens	08/18/99	
Gail S. Barfield v. Department of Environment and Natural Resources	99 EHR 0840	Morrison	11/19/99	
Richard E. Day v. Division of Coastal Management	99 EHR 0921	Wade	11/02/99	
Ronald L. Walker, Sr. v. Environmental Health Ala County	99 EHR 1076	Morrison	10/18/99	
Clifford Myers v. Montgomery County Health Department	99 EHR 1106	Mann	11/03/99	
Deloris B. Wooten v. Pitt County Dept. of Environmental Health	99 EHR 1131	Wade	11/19/99	
<b>Division of Air Quality</b>				
Neighbors Against The Cullasaja Asphalt Plant & Blue Ridge Env. Defense League, Inc. v. Dept of Env & Natural Resources and Rhodes Brothers Paving, Inc. and Carolina Asphalt Pavement Association	98 EHR 1735	Gray	09/30/99	14:10 NCR 900
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality	98 EHR 1790	Mann	06/23/99	
XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0283	Wade	08/11/99	
J.D. Owen v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0642	Mann	08/10/99	
<b>Environmental Management</b>				
Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
<b>Division of Land Resources</b>				
Buel B. Barker, Jr. and Hubbard Realty of Winston-Salem, a NC Corp., jointly and severally v. DENR, Div. of Land Resources	98 EHR 1457	Morrison	06/09/99	
T.B. Powell, Inc. v. DENR, Division of Land Resources	99 EHR 0632	Wade	10/04/99	
Ronald G. Smith v. DENR, Division of Land Resources	99 EHR 0799	Morrison	10/29/99	
<b>Division of Marine Fisheries</b>				
Alton Chadwick v. Division of Marine Fisheries	99 EHR 0553	Reilly	08/19/99	
<b>Division of Water Quality</b>				
York Oil Company v. DENR, Division of Water Quality	97 EHR 1026	Phipps	07/26/99	14:04 NCR 343
J. Todd Yates and Teresa B. Yates v. DENR, Div. of Water Quality	98 EHR 1456	Wade	06/22/99	
N.G. Purvis Farms, Inc. v. DENR, Division of Water Quality	99 EHR 0696	Chess	08/27/99	

**BOARD OF GEOLOGISTS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Andrew M. Raring, Ph.D v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
<b>HEALTH AND HUMAN SERVICES</b>				
Eardley "JR" Stephens v. St. Bd. of Nurse's Aides and Practitioners	98 DHR 0155	Phipps	08/25/99	
Ernest Clyde Absher and Dianna B. Absher v. Health & Human Resources	98 DHR 1622	Reilly	06/17/99	
Andrew Ganey v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	14:01 NCR 69
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
Paul Walker, Thomas Walker & Mary Walker v. Mecklenburg Area Mental Health	99 DHR 0155	Morrison	08/19/99	
New Hope Living Centers, Eric D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
Frank McKoy v. Department of Health & Human Services	99 DHR 0226	Wade	07/06/99	
Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0305	Reilly	08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0350	Reilly	06/03/99	
Robert H. Riley v. Office of the Governor, Office of Citizen Services	99 DHR 0356	Wade	07/21/99	
Betty C. Patterson v. Department of Health & Human Services	99 DHR 0954	Reilly	11/05/99	
Rayner Super Mkt., J.K. Rayner, Jr. v. Department of Health and Human Services	99 DHR 0961	Morrison	11/15/99	
Monica Denise Dayson v. Department of Health & Human Services	99 DHR 1041	Reilly	09/29/99	
<i>Division of Child Development</i>				
Shaw Speaks Child Dev. Ctr. v. Health & Human Svcs., Child Dev.	99 DHR 0042	Gray	07/22/99	
Lachelle L. Parsons v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0445	Reilly	07/19/99	
In The Beginning, Inc. v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0575	Mann	07/19/99	
Dulatown Outreach Center, Inc. v. Health & Human Svcs., Child Dev.	99 DHR 0688	Owens	07/21/99	
Michele Denoff v. Health & Human Services, Div. of Child Dev.	99 DHR 0695	Owens	08/05/99	
MLCN, Inc., Mary C. McGovern v. DHHS, Div. of Child Dev.	99 DHR 1032	Wade	11/19/99	
Small World Daycare II, Trena S. McDaniel v. Health & Human Svcs., Div. of Child Dev.	99 DHR 1038	Lassiter	10/06/99	
<i>Division of Facility Services</i>				
Kelly M. Poole v. Health & Human Services, Div. of Facility Services	97 DHR 0629	Chess	06/14/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	98 DHR 1274 *1	Phipps	07/02/99	
Della C. Jones v. Health & Human Services, Div. of Facility Services	98 DHR 1680	Gray	06/09/99	
Heather Alane Scott v. Health & Human Svcs. Div of Facility Services	98 DHR 1671	Gray	10/08/99	
Effie Ruth Smith v. Health & Human Svcs., Div. of Facility Services	98 DHR 1774	Chess	07/14/99	
Vivienne Geloria Marshall v. DHHS, Div. of Facility Services	98 DHR 1786	Phipps	09/02/99	
Sarah L. Mathis v. DHHS, Div. of Facility Services	99 DHR 0032	Morrison	09/24/99	
Doris Laviner Moser v. Health & Human Services, Div. of Facility Svcs.	99 DHR 0074	Wade	08/06/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	99 DHR 0144 *1	Phipps	07/02/99	
Carolyn Grant v. Health & Human Services, Div. of Facility Services	99 DHR 0145	Mann	06/11/99	
Marion Moser Thompson v. Health & Human Svcs., Facility Services	99 DHR 0216	Gray	08/13/99	
Rose Marie Hadley v. Health & Human Svcs., Div. of Facility Services	99 DHR 0218	Wade	08/06/99	
Sarah Frances Alford v. Health & Human Svcs., Div. of Facility Svcs.	99 DHR 0220	Phipps	06/08/99	
Alvin L. Phynon Jr. v. Health & Human Svcs., Dept. of Facility	99 DHR 0230	Mann	07/07/99	
Barbara Rhue v. D.F.S.	99 DHR 0401 *3	Wade	07/30/99	
Barbara Rhue v. D.F.S.	99 DHR 0414 *3	Wade	07/30/99	
Michelle Johnson v. DHHS, Division of Facility Services	99 DHR 0546	Gray	10/12/99	
Esther Nieves v. Health & Human Services, Div. of Facility Services	99 DHR 0766	Phipps	07/21/99	
April De'Shelle Turner v. DHHS, Div. of Social Service, Program Integrity Branch	99 DHR 0927	Gray	10/21/99	
Shirley Ann Beck v. Division of Facility Services	99 DHR 0942	Mann	09/24/99	
<i>Division of Medical Assistance</i>				
Interim HealthCare - Morris Group, Inc., Lisa B. Morris, RN, BSN v. DHHS, Division of Medical Assistance	99 DHR 0552	Mann	09/01/99	
Companion Health Care, Inc. v. Div. of Medical Assistance, DHR	99 DHR 0762	Owens	07/29/99	
<i>Division of Mental Health, Developmental Disabilities and Substance Abuse Services</i>				
S.S. by her parents and next friends, D.S. & A.S. v. DMH/DD/SAS	99 DHR 0538	Gray	08/02/99	
<i>Division of Social Services</i>				
Robert H. Riley v. Iredell County DSS	99 DHR 0354	Wade	07/21/99	
Robert H. Riley v. Health & Human Svcs., Div. of Social Services	99 DHR 0355	Wade	07/21/99	
Joanna Price v. Caldwell County Social Services	99 DHR 0520	Morrison	06/10/99	
Veronica Owens v. Dept. of Social Services Union County	99 MIS 0677	Mann	08/17/99	

\* Consolidated Cases.



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<i>Child Support Enforcement Section</i>				
Grady J. Griffith v. Department of Human Resources	97 CRA 1570	Mann	10/26/99	
Lindy Teachout v. Department of Health & Human Services	98 CRA 0727	Reilly	06/24/99	
Thomas Ashley Stewart II v. Department of Health & Human Services	99 CRA 0628	Reilly	06/14/99	
June V. Pettus v. Department of Human Resources	96 CSE 1721*8	Mann	09/17/99	
Floyd W. Hubbard v. Department of Human Resources	96 CSE 1725	Reilly	09/02/99	
Richard Arnold Collins v. Jones County DSS	96 CSE 1810	Reilly	06/28/99	
David S. Blackwelder v. Department of Human Resources	97 CSE 0416	Morrison	08/24/99	
June V. Pettus v. Department of Human Resources	97 CSE 0867*8	Mann	09/17/99	
Grady J. Griffith v. Department of Human Resources	97 CSE 1569	Mann	10/26/99	
John T. Raynor v. Department of Human Resources	98 CSE 0054	Gray	10/21/99	
Kenneth Wayne Adair v. Department of Human Resources	98 CSE 0229	Morrison	06/30/99	
Randy Snead v. Department of Human Resources	98 CSE 0544	Gray	10/21/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 0845	Phipps	09/21/99	
Huri G. Stokes v. Department of Health & Human Services	98 CSE 0898	Gray	07/23/99	
Ronald E. Sanders v. Department of Human Resources	98 CSE 1182	Mann	10/26/99	
Willie D. Davis v. Department of Human Resources	98 CSE 1387	Mann	09/17/99	
G.S. Hall v. Department of Health & Human Services	98 CSE 1392	Reilly	06/24/99	
Charles Stewart v. Department of Human Resources	98 CSE 1419	Mann	09/17/99	
Kenneth A. McCrorie v. Department of Human Resources	98 CSE 1435	Gray	08/04/99	
Daniel R. Klock v. Department of Human Resources	98 CSE 1440	Morrison	10/20/99	
David M. VanDyke v. Department of Human Resources	98 CSE 1549	Mann	09/17/99	
Jerome Maddox v. Department of Health & Human Services	98 CSE 1562	Mann	09/17/99	
Sam Anderson v. Department of Human Resources	98 CSE 1585	Mann	09/17/99	
Donald Edward Law II v. Department of Human Resources	98 CSE 1586	Morrison	06/25/99	
Sechia Lee Corbett v. Department of Human Resources	98 CSE 1588	Phipps	09/21/99	
Robert T. Ausband v. Department of Human Resources	98 CSE 1612	Mann	11/02/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 1613	Phipps	09/21/99	
Antonio Melendez v. Department of Health & Human Services	98 CSE 1635	Chess	09/30/99	
William W. Heck v. Department of Human Resources	98 CSE 1638	Mann	09/17/99	
Rickey Lightner v. Department of Human Resources	98 CSE 1717	Reilly	11/02/99	
Robert M. Chandler Jr. v. Department of Health & Human Services	98 CSE 1789	Phipps	05/27/99	
Jermaine L. Covington v. Department of Health & Human Services	99 CSE 0209	Lassiter	11/18/99	
Mitchell Moses, Jr. v. Department of Health & Human Services	99 CSE 0217	Wade	11/30/99	
Grady L. Chosewood v. Department of Health & Human Services	99 CSE 0301	Mann	07/01/99	
Fulton Allen Tillman v. Department of Health & Human Services	99 CSE 0311	Reilly	06/30/99	
Nathaniel Alston v. Department of Health & Human Services	99 CSE 0317	Mann	07/01/99	
Bret Burtrum v. Department of Health & Human Services	99 CSE 0318	Wade	07/14/99	
Cedric A. Hurst v. Department of Human Resources	99 CSE 0330	Chess	08/10/99	
Dane Wesley Ware v. Department of Health & Human Services	99 CSE 0359	Gray	06/28/99	
Paul H. Padrick v. Department of Health & Human Services	99 CSE 0370	Mann	11/02/99	
Oscar William Willoughby Sr. v. Dept. of Health & Human Services	99 CSE 0371	Morrison	06/28/99	
Kelvin E. Townsend v. Department of Health & Human Services	99 CSE 0373	Phipps	07/12/99	
Billy J. Young v. Department of Health & Human Services	99 CSE 0374	Reilly	06/14/99	
Rodney Eugene Caldwell v. Department of Health & Human Services	99 CSE 0427	Lassiter	10/20/99	
Adelheide J. Cooper v. Department of Health & Human Services	99 CSE 0428	Phipps	07/19/99	
Beverly K. Thompson v. Department of Health & Human Services	99 CSE 0435	Reilly	06/14/99	
Michael L. Timmer v. Department of Health & Human Services	99 CSE 0437	Wade	06/08/99	
Elizabeth F. West v. Department of Health & Human Services	99 CSE 0451	Morrison	05/25/99	
Troy Gibson v. Department of Health & Human Services	99 CSE 0462	Owens	07/19/99	
Roy D. Washington v. Department of Health & Human Services	99 CSE 0481	Reilly	06/25/99	
Everett A. Mitchell v. Department of Health & Human Services	99 CSE 0483	Chess	10/05/99	
Corey Antoine Johnson v. Department of Health & Human Services	99 CSE 0486	Gray	09/13/99	
Holland E. Harold v. Department of Health & Human Services	99 CSE 0509	Mann	11/02/99	
Larry Lowell Dixon v. Department of Health & Human Services	99 CSE 0518	Morrison	08/24/99	
Calvin D. Alston v. Department of Health & Human Services	99 CSE 0539	Owens	08/10/99	
Marquel Simmons v. Department of Health & Human Services	99 CSE 0547	Wade	08/06/99	
Anthony Vincente Battista v. Department of Health & Human Services	99 CSE 0551	Chess	08/31/99	
Gerald Scott Saucier v. Department of Health & Human Services	99 CSE 0576	Mann	06/09/99	
Lawrence Gordon Soles v. Department of Health & Human Services	99 CSE 0581	Morrison	06/09/99	
Mohamed Moustafa v. Department of Health & Human Services	99 CSE 0582	Owens	08/05/99	
Damion C. Graham v. Department of Health & Human Services	99 CSE 0635	Wade	12/06/99	
Vicky L. Day v. Department of Health & Human Services	99 CSE 0679	Gray	09/27/99	
Matthew Conklin v. Department of Health & Human Services	99 CSE 0689	Mann	09/17/99	
Charlie James White v. Department of Health & Human Services	99 CSE 0690	Morrison	07/20/99	
Bennie Lamar Knighten v. Department of Health & Human Services	99 CSE 0702	Owens	09/20/99	
Larie Bolton v. Department of Health & Human Services	99 CSE 0735	Phipps	08/06/99	
Randy Lewis Bryant v. Department of Health & Human Services	99 CSE 0737	Reilly	09/20/99	

