


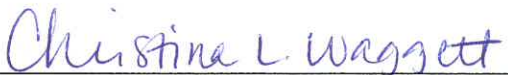
SUBMISSION FOR PERMANENT RULE

| | |
|--|---|
| 1. Rule-Making Agency: Structural Pest Control Committee | |
| 2. Rule citation & name (name not required for repeal): 02 NCAC 34 .0331 Ancillary Activities | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/2/2019 Link to Agency notice: http://www.ncagr.gov/AdministrativeRules/ProposedRules/index.htm Hearing on: N/A Adoption by Agency on: 2/11/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: This rule has gone through the periodic review and expiration of existing rules process and was classified as "necessary with substantive public interest" and is now being readopted. The rule is being readopted without any changes to how it is currently in the Administrative Code. | |
| 10. Rulemaking Coordinator: Christina L. Waggett Phone: 919-707-3008 E-Mail: christina.waggett@ncagr.gov Additional agency contact, if any: Phone: E-Mail: | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Christina L. Waggett Title: Rulemaking Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
2020 FEB 20 AM 9:11
FILED

original 2/20/2020

SUBMISSION FOR PERMANENT RULE

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|--|--|
| 1. Rule-Making Agency: Structural Pest Control Committee | |
| 2. Rule citation & name (name not required for repeal): 02 NCAC 34 .0501 Wood-Destroying Insects: Excluding Subterranean Termites | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/2/2019 Link to Agency notice: http://www.ncagr.gov/AdministrativeRules/ProposedRules/index.htm Hearing on: N/A Adoption by Agency on: 2/11/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| OFFICE OF ADMIN HEARINGS 2020 FEB 20 AM 8: 57 FILED | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: This rule has gone through the periodic review and expiration of existing rules process and was classified as "necessary with substantive public interest" and is now being readopted. The rule is being readopted without any changes to how it is currently in the Administrative Code. | |
| 10. Rulemaking Coordinator: Christina L. Waggett Phone: 919-707-3008 E-Mail: christina.waggett@ncagr.gov Additional agency contact, if any: Phone: E-Mail: | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Christina L. Waggett Title: Rulemaking Coordinator |
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| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

SUBMISSION FOR PERMANENT RULE

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|---|---|
| 1. Rule-Making Agency: Structural Pest Control Committee | |
| 2. Rule citation & name (name not required for repeal): 02 NCAC 34 .0602 Wood-Destroying Insect and Other Organism Reports | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/2/2019 Link to Agency notice: http://www.ncagr.gov/AdministrativeRules/ProposedRules/index.htm Hearing on: N/A Adoption by Agency on: 2/11/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
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| 9B. Explain: This rule has gone through the periodic review and expiration of existing rules process and was classified as "necessary with substantive public interest" and is now being readopted. The rule is being readopted without any changes to how it is currently in the Administrative Code. | |
| 10. Rulemaking Coordinator: Christina L. Waggett Phone: 919-707-3008 E-Mail: christina.waggett@ncagr.gov Additional agency contact, if any: Phone: E-Mail: | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Christina L Waggett</div> <hr style="width: 80%; margin: auto;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Christina L. Waggett Title: Rulemaking Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

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2020 FEB 20 AM 8:58
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Structural Pest Control Committee

2. Rule citation & name (name not required for repeal): 02 NCAC 34 .0703 Written Records of Household Pest Control

3. Action:
 ADOPTION AMENDMENT REPEAL READOPTION REPEAL through READOPTION

4. Rule exempt from RRC review?
 Yes. Cite authority:
 No

5. Rule automatically subject to legislative review?
 Yes. Cite authority:
 No

6. Notice for Proposed Rule:
 Notice Required
Notice of Text published on: 12/2/2019
Link to Agency notice: <http://www.ncagr.gov/AdministrativeRules/ProposedRules/index.htm>
Hearing on: N/A
Adoption by Agency on: 2/11/2020
 Notice not required under G.S.:
Adoption by Agency on:

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OFFICE OF ADMIN HEARINGS

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
 Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
 No

8. Fiscal impact. Check all that apply.
 This Rule was part of a combined analysis.
 State funds affected
 Local funds affected
 Substantial economic impact (≥\$1,000,000)
 Approved by OSBM
 No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

- Agency
- Court order / cite:
- Federal statute / cite:
- Federal regulation / cite:

- Legislation enacted by the General Assembly
Cite Session Law:
- Petition for rule-making
- Other:

9B. Explain: This rule has gone through the periodic review and expiration of existing rules process and was classified as "necessary with substantive public interest" and is now being readopted. The rule is being readopted without any changes to how it is currently in the Administrative Code.

10. Rulemaking Coordinator: Christina L. Waggett

Phone: 919-707-3008
E-Mail: christina.waggett@ncagr.gov

Additional agency contact, if any:
Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Christina L. Waggett

*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

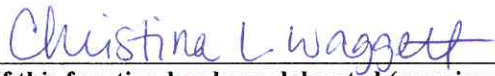
Typed Name: Christina L. Waggett
Title: Rulemaking Coordinator

RRC AND OAH USE ONLY

Action taken:

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

SUBMISSION FOR PERMANENT RULE


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| 1. Rule-Making Agency: Structural Pest Control Committee | |
| 2. Rule citation & name (name not required for repeal): 02 NCAC 34 .1206 Decision of Committee | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/2/2019 Link to Agency notice: http://www.ncagr.gov/AdministrativeRules/ProposedRules/index.htm Hearing on: N/A Adoption by Agency on: 2/11/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
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| 9B. Explain: This rule has gone through the periodic review and expiration of existing rules process and was classified as "necessary with substantive public interest" and is now being readopted. The rule is being readopted without any changes to how it is currently in the Administrative Code. | |
| 10. Rulemaking Coordinator: Christina L. Waggett Phone: 919-707-3008 E-Mail: christina.waggett@ncagr.gov Additional agency contact, if any: Phone: E-Mail: | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Christina L. Waggett Title: Rulemaking Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