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Earl C. Jones, Sr. v. Department of Health & Human Services	99 CSE 0801	Gray	08/10/99	
Joseph F. Donaldson, III v. Department of Health & Human Services	99 CSE 0802	Mann	11/02/99	
Naion V. Pride v. Department of Health & Human Services	99 CSE 0825	Phipps	08/20/99	
Claude W. Jordan v. Department of Health & Human Services	99 CSE 0831	Reilly	10/11/99	
Henry Roosevelt Mercer v. Department of Health & Human Services	99 CSE 0841	Wade	10/20/99	
Bobby Gene Owens v. Department of Health & Human Services	99 CSE 0877	Gray	10/11/99	
Thomas L. Vaughn v. Department of Health & Human Services	99 CSE 0883	Mann	11/08/99	
Robert F. Skipper v. Department of Health & Human Services	99 CSE 0899	Morrison	10/20/99	
Gerald W. Lawson v. Department of Health & Human Services	99 CSE 0909	Lassiter	11/16/99	
Debbie Galmon Moore v. Department of Health & Human Services	99 CSE 0957	Gray	10/18/99	
Kenneth Dana Kirk v. Department of Health & Human Services	99 CSE 0972	Mann	10/26/99	
Gill T. Smith v. Department of Health & Human Services	99 CSE 1015	Wade	11/30/99	
Clarence Earl Burden v. Department of Health & Human Services	99 CSE 1037	Chess	11/18/99	
Gary Willis v. Department of Health & Human Services	99 CSE 1040	Gray	12/02/99	
William Kizzie v. Department of Health & Human Services	99 CSE 1049	Morrison	12/01/99	
Michael Bryant v. Department of Health & Human Services	99 CSE 1235	Gray	11/17/99	
Sharon Tucker v. Department of Health & Human Services	99 CSE 1283	Reilly	11/30/99	
Eddie Southards v. Department of Health & Human Services	99 CSE 1288	Morrison	11/30/99	
Kathryn P. Fagan v. Department of Health & Human Services	98 DCS 1769	Morrison	06/25/99	
Tresha W. Robinson v. Department of Health & Human Services	99 DCS 0480	Gray	10/18/99	
Robert Dwayne Kennedy v. Department of Health & Human Services	99 DCS 0482	Wade	09/10/99	
Deborah Seegars v. Department of Health & Human Services	99 DCS 0505	Phipps	06/30/99	
Lillian Anne Darroch v. Department of Health & Human Services	99 DCS 0555	Gray	07/06/99	
Evelyn C. Pratt v. Department of Health & Human Services	99 DCS 0813	Owens	08/25/99	
Jacqueline D. Caldwell v. Department of Health & Human Services	99 DCS 0974	Morrison	09/20/99	
<b>JUSTICE</b>				
<b>Alarm Systems Licensing Board</b>				
Terry Allen Brickley v. Alarm Systems Licensing Board	99 DOJ 0097	Wade	05/21/99	
Travis Eric Reardon v. Alarm Systems Licensing Board	99 DOJ 0446	Phipps	07/28/99	
Brian Anthony Bartimac v. Alarm Systems Licensing Board	99 DOJ 0487	Morrison	05/25/99	
Paul Luke Walczak v. Alarm Systems Licensing Board	99 DOJ 0489	Owens	08/03/99	
Melvin T. Lohr v. Alarm Systems Licensing Board	99 DOJ 0490	Morrison	05/24/99	
Bradford D. Penny v. Alarm Systems Licensing Board	99 DOJ 0522	Morrison	06/08/99	
Benny L. Shaw v. Alarm Systems Licensing Board	99 DOJ 0523	Morrison	06/08/99	
Tracey Larue Santana v. Alarm Systems Licensing Board	99 DOJ 0524	Phipps	09/24/99	
Donald Eugene Boger v. Alarm Systems Licensing Board	99 DOJ 0715	Owens	07/29/99	
Kajur Washburn v. Alarm Systems Licensing Board	99 DOJ 0716	Owens	07/29/99	
Timothy Chezere Sifford v. Alarm Licensing Board	99 DOJ 1022	Morrison	09/24/99	
Howard Douglas Self v. Alarm Licensing Board	99 DOJ 1230	Reilly	10/27/99	
<b>Education and Training Standards Division</b>				
Rock Steven Edwards v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0906	Chess	05/13/99	
Anthony Scott Hughes v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1530	Chess	05/12/99	
Hal Pilgreen v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1775	Chess	06/09/99	
Emma J. Kiser v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1793	Gray	06/07/99	
Keith Allen Norris v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0045	Mann	07/29/99	14:04 NCR 351
Sherry Davis Kenney v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0067	Wade	06/08/99	
Brian G. Mead v. Criminal Justice Education & Training Stds. Comm.	99 DOJ 0106	Gray	10/07/99	
Steven Randolph Russell v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0123	Owens	10/29/99	14:11 NCR 928
Russell Lee Yelverton v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0131	Phipps	08/11/99	
James Marion Massey v. Criminal Justice Ed. & Training Stds. Comm.	99 DOJ 0168	Reilly	10/11/99	
Mark E. Narron v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0453	Morrison	09/08/99	14:07 NCR 568
Shean E. Taylor v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0790	Reilly	09/29/99	
Dennis L. Ramsingh v. Sheriffs' Ed. & Training Stds. Commission	99 DOJ 0796	Gray	11/04/99	
Sandra G. Armstrong v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0844	Mann	09/24/99	
Edward L. Lusk v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0846	Phipps	09/29/99	
Tonnette Bembury v. Sheriffs' Ed. & Training Standards Comm.	99 DOJ 0934	Reilly	09/29/99	
Terry Leon Jones v. Criminal Justice Education & Training Stds. Comm.	99 DOJ 1054	Wade	10/21/99	
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<b>Private Protective Services Board</b>				
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Tri-City Securities and James G. Hutcherson v. Private Protective Svcs. Bd.	98 DOJ 1752*7	Phipps	09/02/99	
Ordie Hazu McFarland v. Private Protective Services Board	99 DOJ 0099	Morrison	10/12/99	
Thomas E. Mewborn v. Private Protective Services Board	99 DOJ 0101	Owens	07/30/99	
Michael Lynn Arter v. Private Protective Services Board	99 DOJ 0262	Wade	05/25/99	
Jeffrey S. Moore v. Private Protective Services Board	99 DOJ 0488	Morrison	05/24/99	
Bonnie Marie Keller v. Private Protective Services Board	99 DOJ 0491	Morrison	05/24/99	



<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
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Ronald E. Sulloway v. Private Protective Services Board	99 DOJ 0493	Morrison	05/24/99	
Raymond Solomon v. Private Protective Services Board	99 DOJ 0494	Morrison	05/25/99	
Charles E. Evans, Jr. v. Private Protective Services Board	99 DOJ 0496	Morrison	05/25/99	
Lawrence Martin v. Private Protective Services Board	99 DOJ 0526	Morrison	10/25/99	
William E. Ellis, Sr. v. Private Protective Services Board	99 DOJ 0527	Morrison	06/08/99	
Bobby James Nicholson v. Private Protective Services Board	99 DOJ 0528	Phipps	08/17/99	
Murray J. Degnan v. Private Protective Services Board	99 DOJ 0529	Gray	11/29/99	
Thomas William Atchison v. Private Protective Services Board	99 DOJ 1018	Morrison	09/21/99	
Mark Lavern Hewitt v. Private Protective Services Board	99 DOJ 1019	Gray	11/10/99	
Robert Steven Pekel v. Private Protective Services Board	99 DOJ 1020	Gray	11/10/99	
Jacqueline Renee Haywood v. Private Protective Services Board	99 DOJ 1123	Gray	11/10/99	
Garland D. Melvin v. Private Protective Services Board	99 DOJ 1296	Morrison	12/03/99	
Chris George McCracken v. Private Protective Services Board	99 DOJ 1417	Morrison	11/29/99	
<b>PUBLIC INSTRUCTION</b>				
Martin Wayne Fletcher v. St. Bd. of Educ., Dept of Public Instruction	98 EDC 0001	Chess	09/21/994	
S.H. by and through her guardian and custodian, H.H. and H.H. v. Henderson County Board of Education	98 EDC 1124	Mann	06/11/99	
Paula Morrill, individually/on behalf of John Morrill v. Wake Cty. Schools	98 EDC 1205	Gray	09/24/99	
S.L.F. and S.F.F. v. Charlotte-Mecklenburg Board of Education	98 EDC 1649	Mann	06/04/99	
Marshall Scott Brannan v. Department of Public Instruction	98 EDC 1796	Owens	07/13/99	14:07 NCR 565
Matthew Weber, and his father and next friend, Brian Weber, and Brian Weber v. Wilkes County Schools	99 EDC 0291	Mann	09/07/99	
Deborah F. Brogden v. State Board of Education	99 EDC 0734	Reilly	10/05/99	
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H.C. Troxler, Jr. v. Dept. of Agriculture and Consumer Services	99 OSP 0659	Chess	07/27/99	
<i>Community Colleges</i>				
Thomas Michael Chamberlin v. Department of Community Colleges	99 OSP 0286	Phipps	06/25/99	
<i>Correction</i>				
E. Wayne Irvin v. Department of Correction	94 OSP 1791	Morrison	05/18/99	14:01 NCR 60
Pershiel DeLoatch v. Department of Correction	98 OSP 1026	Gray	08/11/99	
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Maydean L. Taylor v. Department of Correction	98 OSP 1272	Chess	05/14/99	
Ann McMillian v. Morrison Youth Institution, Department of Correction	98 OSP 1275	Chess	05/12/99	
Edward Alan Roper v. DOC, Div. of Prisons, Western Youth Institute	98 OSP 1644	Gray	08/11/99	
Shirley Sellars v. Department of Correction	98 OSP 1788 <sup>10</sup>	Gray	09/30/99	
Sean R. Dillard v. Dept. of Correction, Pasquotank Correctional Inst.	98 OSP 1800	Gray	08/26/99	
DeCarlos Stanley v. Department of Correction	99 OSP 0027	Morrison	06/22/99	
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Robert Russell, Jr. v. Jeff Jones, Div of Community Corrections	99 OSP 0258	Lassiter	09/29/99	
Judith Caves v. Department of Correction	99 OSP 0338	Phipps	09/29/99	14:11 NCR 945
Shirley Sellars v. Department of Correction	99 OSP 0386 <sup>10</sup>	Gray	09/30/99	
Richmond Fulmore v. Department of Correction, Wake Correctional	99 OSP 0416	Mann	06/04/99	
Henry C. Parks v. DART/Admin., Ann Shea, Edward McCall, Thomas G. Ivester	99 OSP 0512	Morrison	09/22/99	
Jerry D. Crawford v. Department of Correction	99 OSP 0577	Reilly	06/02/99	
Walter L. Whitaker v. Capt. Ricky Johnson, Pasquotank Corr. Inst.	99 OSP 0644	Gray	10/12/99	
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Charles Creegan v. Department of Correction	99 OSP 0765	Reilly	08/03/99	
David J. Dennis v. Department of Corrections, Polk Youth Institution	99 OSP 0918	Chess	10/12/99	
Tara King v. Department of Corrections	99 OSP 0930	Chess	11/08/99	
Joyce Ann Bullock v. Polk Youth Institution	99 OSP 1065	Wade	11/15/99	
Timothy Ramey v. Department of Correction	99 OSP 1085	Chess	11/22/99	
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# CONTESTED CASE DECISIONS

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Eric Arden Hurley v. North Carolina School for the Deaf	99 OSP 0087	Reilly	06/24/99	
<b>Employment Security Commission</b>				
Russell J. Suga v. Employment Security Commission	96 OSP 1122	Reilly	05/26/99	
<b>Environment and Natural Resources</b>				
L. Clifton Carroll v. Dept of Natural Resources, Div. of Parks and Recreation	98 OSP 0914	Gray	10/22/99	14:12 NCR 1082
Larry A. Campbell v. NC Wildlife Resources Commission	99 OSP 0050	Morrison	11/10/99	14:12 NCR 1086
Pathe Vivek v. Department of Environment & Natural Resources	99 OSP 0956	Chess	10/06/99	
<b>Health and Human Services</b>				
Debbie L. Whitley v. Wake County Department of Social Services	97 OSP 0722	Phipps	09/27/99	
Vera Crenshaw v. DHHS, Julian F. Keith Alc. & Drug Abuse Trmt. Ctr.	98 OSP 0456	Gray	08/05/99	
Ivey G. Rhodes v. Pitt County Mental Health Center	98 OSP 0924	Phipps	07/09/99	
Odessa D. Gwynn v. Caswell County Health Department	98 OSP 1299	Gray	08/25/99	
Doris Virginia Wearing v. Durham County Health Department	98 OSP 1432	Reilly	06/18/99	
Julia A. Cameron v. John Umstead Hospital, Health & Human Services	99 OSP 0053	Morrison	06/22/99	
Danny Jacob v. Onslow County Board of Health	99 OSP 0129	Gray	10/12/99	14:11 NCR 936
Jency Abrams v. Department of Health & Human Services	99 OSP 0147	Owens	08/11/99	
Lisa Adams-Houghton v. Rockingham Co. Dept of Social Services	99 OSP 0278	Gray	11/04/99	
Timothy Truzy v. Department of Health & Human Services	99 OSP 0316	Gray	10/22/99	
Carlos D. Burks, Sr. v. North Carolina Special Care Center	99 OSP 0325	Owens	08/25/99	
Bryan Benson v. Durham Cty. Area MH/DD/SAS Program	99 OSP 0516	Gray	08/31/99	
Shirley C. Jones v. Department of Health & Human Services	99 OSP 0533	Mann	09/24/99	
Odell Hudson v. Health & Human Svcs., Dorothea Dix Hospital	99 OSP 0609	Gray	07/07/99	
Erica Joynes v. Durham County Department of Social Services	99 OSP 0671	Gray	07/13/99	
Thomas Michael Chamberlin v. Off. of Juvenile Justice, Juvenile Services Division, 14 <sup>th</sup> District Court Division	99 OSP 0673*4	Gray	08/16/99	
Cheryl Highsmith v. DHHS, Youth Svcs., New Hanover Reg. Juvenile Detention Center	99 OSP 0763	Owens	09/03/99	
Carolyn A. Carter v. Cleveland County Dept of Social Services	99 OSP 1055	Gray	11/29/99	
Veda B. Gill v. Durham County Department of Social Services	99 OSP 1090	Morrison	11/09/99	
Anthony Ratcliff v. Department of Health & Human Services	99 OSP 1483	Phipps	09/22/99	
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Judy S. Grindstaff v. Department of Transportation	98 OSP 1028	Gray	09/30/99	
Charles W. McAdams v. Dept. of Transportation, Div/Motor Vehicles	99 OSP 0034	Mann	06/23/99	
Larry R. Lane v. Department of Transportation	99 OSP 0105	Mann	06/11/99	
Ronald Roberson v. Dept. of Transportation, Right-of-Way Branch	99 OSP 0142	Morrison	06/08/99	
Shelvia Davis v. Department of Transportation	99 OSP 0156	Owens	06/23/99	
Carmalita Daniels v. Department of Transportation	99 OSP 0264	Gray	08/20/99	
<b>University of North Carolina</b>				
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Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1268*2	Phipps	07/06/99	
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1269*2	Phipps	07/06/99	
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1270*2	Phipps	07/06/99	



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**CONTESTED CASE DECISIONS**

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<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Carolina University				
Jackie S. Flowers v. East Carolina University	98 OSP 1618	Reilly	06/24/99	
James A. Benton v. University of North Carolina at Charlotte	99 OSP 0047	Wade	10/08/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0517* <sup>6</sup>	Reilly	08/27/99	
Anna Anita Huff v. Dr. Lonnie Sharpe/Dr. Reza Salami-Coll./Engineering	99 OSP 0599	Chess	07/16/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0623* <sup>6</sup>	Reilly	08/27/99	
Thomas Michael Chamberlin v. UNC @ Chapel Hill, Dept. of University Housing, Division of Student Affairs	99 OSP 0674* <sup>4</sup>	Gray	08/16/99	
Halycon Tudie Blake v. University of North Carolina at Chapel Hill	99 OSP 0686	Gray	07/08/99	
Bridgette R. Booker v. Winston-Salem State University	99 OSP 0731	Chess	09/03/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0830* <sup>6</sup>	Reilly	08/27/99	
Temperance T. Tobe v. North Carolina Central University	99 OSP 0865	Chess	08/24/99	
James W. Murrell v. University of North Carolina at Chapel Hill	99 OSP 1102	Morrison	11/29/99	
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Barbara A. Russell v. UNC Hospitals	99 UNC 0540	Gray	08/11/99	
Robin Perkins Stephens v. UNC Hospitals	99 UNC 0563	Owens	07/21/99	
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0746* <sup>5</sup>	Reilly	08/09/99	
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0747* <sup>5</sup>	Reilly	08/09/99	
Edna Heath v. UNC Hospitals	99 UNC 0943	Chess	10/15/99	





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(Updated through December 23, 1999)

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					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. \* = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

## ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101 13:22 NCR 1820 14:03 NCR 243 \* Object 11/17/99

## ADMINISTRATION

### Council for Women, North Carolina

1 NCAC 17 13:19 NCR 1606

### Indian Affairs, Commission of

1 NCAC 15 .0201 13:02 NCR 175  
1 NCAC 15 .0205 13:02 NCR 175  
1 NCAC 15 .0206 13:02 NCR 175  
1 NCAC 15 .0212 13:02 NCR 175  
1 NCAC 15 .0213 13:02 NCR 175

### Non-Public Education

1 NCAC 40 .0101 13:05 NCR 521 Temp Expired 05/29/99  
14:04 NCR 311  
1 NCAC 40 .0102 13:05 NCR 521 Temp Expired 05/29/99  
14:04 NCR 311  
1 NCAC 40 .0103 13:05 NCR 521 Temp Expired 05/29/99  
13:13 NCR 1057 Temp Expired 05/29/99  
14:04 NCR 311  
1 NCAC 40 .0201 13:05 NCR 521 Temp Expired 05/29/99  
13:13 NCR 1057 Temp Expired 05/29/99  
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1 NCAC 40 .0202 13:05 NCR 521 Temp Expired 05/29/99  
13:13 NCR 1057 Temp Expired 05/29/99  
14:04 NCR 311  
1 NCAC 40 .0203 13:05 NCR 521 Temp Expired 05/29/99  
13:13 NCR 1057 Temp Expired 05/29/99  
14:04 NCR 311

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					Action	Date				

1 NCAC 40 .0204

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13:13 NCR 1057  
14:04 NCR 311

Temp Expired 05/29/99  
Temp Expired 05/29/99

## Purchase and Contract Division

1 NCAC 05C 13:04 NCR 360

1 NCAC 05D 13:04 NCR 360

## State Employees Combined Campaign

1 NCAC 35 .0101 13:04 NCR 360

1 NCAC 35 .0103 13:04 NCR 360

1 NCAC 35 .0202 13:04 NCR 360

1 NCAC 35 .0304 13:04 NCR 360

1 NCAC 35 .0308 13:04 NCR 360

13:08 NCR 647  
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## ADMINISTRATIVE HEARINGS, OFFICE OF

26 NCAC 01 .0101 14:08 NCR 579

26 NCAC 01 .0101 N/A

26 NCAC 01 .0103 14:08 NCR 579

26 NCAC 01 .0104 N/A

26 NCAC 02C .0103 14:08 NCR 579

26 NCAC 02C .0105 14:08 NCR 579

26 NCAC 02C .0108 14:08 NCR 579

26 NCAC 02C .0303 14:08 NCR 579

26 NCAC 02C .0303 N/A

26 NCAC 02C .0306 14:08 NCR 579

26 NCAC 02C .0403 14:08 NCR 579

26 NCAC 03 .0101 14:08 NCR 579

26 NCAC 03 .0119 14:08 NCR 579

26 NCAC 04 .0102 N/A

26 NCAC 04 .0103 N/A

14:12 NCR 1029  
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26 NCAC 04 .0104	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 04 .0108	N/A		N/A	N/A	Approve	11/17/99				
26 NCAC 04 .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
<b>AGRICULTURE</b>										
2 NCAC 20B .0104	13:13 NCR 1040		13:18 NCR 1503	*	Object	07/15/99				
2 NCAC 43L .0309	13:14 NCR 1109		13:20 NCR 1718	*	Approve	08/19/99	*		14:09 NCR 708	
					Object	07/15/99	*		14:09 NCR 708	
					Approve	08/19/99				
<b>Consumer Services</b>										
2 NCAC 54 .0101	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0102	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0103	13:14 NCR 1119	13:14 NCR 1119 Temp Expired 10/12/99	13:20 NCR 1718	*	Agcy Withdrew	07/15/99				
2 NCAC 54 .0104	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 54 .0105	13:14 NCR 1119	13:14 NCR 1119 Temp Expired 10/12/99	13:20 NCR 1718	*	Agcy Withdrew	07/15/99				
<b>Pesticide Board</b>										
2 NCAC 09K .0214	13:14 NCR 1109		13:20 NCR 1717	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 09L .0502	14:01 NCR 4		14:05 NCR 374	*						
2 NCAC 09L .1201	14:01 NCR 4		14:05 NCR 374	*						
<b>Structural Pest Control Committee</b>										
2 NCAC 34 .0102	14:09 NCR 655		14:13 NCR 1093	*						
2 NCAC 34 .0330	14:09 NCR 687	14:09 NCR 687	14:13 NCR 1093	*						
2 NCAC 34 .0509	14:09 NCR 687		14:13 NCR 1093	*						
<b>Veterinary Board</b>										
<b>Notice of Public Hearing on Proposed Temporary Rules</b>										
2 NCAC 52B .0206	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0207	13:23 NCR 1946	13:23 NCR 1946	14:03 NCR 128	*	Object	11/17/99				
2 NCAC 52B .0302	13:23 NCR 1901		14:03 NCR 128	*	Object	11/17/99				
2 NCAC 52B .0401	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						

14:05 NCR 368

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					Action	Date				
2 NCAC 52B .0402	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0403	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0404	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0405	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0406	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0407	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0408	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0409	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0410	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0411	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0412	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52E .0209	13:23 NCR 1901		14:03 NCR 128	*						
<b>APPRAISAL BOARD</b>										
21 NCAC 57A .0305	13:01 NCR 3		13:05 NCR 513	*	Object Approve	11/19/98 03/18/99	*		14:01 NCR 48	
<b>ARCHITECTURE, BOARD OF</b>										
21 NCAC 02 .0206	14:08 NCR 578									
21 NCAC 02 .0302	14:08 NCR 578		14:13 NCR 1148	*						
21 NCAC 02 .0303	14:08 NCR 578		14:13 NCR 1148	*						
<b>AUCTIONEERS COMMISSION</b>										
21 NCAC 04B .0201		14:13 NCR 1192								
21 NCAC 04B .0202		14:13 NCR 1192								
21 NCAC 04B .0302		14:13 NCR 1192								
21 NCAC 04B .0404		14:13 NCR 1192								
21 NCAC 04B .0601		14:13 NCR 1192								
21 NCAC 04B .0801		14:13 NCR 1192								
21 NCAC 04B .0802		14:13 NCR 1192								
21 NCAC 04B .0803		14:13 NCR 1192								



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					Action	Date				
21 NCAC 04B .0804		14:13 NCR 1192								
21 NCAC 04B .0805		14:13 NCR 1192								
21 NCAC 04B .0806		14:13 NCR 1192								
21 NCAC 04B .0807		14:13 NCR 1192								
21 NCAC 04B .0808		14:13 NCR 1192								
21 NCAC 04B .0809		14:13 NCR 1192								
21 NCAC 04B .0810		14:13 NCR 1192								
21 NCAC 04B .0811		14:13 NCR 1192								
21 NCAC 04B .0812		14:13 NCR 1192								
21 NCAC 04B .0813		14:13 NCR 1192								
21 NCAC 04B .0814		14:13 NCR 1192								
21 NCAC 04B .0815		14:13 NCR 1192								
21 NCAC 04B .0816		14:13 NCR 1192								
21 NCAC 04B .0817		14:13 NCR 1192								
21 NCAC 04B .0818		14:13 NCR 1192								
21 NCAC 04B .0819		14:13 NCR 1192								
<b>CHIROPRATIC</b>										
21 NCAC 10 .0203		12:23 NCR 2098	13:14 NCR 1117	*	Approve	04/15/99	*		14:02 NCR 84	
<b>COMMERCE</b>										
4 NCAC 01E .0104	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98				
4 NCAC 011 .0101	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Approve	01/21/99				
4 NCAC 011 .0101		Temp. Expired 10/29/99	13:20 NCR 1719	*	Agcy withdrew	12/17/98	*		13:22 NCR 1868	
		14:08 NCR 585	14:08 NCR 585	L/S	<b>Return to Agcy</b>	<b>08/19/99</b>				
4 NCAC 011 .0102	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE						
4 NCAC 011 .0102		Temp. Expired 10/29/99	13:20 NCR 1719	*	Agcy withdrew	12/17/98				
		14:08 NCR 585	14:08 NCR 585	*	<b>Return to Agcy</b>	<b>08/19/99</b>				
4 NCAC 011 .0201	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE						
4 NCAC 011 .0201		Temp. Expired 10/29/99	13:20 NCR 1719	*	Agcy withdrew	12/17/98				
		14:08 NCR 585	14:08 NCR 585	*	<b>Return to Agcy</b>	<b>08/19/99</b>				
4 NCAC 011 .0202	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
				*						

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4 NCAC 011.0202		Temp. Expired 10/29/99	13:20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 011.0301	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0301		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0302	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0302		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0303	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0303		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0304	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0304		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0401	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0401		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0402	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0402		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0403	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0403		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0404	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0404		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0405	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0405		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0501	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0501		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0502	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0502		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0503	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0503		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011.0601	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 011.0601		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				



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4 NCAC 011 .0701	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0701		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 011 .0801	11:09 NCR 569	13:15 NCR 1224	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		Temp. Expired 10/29/99	13:20 NCR 1719							
		14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 01K .0102	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98			13:22 NCR 1868	
					Approve	01/21/99	*			
4 NCAC 01K .0103	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98			13:22 NCR 1868	
					Approve	01/21/99	*			
4 NCAC 01K .0302	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98			13:22 NCR 1868	
					Approve	01/21/99	*			
4 NCAC 01K .0402	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98			13:22 NCR 1868	
					Approve	01/21/99	*			
<b>Banking Commission</b>										
4 NCAC 03B .0101	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03B .0102	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03B .0103	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03H .0102	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03L .0101	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:01 NCR 48	
					Approve	11/17/99				
4 NCAC 03L .0102	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0201	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0202	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0301	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0302	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*			
					Approve	11/17/99				
4 NCAC 03L .0303	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0401	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0402	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0403	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
					Approve	11/17/99				
4 NCAC 03L .0404	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*			
					Approve	11/17/99				
4 NCAC 03L .0405	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				

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4 NCAC 03L .0501	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*			
4 NCAC 03L .0502	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0601	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0602	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0603	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0604	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
<b>Cape Fear River Navigation and Pilotage Commission</b>										
4 NCAC 15 .0119	14:03 NCR 125		14:07 NCR 522	*						14:01 NCR 2
4 NCAC 15 .0120	14:03 NCR 125		14:07 NCR 522	*						14:11 NCR 903
4 NCAC 15 .0121	14:03 NCR 125		14:07 NCR 522	*						
<b>Industrial Commission</b>										
Public Notice - Hospital Fees for Workers' Compensation Cases										
Public Notice - Hospital Fees for Workers' Compensation Cases										
<b>Secretary of Commerce</b>										
4 NCAC 21	14:08 NCR 577									
<b>COMMUNITY COLLEGES</b>										
23 NCAC 02B .0104	13:10 NCR 804		13:22 NCR 1849	*						
23 NCAC 02C .0307	13:05 NCR 524		Temp Expired 05/29/99							
23 NCAC 02C .0503	13:10 NCR 815		13:22 NCR 1849	*						
23 NCAC 02C .0504	13:10 NCR 815		13:22 NCR 1849	*						
23 NCAC 02C .0505	13:10 NCR 815		13:22 NCR 1849	*						
23 NCAC 02D .0323	13:19 NCR 1609		14:04 NCR 304	*						
23 NCAC 02D .0324	13:19 NCR 1609		14:04 NCR 304	*						
23 NCAC 02E .0205	14:13 NCR 1201									
<b>COSMETIC ART EXAMINERS</b>										
21 NCAC 14A .0101	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14A .0103	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	



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21 NCAC 14A .0104	13:14 NCR 1114									
21 NCAC 14A .0105		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14C .0202	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14F .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14F .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14H .0112		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99	*		14:06 NCR 490	
21 NCAC 14H .0118		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99			14:06 NCR 490	
21 NCAC 14I .0104	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14I .0107	13:14 NCR 1114		13:19 NCR 1652	*	Approve	08/19/99			14:09 NCR 708	
21 NCAC 14I .0109	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14J .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14J .0208	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99			14:09 NCR 708	
21 NCAC 14J .0501	13:14 NCR 1114		13:19 NCR 1652	*	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14L .0101	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14L .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14L .0109		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0210	N/A		N/A	N/A	Object	06/17/99			14:09 NCR 708	
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14L .0216		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0303	13:14 NCR 1114		13:19 NCR 1652	*	Agcy Withdraw	06/17/99			14:01 NCR 48	
21 NCAC 14N .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:01 NCR 48	
21 NCAC 14N .0102	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	