FILED
 2020 FEB 20 AM 8:59
 OFFICE OF ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

FEB 17 2020

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| 1. Rule-Making Agency: N.C. Medical Care Commission | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 13B .5412/ADDITIONAL REQUIREMENTS FOR TRAUMATIC BRAIN INJURY PATIENTS | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 09/16/19 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 10/01/19 Adoption by Agency on: 02/14/20 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: G.S. 150B-21.3A.(c)(2)(g) | |
| 9B. Explain: Pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years, or they shall expire. As a result of the periodic review of Subchapter 10A NCAC 13B, Licensing of Hospitals, this rule was determined as "Necessary With Substantive Public Interest," thus requiring readoption. With input from a stakeholder workgroup, substantive changes have been made to this rule that establishes additional requirements for inpatient rehabilitation facilities providing services to persons with traumatic brain injuries. The changes update the rule to the current standards of practice and standards of care, and satisfy a prior Rules Review Commission objection. | |
| 10. Rulemaking Coordinator: Nadine Pfeiffer Phone: 919-855-3811 E-Mail: nadine.pfeiffer@dhhs.nc.gov Additional agency contact, if any: Azzie Conley Phone: 919-855-4646 E-Mail: azzie.conley@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Nadine Pfeiffer Title: Rule-making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
2020 FEB 17 AM 8:36
FILED

SUBMISSION FOR PERMANENT RULE

ORIGINAL

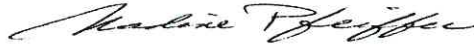
FEB 17 2020

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|--|--|
| 1. Rule-Making Agency: N.C. Medical Care Commission | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 13B .5413/ADDITIONAL REQUIREMENTS FOR SPINAL CORD INJURY PATIENTS | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTIO N <input type="checkbox"/> REPEAL through READOPTIO N | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 09/16/19 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 10/01/19 Adoption by Agency on: 02/14/20 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: G.S. 150B-21.3A.(c)(2)(g) | |
| 9B. Explain: Pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years, or they shall expire. As a result of the periodic review of Subchapter 10A NCAC 13B, Licensing of Hospitals, this rule was determined as "Necessary With Substantive Public Interest," thus requiring readoption. With input from a stakeholder workgroup, substantial revisions have been made to this rule to establish additional requirements for spinal cord injury patients. The changes update the rule to the current standards of practice and standards of care, and satisfy a prior Rules Review Commission objection. | |
| 10. Rulemaking Coordinator: Nadine Pfeiffer Phone: 919-855-3811 E-Mail: nadine.pfeiffer@dhhs.nc.gov Additional agency contact, if any: Azzie Conley Phone: 919-855-4646 E-Mail: azzie.conley@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;">  </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Nadine Pfeiffer Title: Rule-making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
 2020 FEB 17 AM 8:36
 FILED

SUBMISSION FOR PERMANENT RULE

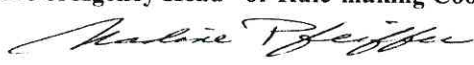
FEB 17 2020

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| 1. Rule-Making Agency: N.C. Medical Care Commission | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 13F .0202/THE LICENSE | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 09/16/19 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 10/30/19 Adoption by Agency on: 02/14/20 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
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| 9B. Explain: Rules in Subchapter 10A NCAC 13G, Licensing of Family Care Homes, are being readopted pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules. G.S. 131D-2.1 states Adult Care Homes that provide care to two to six unrelated residents are commonly called Family Care Homes. This Adult Care Home license rule is being amended to be congruent with the re-adoption of the similar Family Care Home rule (10A NCAC 13G .0202) to alleviate discrepancies between the Subchapters for the issuance of an adult care home license based on application and disclosure of specific information, the posting of the license and a provisional license if issued, and the nature of the license. | |
| 10. Rulemaking Coordinator: Nadine Pfeiffer Phone: 919-855-3811 E-Mail: nadine.pfeiffer@dhhs.nc.gov Additional agency contact, if any: Megan Lamphere Phone: 919-855-3784 E-Mail: megan.lamphere@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Nadine Pfeiffer Title: Rule-making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
2020 FEB 17 AM 8:28
FILED

SUBMISSION FOR PERMANENT RULE

ORIGINAL
FEB 17 2020

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|---|---|
| 1. Rule-Making Agency: N.C. Medical Care Commission | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 13F .0204/APPLYING FOR A LICENSE TO OPERATE A FACILITY NOT CURRENTLY LICENSED | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 09/16/19 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 10/30/19 Adoption by Agency on: 02/14/20 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: This Adult Care Home license rule is being amended to clarify and update the license application process for adult care homes that are not currently licensed by specifying the process and the information to be submitted to the Adult Care Licensure Section (ACLS) and the criteria used by the ACLS to issue a license. | |
| 10. Rulemaking Coordinator: Nadine Pfeiffer Phone: 919-855-3811 E-Mail: nadine.pfeiffer@dhhs.nc.gov Additional agency contact, if any: Megan Lamphere Phone: 919-855-3784 E-Mail: megan.lamphere@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;"></div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Nadine Pfeiffer Title: Rule-making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
 2020 FEB 17 AM 8:28
 FILED

SUBMISSION FOR PERMANENT RULE

FEB 17 2020

1. Rule-Making Agency: N.C. Medical Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 13F .0209

3. Action:
 ADOPTION AMENDMENT REPEAL READOPTION REPEAL through READOPTION

4. Rule exempt from RRC review?
 Yes. Cite authority:
 No

5. Rule automatically subject to legislative review?
 Yes. Cite authority:
 No

6. Notice for Proposed Rule:
 Notice Required
Notice of Text published on: 09/16/19
Link to Agency notice: <https://info.ncdhhs.gov/dhsr/ruleactions.html>
Hearing on: 10/30/19
Adoption by Agency on: 02/14/20
 Notice not required under G.S.:
Adoption by Agency on:

FILED
2020 FEB 17 AM 8:29
OFFICE OF ADMIN HEARINGS

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
 Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
 No

8. Fiscal impact. Check all that apply.
 This Rule was part of a combined analysis
 State funds affected
 Local funds affected
 Substantial economic impact (≥\$1,000,000)
 Approved by OSBM
 No fiscal note required

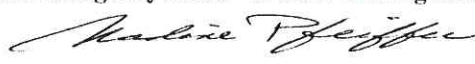
9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
 Agency
 Court order / cite:
 Federal statute / cite:
 Federal regulation / cite:

Legislation enacted by the General Assembly
Cite Session Law:
 Petition for rule-making
 Other:

9B. Explain: This Adult Care Home license renewal rule is being repealed because the requirements from this rule have been incorporated into Rule 10A NCAC 13F .0208 of this Subchapter. Therefore, this rule is not necessary and is being repealed.

10. Rulemaking Coordinator: Nadine Pfeiffer
Phone: 919-855-3811
E-Mail: nadine.pfeiffer@dhhs.nc.gov
Additional agency contact, if any: Megan Lamphere
Phone: 919-855-3784
E-Mail: megan.lamphere@dhhs.nc.gov

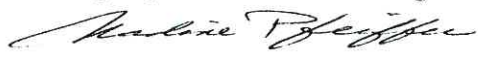
11. Signature of Agency Head* or Rule-making Coordinator:

*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Typed Name: Nadine Pfeiffer
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
 RRC extended period of review:
 RRC determined substantial changes:
 Withdrawn by agency
 Subject to Legislative Review
 Other:

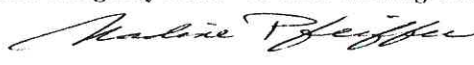
SUBMISSION FOR PERMANENT RULE

FEB 17 2020

| | |
|--|---|
| 1. Rule-Making Agency: N.C. Medical Care Commission | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 13F .0212/DENIAL OR REVOCATION OF LICENSE | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 09/16/19 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 10/30/19 Adoption by Agency on: 02/14/20 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: Rules in Subchapter 10A NCAC 13G, Licensing of Family Care Homes, are being readopted pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules. G.S. 131D-2.1 states Adult Care Homes that provide care to two to six unrelated residents are commonly called Family Care Homes. This Adult Care Home license rule is being amended to be congruent with revisions made to the similar Family Care Home rule (10A NCAC 13G .0212) to alleviate discrepancies between the Subchapters to make clarifying and technical changes in addressing the regulatory action of the Division in denying and revoking adult care home facility licenses. | |
| 10. Rulemaking Coordinator: Nadine Pfeiffer Phone: 919-855-3811 E-Mail: nadine.pfeiffer@dhhs.nc.gov Additional agency contact, if any: Megan Lamphere Phone: 919-855-3784 E-Mail: megan.lamphere@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Nadine Pfeiffer Title: Rule-making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |


OFFICE OF ADMIN HEARINGS
2020 FEB 17 AM 8:30
FILED

SUBMISSION FOR PERMANENT RULE

| | |
|---|---|
| 1. Rule-Making Agency: N.C. Medical Care Commission | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 13G .0202/THE LICENSE | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 09/16/19 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 10/30/19 Adoption by Agency on: 02/14/20 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: G.S. 150B-21.3A.(c)(2)(g) | |
| 9B. Explain: Pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years, or they shall expire. As a result of the periodic review of Subchapter 10A NCAC 13G, Licensing of Family Care Homes, this rule was determined as "Necessary With Substantive Public Interest," requiring readoption. With input from a stakeholder workgroup, substantive changes have been made to this license rule to address the issuance of a family care home license based on application and disclosure of specific ownership information, the posting of the license and a provisional license if issued, and the nature of the license. These substantive changes are congruent with the amendment of 10A NCAC 13F .0202 to alleviate discrepancies between the Subchapters. | |
| 10. Rulemaking Coordinator: Nadine Pfeiffer Phone: 919-855-3811 E-Mail: nadine.pfeiffer@dhhs.nc.gov Additional agency contact, if any: Megan Lamphere Phone: 919-855-3784 E-Mail: megan.lamphere@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Nadine Pfeiffer Title: Rule-making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

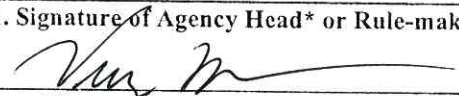
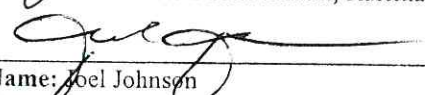
OFFICE OF ADMIN HEARINGS
2020 FEB 17 AM 8:30
FILED

SUBMISSION FOR PERMANENT RULE

| | |
|--|---|
| 1. Rule-Making Agency: N.C. Medical Care Commission | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 13G .0204/APPLYING FOR A LICENSE TO OPERATE A HOME NOT CURRENTLY LICENSED | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTON <input type="checkbox"/> REPEAL through READOPTON | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 09/16/19 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 10/30/19 Adoption by Agency on: 02/14/20 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: G.S. 150B-21.3A.(c)(2)(g) | |
| 9B. Explain: Pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years, or they shall expire. As a result of the periodic review of Subchapter 10A NCAC 13G, Licensing of Family Care Homes, this rule was determined as "Necessary With Substantive Public Interest," thus requiring readoption. With input from a stakeholder workgroup, substantive changes have been made to this licensing rule to direct the license application process for family care homes that are not currently licensed by specifying the process and the information to be submitted to the Adult Care Licensure Section (ACLS) and the criteria used by the ACLS to issue a license. | |
| 10. Rulemaking Coordinator: Nadine Pfeiffer Phone: 919-855-3811 E-Mail: nadine.pfeiffer@dhhs.nc.gov Additional agency contact, if any: Megan Lamphere Phone: 919-855-3784 E-Mail: megan.lamphere@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Nadine Pfeiffer Title: Rule-making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
2020 FEB 17 AM 8:30
FILED