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21 NCAC 14N .0103	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0108	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0110		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0112	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0113	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14N .0601		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99			14:05 NCR 402	
21 NCAC 14N .0602		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0701		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0702		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14O .0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0102		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99			14:09 NCR 708	
21 NCAC 14O .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14O .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0105		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99			14:09 NCR 708	
		Temp Expired 10/12/99			Approve	08/19/99	*			
21 NCAC 14O .0106		13:14 NCR 1157	13:19 NCR 1652	*	Agcy Withdraw	06/17/99			14:09 NCR 708	
21 NCAC 14O .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0102		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0103		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0104		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0105		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99			14:09 NCR 708	
21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	



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					Action	Date				
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99			14:09 NCR 708	
21 NCAC 14P .0115		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0116		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
<b>CULTURAL RESOURCES</b>										
7 NCAC 04S .0101	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0102	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0103	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0104	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0105	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0106	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0107	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0108	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0109	14:05 NCR 370		14:09 NCR 657	*						
7 NCAC 04S .0110	14:05 NCR 370		14:09 NCR 657	*						
<b>DENTAL EXAMINERS</b>										
21 NCAC 16G .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G .0103	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16H .0103	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0104	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0201	12:24 NCR 2203		13:15 NCR 1218	*						

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21 NCAC 16H .0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0203	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0204	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0205	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16M .0101		13:11 NCR 910	13:15 NCR 1218	*	Object Approve	06/17/99 07/15/99	*		14:06 NCR 490	
21 NCAC 16M .0102	14:06 NCR 487	14:06 NCR 487								

21 NCAC 16Q .0201	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0301	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0302	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16S .0101	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0201	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0203	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0205	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16S .0205	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16V .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16W .0101	14:08 NCR 647	14:08 NCR 647								
21 NCAC 16W .0102	14:08 NCR 647	14:08 NCR 647								

## ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS

21 NCAC 18B .0208	N/A		N/A	N/A	Object Approve	06/17/99 07/15/99			14:06 NCR 490	
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## EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF

21 NCAC 11 .0101	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0102	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0103	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Agcy. withdrew					



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21 NCAC 11 .0104	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0105	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0106	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0107	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0108	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0109	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Object	01/21/99				
21 NCAC 11 .0110	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	02/18/99	*		13:24 NCR 2037	
21 NCAC 11 .0111	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99			13:22 NCR 1868	
				S/L	Approve	01/21/99	*		13:22 NCR 1868	

## ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR

21 NCAC 56 .0101	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0103	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0104	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0402	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0501	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0502	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0503	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0505	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0601	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0602	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0603	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0606	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0701	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0702	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0802	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0804	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0901	14:08 NCR 579		14:13 NCR 1154	*						

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					Action	Date				
21 NCAC 56 .0902	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1001	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1002	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1003	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1101	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1102	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1103	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1104	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1105	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1106	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1201	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1203	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1301	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1302	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1409	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1501	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1601	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1602	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1603	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1604	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1605	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1606	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1607	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1608	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1609	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1701	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1702	14:08 NCR 579		14:13 NCR 1154	*						

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21 NCAC 56 .1703	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1704	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1705	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1706	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1707	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1708	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1709	14:08 NCR 579		14:13 NCR 1154	*						
<b>ENVIRONMENT AND NATURAL RESOURCES</b>										
15A NCAC 01J .0101		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0202		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0301	14:08 NCR 644	14:08 NCR 644								
15A NCAC 01J .0303		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0402		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0502		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0504		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0701		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0703		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0803		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0903		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0904		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01K	10:19 NCR 2506									
15A NCAC 01L .0101		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0203		13:18 NCR 1528	13:22 NCR 1827	*						



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					Action	Date				
15A NCAC 01L .0301	14:08 NCR 644	14:08 NCR 644								
15A NCAC 01L .0303		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0501		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0503		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0701		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0801		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0902		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .1003		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .1004		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 09C .0200	14:13 NCR 1092									
15A NCAC 09C .0400	14:13 NCR 1092									
<b>Coastal Resources Commission</b>										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0200	13:22 NCR 1818									
15A NCAC 07H .0201	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .0203	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873		13:23 NCR 1937	S/L						14:02 NCR 74
15A NCAC 07H .0210	12:02 NCR 52									
15A NCAC 07H .0300	13:05 NCR 436									
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07H .0309	13:05 NCR 436		13:13 NCR 1044	S	Object Approve	07/15/99 08/19/99	*		14:09 NCR 708	
15A NCAC 07H .1100	12:21 NCR 1873									

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					Action	Date				
15A NCAC 07H .1103	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1200	12:21 NCR 1873									
15A NCAC 07H .1203	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1300	14:06 NCR 428									
15A NCAC 07H .1301	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .1303	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1403	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1503	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1600	14:06 NCR 428									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .1603	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1803	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1805		13:07 NCR 593	13:16 NCR 1259	*	Object	07/15/99				
					Object Approve	08/19/99 10/04/99			14:10 NCR 839	
15A NCAC 07H .1901	12:21 NCR 1873		13:23 NCR 1937	*			*			14:02 NCR 74
15A NCAC 07H .1903	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2003	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2100	14:06 NCR 428									
15A NCAC 07H .2101	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2102	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2103	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2105	13:05 NCR 436		13:13 NCR 1044	S	Object Approve	07/15/99 08/19/99	*		14:09 NCR 708	

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15A NCAC 07H .2203	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2300	14:06 NCR 428									
15A NCAC 07H .2301	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .2303	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2401	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2402	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2403	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99			14:04 NCR 330	
15A NCAC 07H .2404	13:05 NCR 436		13:13 NCR 1044	S	Object	05/20/99	*		14:05 NCR 402	
15A NCAC 07H .2405	13:05 NCR 436		13:13 NCR 1044	S	Approve	06/17/99	*		14:04 NCR 330	
15A NCAC 07H .2501	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2502	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2503	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2504	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2505	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07J .0200	12:24 NCR 2202									
15A NCAC 07J .0204		13:07 NCR 593	Temp Expired 06/28/99							
15A NCAC 07J .0204	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07J .0404	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07J .0405	12:24 NCR 2202									
15A NCAC 07J .0405	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07J .0406	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07K .0203	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07K .0203	14:06 NCR 428									
15A NCAC 07K .0208	12:21 NCR 1873									
15A NCAC 07K .0208	14:06 NCR 428									
15A NCAC 07K .0209	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07L .0202	12:21 NCR 1874									



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15A NCAC 07L .0203	12:21 NCR 1874									
15A NCAC 07L .0206	12:21 NCR 1874									
15A NCAC 07L .0302	12:21 NCR 1874									
15A NCAC 07L .0304	12:21 NCR 1874									
15A NCAC 07L .0401	12:21 NCR 1874									
15A NCAC 07L .0405	12:21 NCR 1874									
15A NCAC 07M .0300	12:24 NCR 2202									
15A NCAC 07M .0307	13:22 NCR 1818									
15A NCAC 07M .0401	13:04 NCR 361	13:12 NCR 976	14:09 NCR 666	S/L						
15A NCAC 07M .0401	14:01 NCR 44	14:01 NCR 44	13:16 NCR 1259	*						
15A NCAC 07M .0402	13:04 NCR 361	13:12 NCR 976	14:09 NCR 666	*						
15A NCAC 07M .0402	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*						
15A NCAC 07M .0403	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*						
15A NCAC 07M .0403	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*						
15A NCAC 07M .0403	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*						
Environmental Management Commission										
Notice of Intent to Adopt Temporary Rules (Tar-Pamlico River Basin)										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0100	13:08 NCR 621									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0110	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0200	13:08 NCR 621									
15A NCAC 02B .0202	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0211	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0220	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0223	11:02 NCR 75									

14:05 NCR 369

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					Action	Date				
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0223	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0230	14:10 NCR 823	14:10 NCR 823								
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L/SE						
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L	Object Approve	01/15/98 02/19/98	*		12:22 NCR 2012	Disapproved (HB 1402)
		12:02 NCR 77 12:14 NCR 1348 12:20 NCR 1836 13:24 NCR 2017	14:04 NCR 287 12:06 NCR 462	L/SE S/L/SE						
15A NCAC 02B .0234	14:11 NCR 906		14:09 NCR 660	*						
15A NCAC 02B .0241	14:03 NCR 125		14:04 NCR 287	*						
15A NCAC 02B .0242		13:24 NCR 2017	13:04 NCR 368	*						
15A NCAC 02B .0245	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0246	12:23 NCR 2088		13:04 NCR 368							
15A NCAC 02B .0247	12:23 NCR 2088		13:04 NCR 368	L/SE						
15A NCAC 02B .0255	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0256	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0257	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0258	13:23 NCR 1901		14:03 NCR 162	L/SE						
15A NCAC 02B .0259	13:23 NCR 1901	14:13 NCR 1177	14:03 NCR 162	L/SE						
15A NCAC 02B .0260	13:23 NCR 1901	14:13 NCR 1177	14:03 NCR 162	SE						
15A NCAC 02B .0261	13:23 NCR 1901	14:13 NCR 1177	14:03 NCR 162	SE						
15A NCAC 02B .0262	13:23 NCR 1901									
15A NCAC 02B .0303	13:14 NCR 1111		13:20 NCR 1727	*						

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					Action	Date				
15A NCAC 02B .0304	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0306	13:14 NCR 1111		13:20 NCR 1727	*						14:02 NCR 73
15A NCAC 02B .0306	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0308	12:16 NCR 1489									
15A NCAC 02B .0308	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0310	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0316	11:26 NCR 1976		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Disapproved (HB 1402)
15A NCAC 02B .0317	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02C .0100	14:10 NCR 743									
15A NCAC 02C .0102	14:10 NCR 743									
15A NCAC 02C .0103	14:10 NCR 743									
15A NCAC 02C .0105	14:10 NCR 743									
15A NCAC 02C .0107	14:10 NCR 743									
15A NCAC 02C .0108	14:10 NCR 743									
15A NCAC 02C .0110	14:10 NCR 743									
15A NCAC 02C .0111	14:10 NCR 743									
15A NCAC 02C .0112	14:10 NCR 743									
15A NCAC 02C .0113	14:10 NCR 743									
15A NCAC 02C .0114	14:10 NCR 743									
15A NCAC 02C .0117	14:10 NCR 743									
15A NCAC 02C .0118	14:10 NCR 743									
15A NCAC 02D	13:12 NCR 943									
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									



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15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0501	13:16 NCR 1252									
15A NCAC 02D .0506	14:04 NCR 265									
15A NCAC 02D .0518	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	14:04 NCR 265									
15A NCAC 02D .0523	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0524	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99	*			
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0540	13:04 NCR 356									
15A NCAC 02D .0541	13:08 NCR 621									
15A NCAC 02D .0541	13:16 NCR 1252									
15A NCAC 02D .0542	13:24 NCR 1994		14:03 NCR 162	*	Object	11/17/99				
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0903	11:15 NCR 1200									
15A NCAC 02D .0909	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									

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15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0926	13:16 NCR 1252									
15A NCAC 02D .0927	13:16 NCR 1252									
15A NCAC 02D .0932	13:16 NCR 1252									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0948	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0949	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0950	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0951	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0952	12:16 NCR 1482									
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .0958	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .1005	14:04 NCR 265									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1103	13:04 NCR 356									
15A NCAC 02D .1103	14:04 NCR 265									
15A NCAC 02D .1104	13:04 NCR 356									
15A NCAC 02D .1104	13:16 NCR 1252									
15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1200	14:04 NCR 265									
15A NCAC 02D .1201	13:12 NCR 943		14:03 NCR 162	*						

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					Action	Date				
15A NCAC 02D .1202	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1203	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1204	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1205	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1206	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1207	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1208	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1209	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1201	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1202	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1203	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1204	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1205	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1206	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1207	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1208	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1209	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1400	13:24 NCR 1994		14:03 NCR 162	*						
15A NCAC 02D .1404	11:15 NCR 1200									
15A NCAC 02D .1700	12:02 NCR 52									
15A NCAC 02D .1703	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1708	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1709	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1801		13:18 NCR 1545	14:03 NCR 162	SE	Object	11/17/99				
		13:22 NCR 1860	14:03 NCR 162	SE	Object	11/17/99				
15A NCAC 02D .1802		13:18 NCR 1545	14:03 NCR 162	SE	Object	11/17/99				
		13:22 NCR 1860	14:03 NCR 162	SE	Object	11/17/99				
15A NCAC 02D .1803		13:18 NCR 1545	14:03 NCR 162	SE	Approve	11/17/99	*			
		13:22 NCR 1860	14:03 NCR 162	SE	Approve	11/17/99	*			



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15A NCAC 02D .1804		13:18 NCR 1545	14:03 NCR 162	SE	Approve	11/17/99				
15A NCAC 02D .1805		13:18 NCR 1545 13:24 NCR 2017								
15A NCAC 02D .1903	12:16 NCR 1482									
15A NCAC 02D .1903	13:12 NCR 943									
15A NCAC 02D .1904	12:16 NCR 1482									
15A NCAC 02D .2101	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2102	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2103	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2104	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02E .0102	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0103	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0106	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0107	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0201	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0202	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0205	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0501	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0502	13:20 NCR 1715		13:24 NCR 1998	S/L/SE					14:01 NCR 3	
15A NCAC 02E .0503	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02E .0504	13:20 NCR 1715		13:24 NCR 1998	*					14:01 NCR 3	
15A NCAC 02H .0226	12:20 NCR 1817	13:04 NCR 426 Temp Expired 05/11/99	13:05 NCR 491	*					14:01 NCR 3	
15A NCAC 02H .0806	13:04 NCR 356		14:02 NCR 80	L					14:01 NCR 3	
15A NCAC 02H .0800	13:08 NCR 621									
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									

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15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L .0202	13:04 NCR 356									
15A NCAC 02L .0202	14:10 NCR 743									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P .0402	13:24 NCR 1994	14:07 NCR 550	14:11 NCR 908	S/L						
15A NCAC 02Q .0102	12:16 NCR 1482									
15A NCAC 02Q .0102	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99				
15A NCAC 02Q .0102	13:12 NCR 943		14:03 NCR 162	*	Approve	11/17/99				
15A NCAC 02Q .0102		13:18 NCR 1545	14:03 NCR 162	*	Approve	11/17/99				
15A NCAC 02Q .0102	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0102	14:04 NCR 265									
15A NCAC 02Q .0103	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0109	14:04 NCR 265									
15A NCAC 02Q .0202	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0304	14:04 NCR 265									
15A NCAC 02Q .0305	14:04 NCR 265									
15A NCAC 02Q .0306	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02Q .0401	14:04 NCR 265									
15A NCAC 02Q .0502	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	S						
15A NCAC 02Q .0503	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0507	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0508	13:08 NCR 621	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0508	14:04 NCR 265									
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0702	13:12 NCR 943		13:20 NCR 1727	*	Approve	10/04/99	*		14:10 NCR 839	
			14:03 NCR 162	*						

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15A NCAC 02Q .0703	13:04 NCR 356									
15A NCAC 02Q .0703	14:04 NCR 265									
15A NCAC 02Q .0711	13:04 NCR 356									
15A NCAC 02Q .0711	13:16 NCR 1252									
15A NCAC 02Q .0800	14:04 NCR 265									
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0205	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0600	12:02 NCR 52									
15A NCAC 02S .0101	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0102	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0201	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0202	14:04 NCR 272		14:10 NCR 755	*						
<b>Health Services, Commission for</b>										
15A NCAC 13A .0101	14:04 NCR 265		14:10 NCR 757	S						
15A NCAC 13A .0102	14:05 NCR 370		14:10 NCR 757	S						
15A NCAC 13A .0103	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0104	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0106	14:04 NCR 265		14:10 NCR 757	*						
15A NCAC 13A .0108	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0110	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0112	14:04 NCR 265		14:10 NCR 757	*						
15A NCAC 13A .0113	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0118	14:04 NCR 265		14:10 NCR 757	*						
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						



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15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0100	14:09 NCR 656									
15A NCAC 18A .0300	14:09 NCR 656									
15A NCAC 18A .0400	14:09 NCR 656									
15A NCAC 18A .0432	12:14 NCR 1352									
15A NCAC 18A .0500	14:09 NCR 656									
15A NCAC 18A .0600	14:09 NCR 656									
15A NCAC 18A .0700	14:09 NCR 656									
15A NCAC 18A .0800	14:09 NCR 656									
15A NCAC 18A .0900	14:09 NCR 656									
15A NCAC 18A .1000	13:16 NCR 1252									
15A NCAC 18A .1300	13:16 NCR 1252									
15A NCAC 18A .1600	13:16 NCR 1252									
15A NCAC 18A .1601		12:21 NCR 1882	Temp Expired 01/26/99							
15A NCAC 18A .1611		12:21 NCR 1882	Temp Expired 01/26/99							
		13:12 NCR 979	13:20 NCR 1738	*	Approve	08/19/99			14:09 NCR 708	
		Temp Expired 01/26/99								
15A NCAC 18A .1700	13:16 NCR 1252									
15A NCAC 18A .1720	12:16 NCR 1482	12:18 NCR 1713	Temp Expired 12/11/98							
		12:21 NCR 1882	Temp Expired 01/26/99							
		12:24 NCR 2228	Temp Expired 03/12/99							
15A NCAC 18A .1808	13:08 NCR 621	13:13 NCR 1047		*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1809	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1810		12:24 NCR 2228	13:13 NCR 1047	*	Approve	04/15/99			14:02 NCR 84	
		13:20 NCR 1740								
15A NCAC 18A .1811	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1812	13:08 NCR 621			*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1812	14:11 NCR 906	14:12 NCR 1041								

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15A NCAC 18A .1938	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1952		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1953		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1954		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1955		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1956	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .2400	13:16 NCR 1252									
15A NCAC 18A .2515	14:04 NCR 265		14:11 NCR 909	*						
15A NCAC 18A .2515	14:06 NCR 428		14:11 NCR 909	*						
15A NCAC 18A .2600	12:04 NCR 240									
15A NCAC 18A .2618	N/A	N/A	N/A	N/A	Approve	08/19/99			14:09 NCR 708	
15A NCAC 18A .2802	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2805	12:16 NCR 1482									
15A NCAC 18A .2806	12:16 NCR 1482									
15A NCAC 18A .2806	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2807	12:16 NCR 1482									
15A NCAC 18A .2809	12:16 NCR 1482									
15A NCAC 18A .2810	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2811	12:16 NCR 1482									
15A NCAC 18A .2812	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2814	12:16 NCR 1482									
15A NCAC 18A .2815	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2825	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2826	12:16 NCR 1482									

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15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18C .0301	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0302	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0303	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0305	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0306	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*						
15A NCAC 18C .0307	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0308	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0309	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .1304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*						
15A NCAC 18C .1513	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 18C .1538	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18C .2007	14:05 NCR 370		14:10 NCR 757	S/L/SE						
15A NCAC 18C .2008	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18D .0201	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0203	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0205	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0206	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0304	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0305	13:23 NCR 1928		14:06 NCR 468	*						
15A NCAC 18D .0307	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0308	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0309	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0403	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0701	13:23 NCR 1928		14:06 NCR 468	S/L						



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					Action	Date				
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
<b>Land Resources/Land Quality/Sedimentation Control Commission</b>										
15A NCAC 04B .0106	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0107	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0126	14:07 NCR 520		14:12 NCR 962	S/L						
15A NCAC 04B .0127	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 04C .0107	13:12 NCR 943		13:19 NCR 1651	*	Approve	10/04/99			14:10 NCR 839	
<b>Marine Fisheries Commission</b>										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 03	13:14 NCR 1113									
15A NCAC 03	13:17 NCR 1377									
15A NCAC 03H .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03H .0103	12:23 NCR 2089			*						
15A NCAC 03I .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03I .0105	13:14 NCR 1113	14:01 NCR 323	14:06 NCR 443	*						
15A NCAC 03I .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03I .0107	N/A	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03I .0114	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	06/17/99			14:05 NCR 402	
15A NCAC 03I .0117	N/A		N/A	N/A	Extend Review	11/17/99				

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					Action	Date				
15A NCAC 031 .0120	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0103		13:08 NCR 739								
15A NCAC 031 .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0103	14:09 NCR 688	14:09 NCR 688		*						
15A NCAC 031 .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0202	11:07 NCR 407		11:11 NCR 888	*						
	13:14 NCR 1113									
15A NCAC 031 .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0302	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0402	14:09 NCR 655									
15A NCAC 03K .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03K .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03K .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03K .0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAÇ 03K .0502	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03L .0205	14:09 NCR 688	14:09 NCR 688								
15A NCAC 03L .0206	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0301	14:12 NCR 958	14:12 NCR 1038								
15A NCAC 03M .0501		13:08 NCR 739								
15A NCAC 03M .0503	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0504	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0506		13:22 NCR 1865								
15A NCAC 03M .0506		14:12 NCR 1038								

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					Action	Date				
15A NCAC 03M .0507	13:10 NCR 803									
15A NCAC 03M .0507	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0511	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03M .0513	13:19 NCR 1666	13:19 NCR 1666								
15A NCAC 03M .0515	12:23 NCR 2089		13:03 NCR 303	*						
15A NCAC 03M .0515	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0515		14:12 NCR 1038								
15A NCAC 03M .0516	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0101	14:09 NCR 688	14:09 NCR 688								
15A NCAC 030 .0102	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0107	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0108	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 030 .0109	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0109	14:09 NCR 688	14:09 NCR 688								
15A NCAC 030 .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0111	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						



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15A NCAC 030 .0302	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 030 .0303	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0304	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0306	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0307	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0308	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0309	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0310	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0401	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0402	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0403	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0404	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0405	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0406	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 03P .0101	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03P .0102	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03Q .0106	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 03Q .0107	11:26 NCR 1985				Approve	05/20/99			14:04 NCR 330	
15A NCAC 03Q .0107	14:12 NCR 958		13:13 NCR 1043	*						
<b>Parks and Recreation Commission</b>										
15A NCAC 12A .0001	12:13 NCR 1097									
15A NCAC 12A .0004	12:13 NCR 1097									
15A NCAC 12A .0005	12:13 NCR 1097									
15A NCAC 12B .0101	12:13 NCR 1097									
15A NCAC 12B .0104	12:13 NCR 1097									
15A NCAC 12B .0106	12:13 NCR 1097									

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15A NCAC 12B .0203	12:13 NCR 1097									
15A NCAC 12B .0401	12:13 NCR 1097									
15A NCAC 12B .0402	12:13 NCR 1097									
15A NCAC 12B .0501	12:13 NCR 1097									
15A NCAC 12B .0602	12:13 NCR 1097									
15A NCAC 12B .0701	12:13 NCR 1097									
15A NCAC 12B .0702	12:13 NCR 1097									
15A NCAC 12B .0802	12:13 NCR 1097									
15A NCAC 12B .1001	12:13 NCR 1097									
15A NCAC 12B .1004	12:13 NCR 1097									
15A NCAC 12B .1102	12:13 NCR 1097									
15A NCAC 12B .1201	12:13 NCR 1097									
<b>Water Pollution Control System Operators Certification Commission</b>										
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0406	13:16 NCR 1252									
15A NCAC 08F .0407	13:16 NCR 1252									
<b>Waste Management</b>										
Public Notice - Seaboard Chemical Corporation										
<b>Well Contractors Certification Commission</b>										
15A NCAC 27 .0101	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0110	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0201	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0301	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0401	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0410	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
				*	Object	08/19/99	*		14:10 NCR 839	
				*	Approve	10/04/99	*			

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15A NCAC 27 .0420	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0430	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0440	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0501	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0510	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0520	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 27 .0601	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0701	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 27 .0801	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0810	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Agcy withdrew	09/30/99				
15A NCAC 27 .0820	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 27 .0830	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99				
15A NCAC 27 .0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27 .0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
<b>Wildlife Resources Commission</b>										
15A NCAC 10B .0100	14:08 NCR 577				Approve	10/04/99				
15A NCAC 10B .0105	13:07 NCR 595	13:07 NCR 595	13:12 NCR 948	*	Object	04/15/99			14:04 NCR 330	
15A NCAC 10B .0109	N/A		N/A	N/A	Approve	05/20/99	*		14:05 NCR 402	
15A NCAC 10B .0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	06/17/99			14:02 NCR 84	
15A NCAC 10B .0115	13:18 NCR 1502		13:22 NCR 1842	*		04/15/99	*			
15A NCAC 10B .0116	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0119	14:08 NCR 577		14:12 NCR 963	*						



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15A NCAC 10B .0200	14:08 NCR 577									
15A NCAC 10B .0202	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0204	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 10B .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0209	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10B .0209	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0212	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Object	04/15/99				
15A NCAC 10B .0302	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 10B .0403	13:23 NCR 1928		14:12 NCR 963	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0107	13:08 NCR 625		13:12 NCR 948	*						
15A NCAC 10C .0107	14:09 NCR 655		13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0200	14:08 NCR 577									
15A NCAC 10C .0205	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0206	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0300	14:08 NCR 577									
15A NCAC 10C .0305	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0305	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0400	14:08 NCR 577									
15A NCAC 10C .0401	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0401	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0402	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0407	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0500	14:08 NCR 577									
15A NCAC 10C .0501	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	

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					Action	Date				
15A NCAC 10C .0502	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 10C .0503	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10C .0503	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0100	14:08 NCR 577									
15A NCAC 10D .0102	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0102	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10D .0102	13:19 NCR 1609									
15A NCAC 10D .0103	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10D .0103	13:19 NCR 1609	14:07 NCR 551	14:01 NCR 6	*						
15A NCAC 10D .0103	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0104	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10F .0201	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
15A NCAC 10F .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 10F .0300	14:01 NCR 5									
15A NCAC 10F .0303	14:02 NCR 79									
15A NCAC 10F .0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0311	14:13 NCR 1092									
15A NCAC 10F .0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0327	14:08 NCR 577									
15A NCAC 10F .0330	13:03 NCR 269	13:07 NCR 595	13:07 NCR 595	S/L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0330	13:11 NCR 855	13:15 NCR 1217	13:15 NCR 1231	L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0332	14:08 NCR 577		14:13 NCR 1145	L						
15A NCAC 10F .0333	14:02 NCR 79		14:08 NCR 580	L						
15A NCAC 10F .0336	14:08 NCR 577									
15A NCAC 10F .0339	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	

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15A NCAC 10F .0339	13:23 NCR 1928		14:08 NCR 580	L						
15A NCAC 10F .0342	13:07 NCR 585	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0353	14:02 NCR 79		14:12 NCR 963	L						
15A NCAC 10F .0354	14:02 NCR 79									
15A NCAC 10F .0355	14:04 NCR 272		14:08 NCR 580	L						
15A NCAC 10F .0355	14:13 NCR 1092									
15A NCAC 10F .0367	13:14 NCR 1113	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10I .0100	14:11 NCR 906									
<b>FINAL DECISION LETTERS</b>										
Voting Rights Act										14:02 NCR 75
Voting Rights Act										14:03 NCR 123
Voting Rights Act										14:04 NCR 263
Voting Rights Act										14:08 NCR 576
Voting Rights Act										14:10 NCR 739
Voting Rights Act										14:11 NCR 905
Voting Rights Act										14:13 NCR 1089
<b>FORESTERS, BOARD OF REGISTRATION FOR</b>										
21 NCAC 20 .0101	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99			14:10 NCR 839	
21 NCAC 20 .0103	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0104	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0105	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0106	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0117	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0120	13:19 NCR 1695		13:23 NCR 1942	*	Object	10/04/99				
					Approve	11/17/99	*			
21 NCAC 20 .0122	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0123	13:19 NCR 1695		13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
<b>GENERAL CONTRACTORS LICENSING BOARD</b>										



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21 NCAC 12 .0202	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0204		13:06 NCR 568	13:13 NCR 1048	*	Approve	05/20/99			14:04 NCR 330	
21 NCAC 12 .0204	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0205	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0209	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0307	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0402	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0405	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0410	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0504	13:13 NCR 1040		13:18 NCR 1524	*						
			13:24 NCR 2015	*	Approve	11/17/99				
21 NCAC 12 .0901	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0907	13:22 NCR 1821		14:06 NCR 474	*						
<b>GEOLOGISTS, BOARD FOR LICENSING OF</b>										
21 NCAC 21 .0501	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0502	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0514	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0515	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1101	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1102	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						