SUBMISSION FOR PERMANENT RULE

| | |
|--|--|
| 1. Rule-Making Agency: NC Commission for Public Health and NC Department of Health and Human Services | |
| 2. Rule citation & name (name not required for repeal): 10A NCAC 41B .0323 Preventive Maintenance: Intoximeters: Model Intox EC/IR II and Model Intox EC/IR II (Enhanced with Serial Numbers 10,000 or Higher) | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 2, 2019 Link to Agency notice: https://cph.publichealth.nc.gov/ Hearing on: December 20, 2019 Adoption by Agency on: NC CPH: February 5, 2020; NC DHHS: <u>February 19, 2020</u> <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: The proposed rules amend the breath alcohol test and alcohol screening test rules to add one additional breath testing instrument and five additional alcohol screening test devices. | |
| 10. Rulemaking Coordinator: Virginia Niehaus Phone: (919) 707-5006 E-Mail: virginia.niehaus@dhhs.nc.gov Additional agency contact, if any: Joel Johnson Phone: (919) 855-4950 E-Mail: joel.johnson@dhhs.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  Typed Name: Virginia Niehaus Title: NC Commission for Public Health, Rulemaking Coordinator  Typed Name: Joel Johnson Title: NC DHHS, Rulemaking Coordinator *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

FILED
 2020 FEB 20 PM 4:14
 OFFICE OF ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Department of Insurance

2. Rule citation & name (name not required for repeal): 11 NCAC 04 .0418 TOTAL LOSSES ON MOTOR VEHICLES

3. Action:
 ADOPTION AMENDMENT REPEAL READOPTIO

4. Rule exempt from RRC review?
 Yes. Cite authority:
 No

5. Rule automatically subject to legislative review?
 Yes. Cite authority:
 No

6. Notice for Proposed Rule:
 Notice Required
Notice of Text published on: December 16, 2019
Link to Agency notice: https://www.ncdoi.gov/insurance-industry/rules-and-rules-review
Hearing on: January 14, 2020
Adoption by Agency on: February 18, 2020
 Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
 Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
 No

8. Fiscal impact. Check all that apply.
 This Rule was part of a combined analysis.
 State funds affected
 Local funds affected
 Substantial economic impact (≥\$1,000,000)
 Approved by OSBM
 No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
 Agency
 Court order / cite:
 Federal statute / cite:
 Federal regulation / cite:

Legislation enacted by the General Assembly
Cite Session Law:
 Petition for rule-making
 Other:

9B. Explain:
The rules are being submitted to provide clarity, modifications, and guidance on existing and new regulations to industry, motor vehicle damage appraisers, consumers, and interested parties about the expectations for all parties involved in the claims process. This includes providing motor vehicle damage appraisers ethical standards they shall follow, provide industry, motor vehicle damage appraisers, consumers, and interested party's guidance on how to address motor vehicle repair estimates, handling of loss and claims payments, and managing total loss claims settlements. 11 NCAC 04 .0418; 11 NCAC 04 .0419; 11 NCAC 04 .0421; 11 NCAC 04 .0425 are being proposed for readoption in accordance with G.S. 150B-21.3A(d)(2).

10. Rulemaking Coordinator: Loretta Peace-Bunch
Phone: 919-807-6004
E-Mail: Loretta.Peace-Bunch@ncdoi.gov
Additional agency contact, if any: John Hoomani
Phone: 919-807-6093
E-Mail: John.Hoomani@ncdoi.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Loretta Peace-Bunch
*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Typed Name: Loretta Peace-Bunch
Title: Rule-Making Coordinator


RRC AND OAH USE ONLY

Action taken:
 RRC extended period of review:
 RRC determined substantial changes:
 Withdrawn by agency
 Subject to Legislative Review
 Other:
FILED
FEB 19 2020
OFFICE OF ADMIN HEARINGS

2-19-20

ORIGINAL

SUBMISSION FOR PERMANENT RULE

| | |
|---|--|
| 1. Rule-Making Agency: North Carolina Department of Insurance | |
| 2. Rule citation & name (name not required for repeal): 11 NCAC 04 .0419 MOTOR VEHICLE REPAIR ESTIMATES | |
| 3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTIO N <input type="checkbox"/> REPEAL through READOPTIO N | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 16, 2019 Link to Agency notice: https://www.ncdoi.gov/insurance-industry/rules-and-rules-review Hearing on: January 14, 2020 Adoption by Agency on: February 18, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Cite Session Law: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Other: | |
| 9B. Explain: The rules are being submitted to provide clarity, modifications, and guidance on existing and new regulations to industry, motor vehicle damage appraisers, consumers, and interested parties about the expectations for all parties involved in the claims process. This includes providing motor vehicle damage appraisers ethical standards they shall follow, provide industry, motor vehicle damage appraisers, consumers, and interested party's guidance on how to address motor vehicle repair estimates, handling of loss and claims payments, and managing total loss claims settlements. 11 NCAC 04 .0418; 11 NCAC 04 .0419; 11 NCAC 04 .0421; 11 NCAC 04 .0425 are being proposed for readoption in accordance with G.S. 150B-21.3A(d)(2). | |
| 10. Rulemaking Coordinator: Loretta Peace-Bunch Phone: 919-807-6004 E-Mail: Loretta.Peace-Bunch@ncdoi.gov Additional agency contact, if any: John Hoomani Phone: 919-807-6093 E-Mail: John.Hoomani@ncdoi.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Loretta Peace-Bunch Title: Rule-Making Coordinator |
| RRC AND OAH USE ONLY | |
| FILED | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |
| FEB 19 2020 | |
| OFFICE OF ADMIN HEARINGS | |

SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: North Carolina Department of Insurance