## GOVERNOR'S EXECUTIVE ORDERS

Number 152 - Eff. 05/21/99

Number 153 - Eff. 05/28/99

Number 154 - Eff. 07/14/99

Number 155 - Eff. 07/20/99

Number 156 - Eff. 07/20/99

Number 157 - Eff. 08/13/99

14:01 NCR 1  
14:02 NCR 72  
14:06 NCR 426  
14:07 NCR 510  
14:07 NCR 510  
14:07 NCR 510

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Number 158 - Eff. 08/30/99										14:07 NCR 510
Number 159 - Eff. 09/15/99										14:08 NCR 574
Number 160 - Eff. 09/16/99										14:08 NCR 574
Number 161 - Eff. 09/19/99										14:08 NCR 574
Number 162 - Eff. 10/18/99										14:10 NCR 737
Number 163 - Eff. 10/18/99										14:10 NCR 737
Number 164 - Eff. 10/18/99										14:10 NCR 737
Number 165 - Eff. 11/15/99										14:12 NCR 953
<b>GOVERNOR, OFFICE OF</b>										
9 NCAC 05G .0101		14:03 NCR 245								
9 NCAC 05G .0102		14:03 NCR 245								
9 NCAC 05G .0103		14:03 NCR 245								
9 NCAC 05G .0104		14:03 NCR 245								
<b>HEALTH AND HUMAN SERVICES</b>										
<b>Aging</b>										
10 NCAC 22	10:23 NCR 2956									
<b>Blind/State Rehabilitation Council, Commission for the</b>										
10 NCAC 19G .0823		13:17 NCR 1378	13:21 NCR 1785	*	Return to agency Approve	07/15/99 11/17/99	*			
10 NCAC 19G .0827		13:17 NCR 1378	13:21 NCR 1785	*	Approve	11/17/99				
<b>Child Day Care Commission</b>										
10 NCAC 03U .0102	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .0700	14:10 NCR 742			*						
10 NCAC 03U .2501	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2502	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2510	12:21 NCR 1873		14:03 NCR 154	L						
10 NCAC 03U .2804	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2811	12:21 NCR 1873		14:03 NCR 154	S						

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Controller, Office of										
10 NCAC 01B .0418	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0419	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0420	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0501	14:07 NCR 518	14:08 NCR 594								
10 NCAC 01B .0502	14:07 NCR 518	14:08 NCR 594								
Facility Services										
Abbreviated Notice of Temporary Rule-Making										
10 NCAC 03R .1613		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				14:04 NCR 264
10 NCAC 03R .1615		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1713		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1714		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1715		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1912		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1913		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1914		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .2113		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .2713		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .2715		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .4203		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .6001	11:22 NCR 1704									
10 NCAC 03R .6112		12:15 NCR 1431 Temp Expired 04/15/99	13:02 NCR 178	S/L/SE	Object Object Returned to Acy Approve	10/22/98 12/17/98 04/15/99 11/17/99				
10 NCAC 03R .6201		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6202		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6203		13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6204		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			



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10 NCAC 03R .6205		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6206		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6207		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6208		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6209		13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6210		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6211		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6212		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6213		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6214		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6215		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6216		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6217		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6218		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6219		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6220		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6221		13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6222		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6223		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6224		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6225		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6226		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6227		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6228		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6229		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6230		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			

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10 NCAC 03R .6231		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6232		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6233		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6234		13:14 NCR 1119	14:03 NCR 130	S/L/SE	<b>Object</b>	11/17/99				
10 NCAC 03R .6235		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6236		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6237		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6238		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6239		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6240		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6241		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6242	12:14 NCR 1035	12:14 NCR 1035								
10 NCAC 03R .6243	12:14 NCR 1035	12:14 NCR 1035								
10 NCAC 03S .0108	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0109	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0207	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0208	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0209	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0210	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0211	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0213	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0214	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0307	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0308	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0407	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0408	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0506	12:24 NCR 2194		14:05 NCR 374	*						

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10 NCAC 03S .0507	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0508	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0509	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0510	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0511	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0614	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0615	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0616	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0617	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0618	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0619	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0706	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0707	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0806	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0807	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0808	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0901	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0902	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0903	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0904	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1001	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1002	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1003	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1004	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1005	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1006	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1101	12:24 NCR 2194		14:05 NCR 374	*						
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10 NCAC 03S .1201	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1202	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1203	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1204	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1205	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1206	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1207	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1301	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1302	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1303	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1401	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1501	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1601	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1701	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1702	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1801	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1802	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1803	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1804	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1805	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1806	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1901	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1902	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1903	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2001	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .2002	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2101	12:24 NCR 2194		14:05 NCR 374	*						

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10 NCAC 03S .2102	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2103	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2104	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2105	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2106	12:24 NCR 2194		14:05 NCR 374	*						
<b>Health Services, Commission for</b>										
15A NCAC 16A .1104	13:14 NCR 1114		14:01 NCR 12	*	Object	10/04/99				
15A NCAC 16A .1106	13:14 NCR 1114		14:01 NCR 12	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0401	13:11 NCR 855	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	13:22 NCR 1818	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	14:06 NCR 483	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 19A .0404	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0404	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0502	13:11 NCR 855	13:13 NCR 1059	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0502	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 21F .1201	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1202	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1203	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1204	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21H .0110	12:20 NCR 1822		13:07 NCR 591	S	Extended Rev.	01/21/99				
15A NCAC 21H .0111	12:20 NCR 1822		13:07 NCR 591	S	Agcy Withdrew	02/02/99	*		13:22 NCR 1868	
15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591	*	Approve	01/21/99			13:22 NCR 1868	
15A NCAC 21H .0314	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*	Approve	01/21/99				
15A NCAC 21 I .0102	14:04 NCR 272									
15A NCAC 21 I .0103	14:04 NCR 272									

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15A NCAC 21JH .0102	14:04 NCR 272									
15A NCAC 21 J .0103	14:04 NCR 272									
15A NCAC 23 .0201	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0202	13:22 NCR 1820	13:18 NCR 1555	14:02 NCR 80	S/L	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0204	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0501	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 24A .0402	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 24A .0403	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 26C	13:22 NCR 1820									
15A NCAC 26C .0101	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0102	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0103	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0104	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0105	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0106	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0107	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
<b>Medical Assistance</b>										
10 NCAC 26B .0113	14:01 NCR 4	14:04 NCR 319								
10 NCAC 26D .0101	14:09 NCR 687	14:09 NCR 687								
10 NCAC 26D .0110	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0212		12:09 NCR 827 Temp. Expired 7/31/98								
		12:13 NCR 733								
		14:08 NCR 595								
10 NCAC 26H .0213	14:08 NCR 595	11:26 NCR 1997								
10 NCAC 26H .0213		12:09 NCR 827								



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	14:08 NCR 595	13:08 NCR 733								
10 NCAC 26H .0304		14:08 NCR 595								
		13:03 NCR 316	13:08 NCR 668	S/L	Object	12/17/98				
10 NCAC 26H .0304		14:05 NCR 394			Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 26H .0401		13:02 NCR 248	13:12 NCR 947	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 26H .0401		14:13 NCR 1176								
10 NCAC 26H .0511	14:13 NCR 1092									
10 NCAC 26I .0101	13:02 NCR 175		13:07 NCR 588	*						
10 NCAC 26M .0301		14:04 NCR 319								
10 NCAC 26M .0302		14:04 NCR 319								
10 NCAC 26M .0303		14:04 NCR 319								
10 NCAC 26M .0304		14:04 NCR 319								
10 NCAC 26M .0305		14:04 NCR 319								
10 NCAC 50B .0101	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0102		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0202	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 50B .0302	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 50B .0305		14:03 NCR 246								
10 NCAC 50B .0311	13:03 NCR 268									
10 NCAC 50B .0311	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0313	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 50B .0313		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0403	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0408	14:07 NCR 545	14:07 NCR 545								
<b>Medical Care Commission/Secretary of the Department of Health and Human Services</b>										
10 NCAC 42B .1201	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .1212	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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10 NCAC 42B .1213	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
		14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42B .1214	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42B .1215	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1407	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1707	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1803	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2013	14:05 NCR 370									
10 NCAC 42B .2014	14:05 NCR 370									
10 NCAC 42B .2406		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .2501	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2502	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2503	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2601		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42C .2005	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2011	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2012	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2013	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42C .2014	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42C .2015		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42C .2207	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2214	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2302	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2501	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2505	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2506	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2703	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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10 NCAC 42C .3401	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42C .3402	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3701	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3703	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3801	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3802	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3803	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3804	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3805	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3806	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3807	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3808	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3809	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3810	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3901	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3902	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3903	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .4001		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1301	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1302	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1303		14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42D .1303	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42D .1304		14:10 NCR 799	14:13 NCR 1106	S/SE						
10 NCAC 42D .1401	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1402	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1407	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
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10 NCAC 42D .1410	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1411	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1412	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1413	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1414	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1415	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42D .1416	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42D .1503	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1605	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1804	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1813	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1821	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1831	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1832	14:05 NCR 370									
10 NCAC 42D .1833	14:05 NCR 370									
10 NCAC 42D .1901	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1902	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1903	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1904	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1905	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1906	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1907	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1908	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1909	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1910	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2001	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2002	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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10 NCAC 42D .2003	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2004	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2005	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2006	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2007	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2008	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2009	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2010	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2011	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2101	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2102	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2201	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2202	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2203	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2301		14:10 NCR 799	14:13 NCR 1106	*						
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10 NCAC 14V .0802	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0803	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0804	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0805	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .3600	14:07 NCR 518									
10 NCAC 14V .3800	12:20 NCR 1820									
10 NCAC 14V .4000	12:20 NCR 1820									
10 NCAC 14V .4301	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 14V .4302	12:19 NCR 1762		13:07 NCR 586	*	Object	01/21/99	*			
10 NCAC 14V .4303	12:19 NCR 1762		13:07 NCR 586	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 14V .4304	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
				*	Approve	01/21/99	*		13:22 NCR 1868	

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10 NCAC 14V .4305	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 14V .4306	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 14V .5000	12:20 NCR 1820									
10 NCAC 45G .0410	13:23 NCR 1947	13:23 NCR 1947	14:09 NCR 659	*						
10 NCAC 45H .0205	11:19 NCR 1762	12:24 NCR 2223 Temp Expired 03/12/99	13:05 NCR 487	*	Approve	11/17/99				
<b>Secretary of Health and Human Services</b>										
10 NCAC 14V .7000	14:07 NCR 518									
10 NCAC 14V .7006		12:01 NCR 31 Temp Expired 03/28/98	12:07 NCR 511	*						
10 NCAC 14V .7201	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7202	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7203	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7204	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7205	13:05 NCR 436		13:13 NCR 1042	*						
<b>Social Services Commission</b>										
10 NCAC 24	14:06 NCR 427									
10 NCAC 29C .0103		13:06 NCR 566	13:19 NCR 1611	*	Approve	07/15/99			14:06 NCR 490	
10 NCAC 29C .0201	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0201	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0202	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0202	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0203	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0204	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0205	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0206	14:10 NCR 798	14:10 NCR 798								
10 NCAC 41E .0401	12:11 NCR 919	14:10 NCR 798	13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0403	12:11 NCR 919	14:10 NCR 798	13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
		13:11 NCR 857	13:11 NCR 857	*						



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10 NCAC 41E .0404	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0405	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41E .0406	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0501	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0503	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0504	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0505	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0506	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0507	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0508	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0509	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0510	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0511	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0512	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0513	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0514	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0515	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0516	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0517	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0518	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41E .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0606	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41E .0701	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41E .0702	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41E .0703	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41E .0704	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0501	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0502	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0504	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0505	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0506	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0507	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0508	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0509	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0510	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41G .0511	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
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10 NCAC 41G .0512	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0513	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41G .0601	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0603	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0605	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0701	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0702	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0703	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0705	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0706	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0707	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0708	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0801	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0802	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0803	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0804	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0805	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	



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10 NCAC 41G .0806	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0807	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0808	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0809	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0902	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1001	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1002	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1004	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1005	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1006	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1007	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1008	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1009	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1010	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1011	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1012	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1013	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1102	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1103	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
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10 NCAC 41G .1104	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1105	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41G .1106	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1202	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1204	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1205	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1206	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1207	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1208	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1301	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1302	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1303	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1304	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1305	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1306	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1307	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1308	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1309	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1402	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41H	14:10 NCR 742		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41I .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41P	14:10 NCR 742									
10 NCAC 41R .0101	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0102	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0103	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0104	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0105	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0106	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0107	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0101	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Object	02/18/99	*		13:24 NCR 2037	
					Approve	02/18/99				
10 NCAC 41S .0102	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0201	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0202	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0203	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0204	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0301	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0302	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0303	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0304	12:11 NCR 919		13:05 NCR 438	*						
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10 NCAC 41S .0305	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0306	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0307	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0401	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0402	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0403	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0404	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0405	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0406	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0407	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0501	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0503	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0504	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0505	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0506	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0601	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0603	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0605	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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			13:05 NCR 438	*						
10 NCAC 41S .0607	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0608	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0609	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0610	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0611	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0612	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0613	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0613		14:04 NCR 321	13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0614	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0615	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0701	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0702	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0703	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0704	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Object	02/18/99	*			
				*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0705	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0706	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0707	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0708	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0709	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41S .0710	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0711	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0712	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0713	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0102	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0103	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0104	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0105	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0106	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0202	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0204	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0205	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41T .0206	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 42A .0801	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	S/L	Approve	02/18/99			13:24 NCR 2037	
			14:13 NCR 1100	S/L						
10 NCAC 42A .0802	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L					13:24 NCR 2037	
			14:13 NCR 1100	S/L						
10 NCAC 42A .0803	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L					13:24 NCR 2037	
			14:13 NCR 1100	S/L						
10 NCAC 42A .0804	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L					13:24 NCR 2037	
			14:13 NCR 1100	S/L						
10 NCAC 42A .0805	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L					13:24 NCR 2037	



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10 NCAC 42A .0806	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0807	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0808	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0809	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0810	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42E	14:10 NCR 742									
10 NCAC 42E .0801	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1501	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1502	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42V .0108	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42Z	14:10 NCR 742									
10 NCAC 42Z .1001	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 43L .0401	14:12 NCAC 1036	14:12 NCR 1036								
10 NCAC 47B .0103	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
10 NCAC 47B .0204	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
10 NCAC 47B .0407	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
<b>Vocational Rehabilitation Services</b>										
10 NCAC 20A .0101	14:07 NCR 519									
10 NCAC 20A .0102	14:07 NCR 519									
10 NCAC 20B .0102	14:07 NCR 519									
10 NCAC 20B .0103	14:07 NCR 519									
10 NCAC 20B .0105	14:07 NCR 519									
10 NCAC 20B .0108	14:07 NCR 519									
10 NCAC 20B .0201	14:07 NCR 519									
10 NCAC 20B .0202	14:07 NCR 519									
10 NCAC 20B .0203	14:07 NCR 519									
10 NCAC 20B .0204	14:07 NCR 519									

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10 NCAC 20B .0206	14:07 NCR 519									
10 NCAC 20B .0208	14:07 NCR 519									
10 NCAC 20B .0210	14:07 NCR 519									
10 NCAC 20B .0217	14:07 NCR 519									
10 NCAC 20B .0224		13:17 NCR 1379	14:05 NCR 392	*						
10 NCAC 20B .0225	14:07 NCR 519									
10 NCAC 20B .0228		13:17 NCR 1379	14:05 NCR 392	*						
10 NCAC 20C .0101	14:07 NCR 519									
10 NCAC 20C .0120	14:07 NCR 519									
10 NCAC 20C .0122	14:07 NCR 519									
10 NCAC 20C .0123	14:07 NCR 519									
10 NCAC 20C .0201	14:07 NCR 519									
10 NCAC 20C .0202	14:07 NCR 519									
10 NCAC 20C .0203	14:07 NCR 519									
10 NCAC 20C .0204	14:07 NCR 519									
10 NCAC 20C .0205	14:07 NCR 519									
10 NCAC 20C .0206	14:07 NCR 519									
10 NCAC 20C .0301	14:07 NCR 519									
10 NCAC 20C .0302	14:07 NCR 519									
10 NCAC 20C .0303	14:07 NCR 519									
10 NCAC 20C .0304	14:07 NCR 519									
10 NCAC 20C .0305	14:07 NCR 519									
10 NCAC 20C .0306	14:07 NCR 519									
10 NCAC 20C .0307	14:07 NCR 519									
10 NCAC 20C .0308	14:07 NCR 519									
10 NCAC 20C .0310	14:07 NCR 519									
10 NCAC 20C .0311	14:07 NCR 519									

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10 NCAC 20C .0313	14:07 NCR 519									
10 NCAC 20C .0314	14:07 NCR 519									
10 NCAC 20C .0315	14:07 NCR 519									
10 NCAC 20C .0316	14:07 NCR 519									
10 NCAC 20C .0401	14:07 NCR 519									
10 NCAC 20C .0408	14:07 NCR 519									
10 NCAC 20C .0502	14:07 NCR 519									
10 NCAC 20C .0601	14:07 NCR 519									
10 NCAC 20C .0603	14:07 NCR 519									
10 NCAC 20C .0604	14:07 NCR 519									
10 NCAC 20D .0101	14:07 NCR 519									
10 NCAC 20D .0201	14:07 NCR 519									
10 NCAC 20D .0301	14:07 NCR 519									
<b>HOUSING FINANCE AGENCY</b>										
24 NCAC 01H .0103	13:22 NCR 1822		14:02 NCR 82	*	Agcy Withdrew	10/04/99				
<b>INSURANCE</b>										
11 NCAC 04	14:12 NCR 957									
11 NCAC 06B .0201	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0202	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0203	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0204	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0205	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0301	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0302	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0303	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0304	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0401	12:09 NCR 744		14:10 NCR 752	*						



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11 NCAC 06B .0402	12-09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0403	12-09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0404	12-09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0405	12-09 NCR 744		14:10 NCR 752	*						
11 NCAC 10 .0105	14:10 NCR 809	14:10 NCR 809								
11 NCAC 10 .1110	14:10 NCR 809	14:10 NCR 809								
11 NCAC 11F .0401	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0402	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0403	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0404	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0405	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0501	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0502	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0503	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0504	14:10 NCR 811	14:10 NCR 811								
11 NCAC 12	14:12 NCR 957									
11 NCAC 12 .0308	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .0327	14:12 NCR 1038	14:12 NCR 1038								
11 NCAC 12 .1025	N/A		N/A		Approve	10/04/99			14:10 NCR 839	
11 NCAC 12 .1701	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1702	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99				
11 NCAC 12 .1702	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1703	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1707	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1709	14:10 NCR 819	14:10 NCR 819								
11 NCAC 13 .0317	14:10 NCR 822	14:10 NCR 822								
11 NCAC 13 .0318	14:10 NCR 822	14:10 NCR 822								

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11 NCAC 13 .0324 14:10 NCR 822 14:10 NCR 822

11 NCAC 13 .0326 14:10 NCR 822 14:10 NCR 822

11 NCAC 13 .0406 14:10 NCR 822 14:10 NCR 822

11 NCAC 13 .0514 14:02 NCR 78 14:06 NCR 433 \* Approve 11/17/99

11 NCAC 13 .0518 14:02 NCR 78 14:06 NCR 433 \* Approve 11/17/99

11 NCAC 18 14:12 NCR 957

## Home Inspector Licensure Board

11 NCAC 08 .0900 14:12 NCR 957

11 NCAC 08 .1103 14:08 NCR 577

11 NCAC 08 .1105 14:08 NCR 577

11 NCAC 08 .1106 14:08 NCR 577

11 NCAC 08 .1107 14:08 NCR 577

11 NCAC 08 .1116 14:08 NCR 577

11 NCAC 08 .1300 14:08 NCR 577

## JUSTICE

### Criminal Justice Education and Training Standards Commission

12 NCAC 09A .0103 N/A

12 NCAC 09B .0106 N/A

12 NCAC 09B .0107 13:14 NCR 1110

12 NCAC 09B .0109 13:14 NCR 1110

12 NCAC 09B .0110 13:14 NCR 1110

12 NCAC 09B .0112 13:14 NCR 1110

12 NCAC 09B .0113 13:14 NCR 1110

12 NCAC 09B .0115 13:14 NCR 1110

12 NCAC 09B .0201 13:14 NCR 1110

N/A Approve 10/04/99

N/A Approve 10/04/99

\* Ext. Review 06/17/99

Return to Agcy 07/15/99

Approve 10/04/99

Approve 06/17/99

Approve 06/17/99

Approve 06/17/99

\* Ext. Review 06/17/99

Return to Agcy 07/15/99

Approve 10/04/99

Approve 06/17/99

\* Object 06/17/99

Return to Agcy 07/15/99

14:10 NCR 839

14:10 NCR 839

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14:05 NCR 402

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12 NCAC 09B .0202	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0203	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0204	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0205	13:14 NCR 1110		13:19 NCR 1611	S/L	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0206	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0207	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0208	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:05 NCR 402	
12 NCAC 09B .0226	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:05 NCR 402	
12 NCAC 09B .0227	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0228	13:14 NCR 1110		13:19 NCR 1611	S	Returned to Agency Approve Object Return to Agency	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0232	13:14 NCR 1110		13:19 NCR 1611	S	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0233	13:14 NCR 1110		13:19 NCR 1611	S	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0302	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0303	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:05 NCR 402	
12 NCAC 09B .0304	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:05 NCR 402	
12 NCAC 09B .0305	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agcy	10/04/99 06/17/99 07/15/99	*		14:05 NCR 402	



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12 NCAC 09B .0312	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0403	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0404	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0405	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0406	13:14 NCR 1110		13:19 NCR 1611	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0407	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0414	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0415	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09C .0211	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09C .0212	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agcy	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
					Object	06/17/99				
					Return to Agcy	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
					Object	06/17/99				
					Return to Agcy	07/15/99	*		14:10 NCR 839	
					Approve	10/04/99			14:05 NCR 402	
					Approve	06/17/99			14:05 NCR 402	
<b>Private Protective Services Board</b>										
12 NCAC 07D .0807	13:14 NCR 1110		14:07 NCR 523	*						
<b>Sheriffs' Education and Training Standards Commission</b>										
12 NCAC 10B .0103	13:14 NCR 1110		13:19 NCR 1637	S	Object	06/17/99	*			
					Return to Agcy	07/15/99				
					Approve	11/17/99				
12 NCAC 10B .0302	14:12 NCR 957									
12 NCAC 10B .0303	14:12 NCR 957									
12 NCAC 10B .0502	13:14 NCR 1110		13:19 NCR 1637	L	Object	06/17/99	*			
					Approve	11/17/99				
					Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0505	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0506	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	

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					Action	Date				
12 NCAC 10B .0507	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0508	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0509	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0601	13:14 NCR 1110		13:19 NCR 1637	S/L	Object	06/17/99	*			
					Approve	11/17/99				
12 NCAC 10B .0606	13:14 NCR 1110									
12 NCAC 10B .0607	13:14 NCR 1110									
12 NCAC 10B .0703	13:14 NCR 1110									
12 NCAC 10B .0908	13:14 NCR 1110		13:19 NCR 1637	S/L	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .0909	14:12 NCR 957		13:19 NCR 1637	S/L	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1002	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1401	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1402	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1403	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1404	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1405	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1406	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	

## LABOR

13 NCAC 01A .0100	14:07 NCR 519									
13 NCAC 01B .0100	14:07 NCR 519									
13 NCAC 01B .0200	14:07 NCR 519									
13 NCAC 01B .0300	14:07 NCR 519									
13 NCAC 01B .0400	14:07 NCR 519									
13 NCAC 01B .0500	14:07 NCR 519									
13 NCAC 01B .0600	14:07 NCR 519									
13 NCAC 01C .0100	14:07 NCR 519									
13 NCAC 01C .0200	14:07 NCR 519									
13 NCAC 01C .0300	14:07 NCR 519									

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					Action	Date				
13 NCAC 01C .0400	14:07 NCR 519									
13 NCAC 01C .0500	14:07 NCR 519									
<b>Occupational Safety and Health</b>										
<b>*Verbatim Adoption Federal Standards</b>										
13 NCAC 07A .0401	14:02 NCR 78		14:12 NCR 961	*						14:07 NCR 517
13 NCAC 07F	11:03 NCR 106									
13 NCAC 07F .0101	14:02 NCR 78									
13 NCAC 07F .0201	11:03 NCR 106									
13 NCAC 07F .0201	14:02 NCR 78									
13 NCAC 07F .0301	11:03 NCR 106									
13 NCAC 07F .0410	14:02 NCR 78									
13 NCAC 07F .0601	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0602	13:02 NCR 176		13:21 NCR 1786	S/L	Object	10/04/99				
13 NCAC 07F .0603	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0604	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0605	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0606	13:02 NCR 176		13:21 NCR 1786	S/L	Object	10/04/99				
<b>Retailary Employment Discrimination</b>										
13 NCAC 19 .0101	N/A	N/A	N/A	N/A	Approve	08/19/99			14:09 NCR 708	
<b>Wage and Hour Division</b>										
13 NCAC 12 .0501	13:03 NCR 268									
13 NCAC 12 .0801	13:03 NCR 268									
13 NCAC 12 .0802	13:03 NCR 268									
<b>LANDSCAPE ARCHITECTS, BOARD OF</b>										
21 NCAC 26 .0101	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0104		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0104	14:05 NCR 373		14:12 NCR 1015	*						



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					Action	Date				
21 NCAC 26 .0105		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0105	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0302		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0302	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0506		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0507		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0508		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0509		12:08 NCR 730	Temp Expired 07/12/98							
<b>MEDICAL BOARD</b>										
21 NCAC 32	13:06 NCR 538									
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 320 .0118	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0119	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0120	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0121	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 32R .0101	14:03 NCR 127									
21 NCAC 32R .0102	14:03 NCR 127									
21 NCAC 32R .0103	14:03 NCR 127									
21 NCAC 32R .0104	14:03 NCR 127									
<b>MIDWIFERY JOINT COMMITTEE</b>										
21 NCAC 33 .0102	14:12 NCR 958									
21 NCAC 33 .0106	14:12 NCR 958									
<b>MORTUARY SCIENCE, BOARD OF</b>										
21 NCAC 34C	12:09 NCR 745									

**MUNICIPAL INCORPORATIONS PETITION  
NURSING, BOARD OF**

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					Action	Date				
21 NCAC 36 .0213	13:22 NCR 1821		14:02 NCR 82	*	Approve	11/17/99				14:13 NCR 1090
21 NCAC 36 .0220	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0221	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0227	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0318	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0404	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0405	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0701	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0702	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0703	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0704	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0705	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090

## NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR

21 NCAC 37D .0202	14:05 NCR 398		14:09 NCR 684	*						
21 NCAC 37D .0302	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0303	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0403	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0405	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0407	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0502	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0504	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0601	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0603	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0605	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0701	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0704	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37E .0101	14:08 NCR 578		14:13 NCR 1149	*						

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					Action	Date				
21 NCAC 37E .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37E .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37F .0101	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37F .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37F .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37G .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37G .0201		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37G .0201	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37G .0202	14:08 NCR 578									
21 NCAC 37H .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37H .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37H .0104	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37I .0101	14:08 NCR 578		14:13 NCR 1149	*						
<b>PHARMACY, BOARD OF</b>										
21 NCAC 46 .1317	13:22 NCR 1821									
21 NCAC 46 .1413	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*			
21 NCAC 46 .1414	13:22 NCR 1821									
21 NCAC 46 .1508	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*			
21 NCAC 46 .1601	13:22 NCR 1821									
21 NCAC 46 .1804	12:03 NCR 168			*						
			12:07 NCR 527	*						
			12:09 NCR 797	*	State Budget	03/20/98				
			13:02 NCR 246	SE	Object	12/17/98				
					Object	02/18/99				
					Object	04/15/99				
					Approve	05/20/99	*		14:04 NCR 330	
21 NCAC 46 .1810	13:22 NCR 1821		14:06 NCR 480	*						
21 NCAC 46 .1813	13:22 NCR 1821									
21 NCAC 46 .1814	13:22 NCR 1821		14:06 NCR 480	*						
21 NCAC 46 .1815		13:11 NCR 910	13:22 NCR 1848	*						
			13:24 NCR 2016	*	Approve	08/19/99	*		14:09 NCR 708	



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					Action	Date				
21 NCAC 46 .1816	13:22 NCR 1821		14:06 NCR 480	*						
21 NCAC 46 .2306	12:24 NCR 2203		13:04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .2506	12:24 NCR 2203		13:04 NCR 419	*	Object	12/17/98				
Narrow Therapeutic Index Drugs										
PHYSICAL THERAPY EXAMINERS										
21 NCAC 48F .0102	14:06 NCR 489	14:06 NCR 489	14:10 NCR 771	*						14:13 NCR 1091
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50 .0106	12:07 NCR 509									
21 NCAC 50 .0202	12:07 NCR 509									
21 NCAC 50 .0301	14:06 NCR 429									
21 NCAC 50 .0304	14:06 NCR 429									
21 NCAC 50 .0306	14:06 NCR 429									
21 NCAC 50 .0310	14:06 NCR 429									
21 NCAC 50 .0402	14:06 NCR 429									
21 NCAC 50 .0404	14:06 NCR 429									
21 NCAC 50 .0406	14:06 NCR 429									
21 NCAC 50 .0407	14:06 NCR 429									
21 NCAC 50 .0412	14:06 NCR 429									
21 NCAC 50 .0501	14:10 NCR 749									
21 NCAC 50 .0505	14:06 NCR 429									
21 NCAC 50 .0506	12:07 NCR 509	12:07 NCR 557	Temp Expired 06/28/98							
21 NCAC 50 .0506	14:06 NCR 429									
21 NCAC 50 .0508	14:06 NCR 429									
21 NCAC 50 .1004	14:10 NCR 749									
21 NCAC 50 .1006	14:10 NCR 749									
21 NCAC 50 .1101	14:06 NCR 429									
21 NCAC 50 .1102	14:06 NCR 429									