2. Rule citation & name (name not required for repeal): 11 NCAC 04 .0421 HANDLING OF LOSS AND CLAIM PAYMENTS

3. Action:
 ADOPTION AMENDMENT REPEAL READOPTON REPEAL through READOPTON

4. Rule exempt from RRC review?
 Yes. Cite authority:
 No

5. Rule automatically subject to legislative review?
 Yes. Cite authority:
 No

6. Notice for Proposed Rule:
 Notice Required
Notice of Text published on: December 16, 2019
Link to Agency notice: <https://www.ncdoi.gov/insurance-industry/rules-and-rules-review>
Hearing on: January 14, 2020
Adoption by Agency on: February 18, 2020
 Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
 Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
 No

8. Fiscal impact. Check all that apply.
 This Rule was part of a combined analysis.
 State funds affected
 Local funds affected
 Substantial economic impact (≥\$1,000,000)
 Approved by OSBM
 No fiscal note required

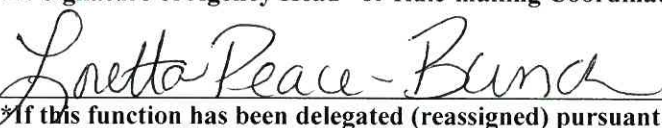
9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
 Agency
 Court order / cite:
 Federal statute / cite:
 Federal regulation / cite:

Legislation enacted by the General Assembly
Cite Session Law:
 Petition for rule-making
 Other:

9B. Explain:
The rules are being submitted to provide clarity, modifications, and guidance on existing and new regulations to industry, motor vehicle damage appraisers, consumers, and interested parties about the expectations for all parties involved in the claims process. This includes providing motor vehicle damage appraisers ethical standards they shall follow, provide industry, motor vehicle damage appraisers, consumers, and interested party's guidance on how to address motor vehicle repair estimates, handling of loss and claims payments, and managing total loss claims settlements. 11 NCAC 04 .0418; 11 NCAC 04 .0419; 11 NCAC 04 .0421; 11 NCAC 04 .0425 are being proposed for readoption in accordance with G.S. 150B-21.3A(d)(2).

10. Rulemaking Coordinator: Loretta Peace-Bunch
Phone: 919-807-6004
E-Mail: Loretta.Peace-Bunch@ncdoi.gov
Additional agency contact, if any: John Hoomani
Phone: 919-807-6093
E-Mail: John.Hoomani@ncdoi.gov

11. Signature of Agency Head* or Rule-making Coordinator:

*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Typed Name: Loretta Peace-Bunch
Title: Rule-Making Coordinator

RRC AND OAH USE ONLY FILED

Action taken:
 RRC extended period of review:
 RRC determined substantial changes:
 Withdrawn by agency
 Subject to Legislative Review
 Other:
FEB 19 2020
OFFICE OF ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Department of Insurance

2. Rule citation & name (name not required for repeal): 11 NCAC 04 .0425 DEFINITIONS

3. Action:
 ADOPTION AMENDMENT REPEAL READOPTIOIN REPEAL through READOPTIOIN

4. Rule exempt from RRC review?
 Yes. Cite authority:
 No

5. Rule automatically subject to legislative review?
 Yes. Cite authority:
 No

6. Notice for Proposed Rule:
 Notice Required
Notice of Text published on: December 16, 2019
Link to Agency notice: <https://www.ncdoi.gov/insurance-industry/rules-and-rules-review>
Hearing on: January 14, 2020
Adoption by Agency on: February 18, 2020
 Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
 Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
 No

8. Fiscal impact. Check all that apply.
 This Rule was part of a combined analysis.
 State funds affected
 Local funds affected
 Substantial economic impact (≥\$1,000,000)
 Approved by OSBM
 No fiscal note required

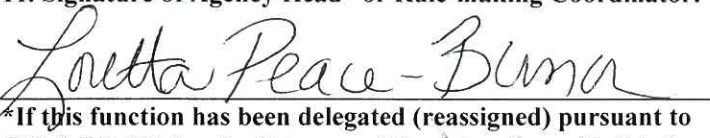
9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
 Agency
 Court order / cite:
 Federal statute / cite:
 Federal regulation / cite:

Legislation enacted by the General Assembly
Cite Session Law:
 Petition for rule-making
 Other:

9B. Explain:
The rules are being submitted to provide clarity, modifications, and guidance on existing and new regulations to industry, motor vehicle damage appraisers, consumers, and interested parties about the expectations for all parties involved in the claims process. This includes providing motor vehicle damage appraisers ethical standards they shall follow, provide industry, motor vehicle damage appraisers, consumers, and interested party's guidance on how to address motor vehicle repair estimates, handling of loss and claims payments, and managing total loss claims settlements. 11 NCAC 04 .0418; 11 NCAC 04 .0419; 11 NCAC 04 .0421; 11 NCAC 04 .0425 are being proposed for readoption in accordance with G.S. 150B-21.3A(d)(2).

10. Rulemaking Coordinator: Loretta Peace-Bunch
Phone: 919-807-6004
E-Mail: Loretta.Peace-Bunch@ncdoi.gov
Additional agency contact, if any: John Hoomani
Phone: 919-807-6093
E-Mail: John.Hoomani@ncdoi.gov

11. Signature of Agency Head* or Rule-making Coordinator:

*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Typed Name: Loretta Peace-Bunch
Title: Rule-Making Coordinator

RRC AND OAH USE ONLY

Action taken:
 RRC extended period of review:
 RRC determined substantial changes:
 Withdrawn by agency
 Subject to Legislative Review
 Other:

FILED

FEB 19 2020

OFFICE OF ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Department of Insurance

2. Rule citation & name (name not required for repeal): 11 NCAC 06A .1001 DEFINITIONS

3. Action:
[X] ADOPTION [] AMENDMENT [] REPEAL [] READoption [] REPEAL through READoption

4. Rule exempt from RRC review?
[] Yes. Cite authority:
[X] No

5. Rule automatically subject to legislative review?
[] Yes. Cite authority:
[X] No

6. Notice for Proposed Rule:
[X] Notice Required
Notice of Text published on: December 16, 2019
Link to Agency notice: https://www.ncdoi.gov/insurance-industry/rules-and-rules-review
Hearing on: January 14, 2020
Adoption by Agency on: February 18, 2020
[] Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
[] Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
[X] No

8. Fiscal impact. Check all that apply.
[] This Rule was part of a combined analysis.
[] State funds affected
[] Local funds affected
[] Substantial economic impact (≥\$1,000,000)
[] Approved by OSBM
[X] No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
[X] Agency
[] Court order / cite:
[] Federal statute / cite:
[] Federal regulation / cite:

[] Legislation enacted by the General Assembly
Cite Session Law:
[] Petition for rule-making
[] Other:

9B. Explain:
The rules are being submitted to provide clarity, modifications, and guidance on existing and new regulations to industry, motor vehicle damage appraisers, consumers, and interested parties about the expectations for all parties involved in the claims process. This includes providing motor vehicle damage appraisers ethical standards they shall follow, provide industry, motor vehicle damage appraisers, consumers, and interested party's guidance on how to address motor vehicle repair estimates, handling of loss and claims payments, and managing total loss claims settlements.

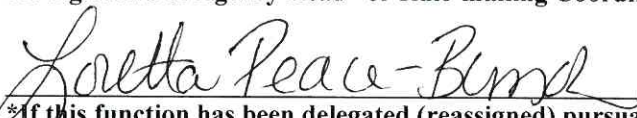
10. Rulemaking Coordinator: Loretta Peace-Bunch
Phone: 919-807-6004
E-Mail: Loretta.Peace-Bunch@ncdoi.gov
Additional agency contact, if any: John Hoomani
Phone: 919-807-6093
E-Mail: John.Hoomani@ncdoi.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Loretta Peace-Bunch
*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Typed Name: Loretta Peace-Bunch
Title: Rule-Making Coordinator

RRC AND OAH USE ONLY

Action taken:
[] RRC extended period of review:
[] RRC determined substantial changes:
[] Withdrawn by agency
[] Subject to Legislative Review
[] Other:
FILED
FEB 19 2020
OFFICE OF ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

| | |
|--|--|
| 1. Rule-Making Agency: North Carolina Department of Insurance | |
| 2. Rule citation & name (name not required for repeal): 11 NCAC 06A .1002 ETHICAL STANDARDS | |
| 3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 16, 2019 Link to Agency notice: https://www.ncdoi.gov/insurance-industry/rules-and-rules-review Hearing on: January 14, 2020 Adoption by Agency on: February 18, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: The rules are being submitted to provide clarity, modifications, and guidance on existing and new regulations to industry, motor vehicle damage appraisers, consumers, and interested parties about the expectations for all parties involved in the claims process. This includes providing motor vehicle damage appraisers ethical standards they shall follow, provide industry, motor vehicle damage appraisers, consumers, and interested party's guidance on how to address motor vehicle repair estimates, handling of loss and claims payments, and managing total loss claims settlements. | |
| 10. Rulemaking Coordinator: Loretta Peace-Bunch Phone: 919-807-6004 E-Mail: Loretta.Peace-Bunch@ncdoi.gov Additional agency contact, if any: John Hoomani Phone: 919-807-6093 E-Mail: John.Hoomani@ncdoi.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Loretta Peace-Bunch Title: Rule-Making Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: | |
| <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | FILED FEB 19 2020 OFFICE OF ADMIN HEARINGS |

2-19-20

ORIGINAL

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Department of Insurance

2. Rule citation & name (name not required for repeal): 11 NCAC 10 .0602 CONSENT TO RATE PROCEDURES: RATE BUREAU COVERAGES

3. Action:
 ADOPTION AMENDMENT REPEAL READOPTIOIN REPEAL through READOPTIOIN

4. Rule exempt from RRC review?
 Yes. Cite authority:
 No

5. Rule automatically subject to legislative review?
 Yes. Cite authority:
 No

6. Notice for Proposed Rule:
 Notice Required
Notice of Text published on: December 16, 2019
Link to Agency notice: <https://www.ncdoi.gov/insurance-industry/rules-and-rules-review>
Hearing on: January 14, 2020
Adoption by Agency on: February 18, 2020
 Notice not required under G.S.:
Adoption by Agency on:

OFFICE OF ADMIN HEARINGS
2020 FEB 20 AM 9:11
FILED

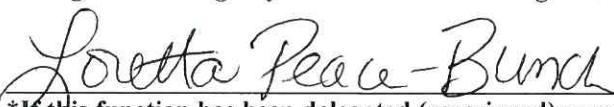
7. Rule establishes or increases a fee? (See G.S. 12-3.1)
 Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
 No

8. Fiscal impact. Check all that apply.
 This Rule was part of a combined analysis
 State funds affected
 Local funds affected
 Substantial economic impact (≥\$1,000,000)
 Approved by OSBM
 No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
 Agency
 Court order / cite:
 Federal statute / cite:
 Federal regulation / cite:
 Legislation enacted by the General Assembly
Cite Session Law:
 Petition for rule-making
 Other:
9B. Explain:
This rule is being amended to include necessary language regarding Worker's Compensation and Employers' Liability Insurance.