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					Action	Date				
21 NCAC 50 .1201	14:06 NCR 429									
21 NCAC 50 .1202	14:06 NCR 429									
21 NCAC 50 .1203	14:06 NCR 429									
21 NCAC 50 .1204	14:06 NCR 429									
21 NCAC 50 .1205	14:06 NCR 429									
21 NCAC 50 .1206	12:07 NCR 509									
21 NCAC 50 .1206	14:06 NCR 429									
21 NCAC 50 .1207	14:06 NCR 429									
21 NCAC 50 .1208	14:06 NCR 429									
21 NCAC 50 .1209	14:06 NCR 429									
21 NCAC 50 .1210	14:06 NCR 429									
21 NCAC 50 .1211	14:06 NCR 429									
21 NCAC 50 .1212	14:06 NCR 429									
21 NCAC 50 .1213	14:06 NCR 429									
21 NCAC 50 .1214	14:06 NCR 429									
21 NCAC 50 .1302	12:07 NCR 509									
<b>PSYCHOLOGY BOARD</b>										
21 NCAC 54 .1611	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .1901	13:21 NCR 1784									
21 NCAC 54 .2006	12:05 NCR 338									
21 NCAC 54 .2010	12:05 NCR 338									
21 NCAC 54 .2104	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2301	12:05 NCR 338									
21 NCAC 54 .2302	12:05 NCR 338									
21 NCAC 54 .2303	12:05 NCR 338									
21 NCAC 54 .2304	12:05 NCR 338									
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									

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					Action	Date				
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									
21 NCAC 54 .2312	12:05 NCR 338									
21 NCAC 54 .2313	12:05 NCR 338									
21 NCAC 54 .2314	12:05 NCR 338									
21 NCAC 54 .2401	12:05 NCR 338									
21 NCAC 54 .2402	12:05 NCR 338									
21 NCAC 54 .2501	12:05 NCR 338									
21 NCAC 54 .2502	12:05 NCR 338									
21 NCAC 54 .2503	12:05 NCR 338									
21 NCAC 54 .2504	12:05 NCR 338									
21 NCAC 54 .2505	12:05 NCR 338									
21 NCAC 54 .2601	12:05 NCR 338									
21 NCAC 54 .2602	12:05 NCR 338									
21 NCAC 54 .2704	12:05 NCR 338		13:13 NCR 1050	*	Approve	11/17/99	*			
21 NCAC 54 .2706	12:05 NCR 338		13:13 NCR 1050	*	Approve	11/17/99	*			
21 NCAC 54 .2801	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2802	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2803	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2804	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2805	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2806	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2807	12:05 NCR 338		13:13 NCR 1050	*						
<b>PUBLIC EDUCATION</b>										
16 NCAC 06B .0108		13:13 NCR 1061	13:18 NCR 1503	*	Approve	07/15/99				14:06 NCR 490



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					Action	Date				
16 NCAC 06C .0100	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0102	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0103	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0200	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0202			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0205	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0205	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0206			14:12 NCR 998	*						
16 NCAC 06C .0207	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0300	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0301			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0302	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0303	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0304	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0305	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0306	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0307	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0308	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0309	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0311	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0312	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0313	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0313			13:18 NCR 1503	*	Return to Agency	07/15/99				

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16 NCAC 06C .0400	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0402	14:06 NCR 428									
16 NCAC 06C .0501		14:11 NCR 910	13:18 NCR 1503	*	Object	07/15/99			14:09 NCR 708	
16 NCAC 06D .0103		12:22 NCR 2010	13:18 NCR 1503	*	Approve	08/19/99	*		14:06 NCR 490	
16 NCAC 06D .0103		Temp Expired 02/09/99			Approve	07/15/99	*			
16 NCAC 06D .0103			13:24 NCR 2008	S	Approve	10/04/99				
16 NCAC 06D .0210			13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0301			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0302			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0303			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0304			13:24 NCR 2008	S	Approve	10/04/99			14:06 NCR 490	
16 NCAC 06D .0305			13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0501			13:24 NCR 2008	S	Approve	10/04/99	*			
16 NCAC 06D .0502			13:24 NCR 2008	S	Approve	10/04/99				
16 NCAC 06D .0503			13:24 NCR 2008	S	Object	10/04/99	*			
16 NCAC 06D .0504			13:24 NCR 2008	S	Approve	11/17/99				
16 NCAC 06D .0505			13:24 NCR 2008	S	Object	10/04/99	*			
16 NCAC 06D .0506			13:24 NCR 2008	S	Approve	11/17/99	*			
16 NCAC 06D .0507			13:24 NCR 2008	S	Approve	10/04/99	*			
16 NCAC 06E .0202	14:06 NCR 428		13:18 NCR 1503	*	Approve	10/04/99				
16 NCAC 06E .0301		13:05 NCR 523	14:12 NCR 998	*	Approve	10/04/99	*			
16 NCAC 06E .0301			13:18 NCR 1503	*	Approve	10/04/99			14:06 NCR 490	
16 NCAC 06G .0202			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0308			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0309			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0311		12:22 NCR 2010	13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
		Temp Expired 02/09/99								

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16 NCAC 06G .0502			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0101	14:06 NCR 428		14:12 NCR 998	*	Return to Agency	07/15/99				
16 NCAC 06H .0101	N/A		13:18 NCR 1503	*	Approve	10/04/99				
16 NCAC 06H .0103			N/A	N/A						
16 NCAC 06H .0105	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0105			14:12 NCR 998	*	Return to Agency	07/15/99				
16 NCAC 06H .0105	N/A		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0106			N/A	N/A	Approve	10/04/99				
16 NCAC 06H .0107	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0107			14:12 NCR 998	*	Return to Agency	07/15/99				
16 NCAC 06H .0107	14:06 NCR 428		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0108	N/A		N/A	N/A	Approve	10/04/99				
16 NCAC 06H .0108	N/A		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0109			N/A	N/A	Approve	10/04/99				
16 NCAC 06H .0109	N/A		13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06H .0110			N/A	N/A	Approve	10/04/99				
			13:18 NCR 1503	*	Return to Agency	07/15/99				
<b>REAL ESTATE COMMISSION</b>										
21 NCAC 58A .0107	14:06 NCR 429		14:10 NCR 772	*	Return to Agency	07/15/99				
21 NCAC 58A .0109	14:06 NCR 429		14:10 NCR 772	*	Approve	10/04/99				
21 NCAC 58A .0110	14:06 NCR 429		14:10 NCR 772	*	Return to Agency	07/15/99				
21 NCAC 58A .0113	14:06 NCR 429		14:10 NCR 772	*	Approve	10/04/99				
21 NCAC 58A .0114	14:06 NCR 429		14:10 NCR 772	*	Return to Agency	07/15/99				
21 NCAC 58A .0301	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0302	14:06 NCR 429		14:10 NCR 772	*	Return to Agency	07/15/99				
21 NCAC 58A .0303	14:06 NCR 429		14:10 NCR 772	S	Object	10/04/99				
21 NCAC 58A .0304	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0401	14:06 NCR 429		14:10 NCR 772	*						



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					Action	Date				
21 NCAC 58A .0402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0403	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0404	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0406	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0503	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0505	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0601	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0615	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1703	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1708	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0101	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0102	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0105	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0106	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0107	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0108	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0207	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0213	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0214	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0217	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0218	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0220	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0302	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0305	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0306	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0307	14:06 NCR 429		14:10 NCR 772	*						

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21 NCAC 58C .0310	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0312	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0601	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0602	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0603	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0604	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0605	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0606	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0607	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58C .0608	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0102	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0202	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0204	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0205	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0304	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0310	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0412	14-06 NCR 429		14-10 NCR 772	*						
21 NCAC 58E .0515	14-06 NCR 429		14-10 NCR 772	*						
<b>REFRIGERATION EXAMINERS, BOARD OF</b>										
21 NCAC 60 .0102	14-08 NCR 579		14-12 NCR 1028	*						
21 NCAC 60 .0207	14-08 NCR 579		14-12 NCR 1028	*						
21 NCAC 60 .0311	14-08 NCR 579		14-12 NCR 1028	*						
21 NCAC 60 .0316	14-08 NCR 579		14-12 NCR 1028	*						
21 NCAC 60 .1102	14-08 NCR 579		14-12 NCR 1028	*						
<b>REVENUE</b>										
17 NCAC 04B .0102	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0104	N/A		13-08 NCR 690	N/A						

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					Action	Date				
17 NCAC 04B .0105	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0106	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0107	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0306	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0309	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0312	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4302	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0102	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0103	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0202	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0203	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0703	N/A		13:08 NCR 690	N/A						
17 NCAC 04F .0005	N/A		13:08 NCR 690	N/A						
17 NCAC 05C .0102			12:14 NCR 1285	*						
17 NCAC 05C .0703			12:14 NCR 1285	*						
17 NCAC 06B .0105	N/A		13:08 NCR 694	N/A						
17 NCAC 06B .0118	N/A		13:09 NCR 762	N/A	Object	12/17/98				



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					Action	Date				
17 NCAC 07B .0124	N/A		13:08 NCR 695	N/A	Object	03/18/99	*		14:02 NCR 84	
17 NCAC 07B .0125	N/A		13:08 NCR 695	N/A	Approve	04/15/99				
17 NCAC 07B .2101	N/A		13:09 NCR 767	N/A						
17 NCAC 09K .0601	N/A		13:08 NCR 695	N/A						
Tax Review Board										
SECRETARY OF STATE										
18 NCAC 06 .1212		13:14 NCR 1151								14:12 NCR 954
		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1304		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1502		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1802		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 06 .1803		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 10 .0101	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
18 NCAC 10 .0201	13:09 NCR 759	14:12 NCR 1046								Temp Filed over obj
		13:14 NCR 1153								
		13:18 NCR 1556								
18 NCAC 10 .0301	13:09 NCR 759	14:12 NCR 1046								Temp Filed over obj
		13:14 NCR 1153								
		14:12 NCR 1046								
18 NCAC 10 .0302	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0303	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0304	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0305	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
		14:12 NCR 1046								
18 NCAC 10 .0306		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								Temp Filed over obj

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18 NCAC 10 .0307		13:18 NCR 1556								Temp Filed over obj
18 NCAC 10 .0308		14:12 NCR 1046								Temp Filed over obj
18 NCAC 10 .0309		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								
		13:18 NCR 1556								
18 NCAC 10 .0401	13:09 NCR 759	14:12 NCR 1046								
		13:14 NCR 1153								
18 NCAC 10 .0402	13:09 NCR 759	13:18 NCR 1556								
		13:14 NCR 1153								
18 NCAC 10 .0501	13:09 NCR 759	13:18 NCR 1556								
		13:14 NCR 1153								
18 NCAC 10 .0701		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								Temp Filed over obj
18 NCAC 10 .0801		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								Temp Filed over obj
18 NCAC 10 .0802		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								Temp Filed over obj
18 NCAC 10 .0901		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								Temp Filed over obj

## SOCIAL WORK CERTIFICATION AND LICENSURE BOARD

21 NCAC 63 .0101	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0102	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0103	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0104	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0105	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0201	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0202	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0204	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0205	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0206	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0207	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0208	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0209	14:09 NCR 697	14:09 NCR 697								

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21 NCAC 63 .0210	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0211	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0212	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0213	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0301	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0302	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0303	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0304	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0305	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0306	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0401	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0402	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0403	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0404	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0501	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0503	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0507	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0508	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0509	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0601	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0602	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0603	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0604	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0607	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0609	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0701	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0702	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0703	14:09 NCR 697	14:09 NCR 697								



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					Action	Date				
21 NCAC 63 .0704	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0801	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0802	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0803	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0804	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0805	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0806	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0807	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0808	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0809	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0820	14:09 NCR 697	14:09 NCR 697								
<b>STATE PERSONNEL COMMISSION</b>										
25 NCAC 01B .0354	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01B .0414	13:18 NCR 1560		13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0434	13:18 NCR 1560		13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0437	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*			
25 NCAC 01C .0214	13:18 NCR 1560		13:22 NCR 1850	*	Approve	11/17/99	*		14:10 NCR 839	
25 NCAC 01D .2516	11:13 NCR 1062		11:19 NCR 1429	*	Approve	10/04/99	*			
25 NCAC 01D .2517	Temp Expired 12:09 NCR 835		Temp Expired 07/31/98							
25 NCAC 01H .0602	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01H .0605	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*			
25 NCAC 01H .0606	13:05 NCR 436		13:09 NCR 773	*	Approve	11/17/99	*			
25 NCAC 01J .0503	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0506			13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0512	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*			
25 NCAC 01J .0603	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	

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					Action	Date				
25 NCAC 01J .0603		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
<b>SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD</b>										
21 NCAC 68	14:10 NCR 749									
<b>TRANSPORTATION</b>										
<b>Highways, Division of</b>										
19A NCAC 02D .0415	13:08 NCR 626		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
19A NCAC 02E .0201	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0202	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0203	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0206	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0207	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0208	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0209	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0210	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0211	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0212	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0213	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0214	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0215	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0221	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99	*		14:01 NCR 48	
19A NCAC 02E .0222	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99			14:01 NCR 48	
19A NCAC 02E .0224	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0225	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0602	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0603	14:03 NCR 126		14:12 NCR 1012	*						
19A NCAC 02E .0604	14:03 NCR 126		14:09 NCR 670	*						
<b>Motor Vehicles, Division of</b>										

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					Action	Date				
19A NCAC 03D .0801		14:11 NCR 911								
19A NCAC 03G .0203	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0205	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0206	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0207	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0209	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0213	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03I .0207	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0301	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0302	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0307	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99	*		14:09 NCR 708	
19A NCAC 03I .0401	13:16 NCR 1258		13:22 NCR 1843	*	Approve	08/19/99			14:06 NCR 490	
19A NCAC 03I .0402	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0501	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99	*		14:09 NCR 708	
19A NCAC 03I .0601	13:16 NCR 1258		13:22 NCR 1843	*	Approve	08/19/99			14:06 NCR 490	
19A NCAC 03I .0701	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0804	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
				*	Object	07/15/99	*		14:09 NCR 708	
					Approve	08/19/99				

## VETERINARY MEDICAL BOARD

21 NCAC 66 .0207 12:23 NCR 2089

21 NCAC 66 .0208 12:23 NCR 2089



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