10. Rulemaking Coordinator: Loretta Peace-Bunch
Phone: 919-807-6004
E-Mail: Loretta.Peace-Bunch@ncdoi.gov
Additional agency contact, if any: John Hoomani
Phone: 919-807-6093
E-Mail: John.Hoomani@ncdoi.gov

11. Signature of Agency Head* or Rule-making Coordinator:

*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Typed Name: Loretta Peace-Bunch
Title: Rule-Making Coordinator


RRC AND OAH USE ONLY

Action taken:
 RRC extended period of review:
 RRC determined substantial changes:
 Withdrawn by agency
 Subject to Legislative Review
 Other:

SUBMISSION FOR PERMANENT RULE

ORIGINAL

2/10/20


| | |
|---|---|
| 1. Rule-Making Agency: Commission for Public Health | |
| 2. Rule citation & name (name not required for repeal): 15A NCAC 18C .1305 Source Water Protection Planning | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/02/2019 Link to Agency notice: https://deq.nc.gov/permits-regulations/rules-regulations Hearing on: 01/07/2020 Adoption by Agency on: 02/05/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: 15A NCAC 18C .1305, Source Water Protection Planning, is amended with changes to reduce regulatory burden and allow public water systems to create and maintain one source water protection plan, rather than two separate plans addressing essentially the same state and federal requirements. The proposed revisions will eliminate unnecessary duplication for many of the state's public water systems. The revised Rule will also clarify and simplify requirements for water systems that are: (i) compliant with federal AWIA requirements, and (ii) assess risk from potential contaminant sources within the state-specified areas currently codified in this Rule. | |
| 10. Rulemaking Coordinator: Jennifer Everett Phone: (919)707-8614 E-Mail: Jennifer.Everett@ncdenr.gov Additional agency contact, if any: Jay Frick Phone: (919)707-9102 E-Mail: Jay.Frick@ncdenr.gov | 11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

FILED

2020 FEB 11 AM 9:44

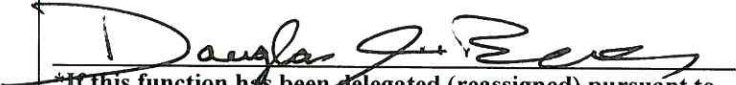
OFFICE OF ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

| | |
|---|---|
| 1. Rule-Making Agency: NC Cemetery Commission | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 07D .0108 | |
| 3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO <input type="checkbox"/> REPEAL THROUGH READOPTIO | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 10/1/2019 Link to Agency notice: www.nccemetery.org Hearing on: 11/13/2019 Adoption by Agency on: 1/15/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: To define "Corpus" as referenced in the Cemetery Act and to clarify what constitutes a violation of corpus which is forbidden by the Cemetery Act. § 85-61: No person shall withdraw or transfer any portion of the corpus of the care and maintenance trust fund without first obtaining written consent from the Commission. | |
| 10. Rulemaking Coordinator: Gantt Stephens Gantt Stephens Phone: 919-981-2536 E-Mail: stephens@nccemetery.org Additional agency contact, if any: Phone: E-Mail: | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;">  </div> <hr style="width: 80%; margin: 0 auto;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Title: |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

 OFFICE OF ADMIN HEARINGS
 2020 FEB 10 AM 10:48
 FILED

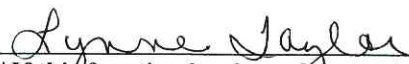
SUBMISSION FOR PERMANENT RULE

| | |
|---|--|
| 1. Rule-Making Agency: North Carolina State Board of Dental Examiners | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 16A .0106 Petition for Predetermination | |
| 3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL THROUGH READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 2, 2019 Link to Agency notice: www.ncdentalboard.org Hearing on: January 16, 2020 Adoption by Agency on: February 7, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input checked="" type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: November 5, 2019 <input type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: This rule is in response to Section 4 of S.L. 2019-91, which was effective October 1, 2019, and establishes a process for individuals who wish to file a petition for predetermination of whether the individual's criminal history would likely disqualify him/her from obtaining a dental license or a dental hygiene license. | |
| 10. Rulemaking Coordinator: Douglas J. Brocker Douglas J. Brocker Phone: 919-854-2460 E-Mail: doug@brockerlawfirm.com Additional agency contact, if any: Phone: E-Mail: | 11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Douglas J. Brocker Title: Rulemaking Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

 FILED
 2020 FEB 14 AM 8:53
 OFFICE OF ADMIN HEARINGS

Original
2-20-20

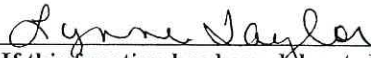
SUBMISSION FOR PERMANENT RULE

| | |
|--|---|
| 1. Rule-Making Agency: Medical Board | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 32R .0101 CONTINUING MEDICAL EDUCATION (CME) REQUIREMENTS | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL THROUGH READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 10/11/2019 Link to Agency notice: https://www.ncmedboard.org/about-the-board/latest-board-activity/rule-change-tracker Hearing on: 12/03/2019 Adoption by Agency on: 01/21/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: 1. This rule is being amended to give physicians more options regarding the mandatory controlled substances CME requirement. | |
| 10. Rulemaking Coordinator: Lynne Taylor Phone: (919) 277-1842 E-Mail: lynne.taylor@ncmedboard.org Additional agency contact, if any: Marcus Jimison, Senior Board Attorney Phone: (919) 277-1844 E-Mail: marcus.jimison@ncmedboard.org | 11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Lynne Taylor Title: Rules Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMINISTRATIVE HEARINGS
2020 FEB 20 PM 4:29
FILED

Original
2-20-20

SUBMISSION FOR PERMANENT RULE

| | |
|--|---|
| 1. Rule-Making Agency: Medical Board | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0216 CONTINUING MEDICAL EDUCATION | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL THROUGH READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 10/11/2019 Link to Agency notice: https://www.ncmedboard.org/about-the-board/latest-board-activity/rule-change-tracker Hearing on: 12/03/2019 Adoption by Agency on: 01/21/2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Cite Session Law: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Other: | |
| 9B. Explain: 1. This rule is being amended to give physician assistants more options regarding the mandatory controlled substances CME requirement. | |
| 10. Rulemaking Coordinator: Lynne Taylor Phone: (919) 277-1842 E-Mail: lynne.taylor@ncmedboard.org Additional agency contact, if any: Marcus Jimison, Senior Board Attorney Phone: (919) 277-1844 E-Mail: marcus.jimison@ncmedboard.org | 11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Lynne Taylor Title: Rules Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

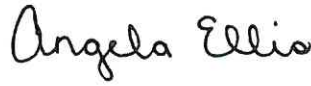
OFFICE OF ADMIN. HEARINGS
2020 FEB 20 PM 4:30
FILED

SUBMISSION FOR PERMANENT RULE

| | |
|---|--|
| 1. Rule-Making Agency: Midwifery Joint Committee | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0101 Administrative Body and Definitions | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 16, 2019 Link to Agency notice: www.ncbon.com Hearing on: January 17, 2020 Adoption by Agency on: February 19, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis: <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: Proposed amendments to 21 NCAC 33 .0101 update language and clarify definitions | |
| 10. Rulemaking Coordinator: Angela Ellis Chief Administrative Officer Phone: 919.782.3211 ext. 259 E-Mail: angela@ncbon.com Additional agency contact, if any: Julia L. George, RN, MSN, FRE, Chief Executive Officer Phone: 919.782.3211 E-Mail: julie@ncbon.com | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Angela Ellis</div> <hr style="width: 80%; margin: auto;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
 2020 FEB 20 AM 9:11
 FILED


SUBMISSION FOR PERMANENT RULE

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|---|--|
| 1. Rule-Making Agency: Midwifery Joint Committee | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0110 Reporting Criteria | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 16, 2019 Link to Agency notice: www.ncbon.com Hearing on: January 17, 2020 Adoption by Agency on: February 19, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: Proposed amendments to 21 NCAC 33 .0110 provides additional criteria for reports from the Department of Health and Human Services regarding prescribing practices of midwives. | |
| 10. Rulemaking Coordinator: Angela Ellis Chief Administrative Officer Phone: 919.782.3211 ext. 259 E-Mail: angela@ncbon.com Additional agency contact, if any: Julia L. George, RN, MSN, FRE, Chief Executive Officer Phone: 919.782.3211 E-Mail: julie@ncbon.com | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;">  </div> <hr style="width: 80%; margin: 10px auto;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

 OFFICE OF ADMIN HEARINGS
 2020 FEB 20 AM 9:12
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SUBMISSION FOR PERMANENT RULE

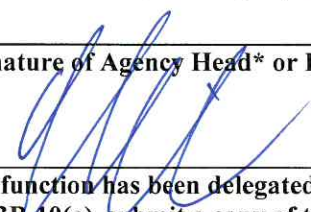
ORIGINAL

| | |
|---|---|
| 1. Rule-Making Agency: North Carolina Board of Pharmacy | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 46 .1207 DEVICE AND MEDICAL EQUIPMENT COMMITTEE | |
| 3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 16, 2019 Link to Agency notice: http://www.ncbop.org/rulemakings.htm Hearing on: February 18, 2020 Adoption by Agency on: February 18, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: The Board adopted the rule to change the method of selection for its Device and Medical Equipment Committee from election to appointment. This will bring the selection method for that committee into line with all other Board committees. It will further: (a) eliminate wasteful use of Board and candidate resources to hold elections with extremely low voter turnout; (b) potentially increase the interest in serving on the Device and Medical Equipment Committee, since interested persons would no longer have to run for election; and (c) eliminate term limits for committee members, allowing experienced and contributing members to continue to serve. | |
| 10. Rulemaking Coordinator: Clinton R. Pinyan Phone: (336) 373-8850 E-Mail: cpinyan@brookspierce.com Additional agency contact, if any: Jay Campbell Phone: (919) 246-1050 E-Mail: jcampbell@ncbop.org | 11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Clinton R. Pinyan Title: General Counsel and Rulemaking Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

FILED
2020 FEB 19 AM 10:24
OFFICE OF ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

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|---|--|
| 1. Rule-Making Agency: North Carolina Board of Pharmacy | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 46 .2102 ELIGIBILITY TO VOTE | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 16, 2019 Link to Agency notice: http://www.ncbop.org/rulemakings.htm Hearing on: February 18, 2020 Adoption by Agency on: February 18, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: The Board adopted the rule to change the method of selection for its Device and Medical Equipment Committee from election to appointment. This will bring the selection method for that committee into line with all other Board committees. It will further: (a) eliminate wasteful use of Board and candidate resources to hold elections with extremely low voter turnout; (b) potentially increase the interest in serving on the Device and Medical Equipment Committee, since interested persons would no longer have to run for election; and (c) eliminate term limits for committee members, allowing experienced and contributing members to continue to serve. | |
| 10. Rulemaking Coordinator: Clinton R. Pinyan Phone: (336) 373-8850 E-Mail: cpinyan@brookspierce.com Additional agency contact, if any: Jay Campbell Phone: (919) 246-1050 E-Mail: jcampbell@ncbop.org | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Clinton R. Pinyan Title: General Counsel and Rulemaking Coordinator </div> |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

OFFICE OF ADMIN HEARINGS
 2020 FEB 19 AM 10: 25
 FILED

SUBMISSION FOR PERMANENT RULE

ORIGINAL

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|---|---|
| 1. Rule-Making Agency: North Carolina Board of Pharmacy | |
| 2. Rule citation & name (name not required for repeal): 21 NCAC 46 .2104 COMMITTEE ON NOMINATIONS | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN | |
| 4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 16, 2019 Link to Agency notice: http://www.ncbop.org/rulemakings.htm Hearing on: February 18, 2020 Adoption by Agency on: February 18, 2020 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on: | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
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| 9B. Explain: The Board adopted the rule to change the method of selection for its Device and Medical Equipment Committee from election to appointment. This will bring the selection method for that committee into line with all other Board committees. It will further: (a) eliminate wasteful use of Board and candidate resources to hold elections with extremely low voter turnout; (b) potentially increase the interest in serving on the Device and Medical Equipment Committee, since interested persons would no longer have to run for election; and (c) eliminate term limits for committee members, allowing experienced and contributing members to continue to serve. | |
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| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

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OFFICE OF ADMIN HEARINGS

