

**Commission Review**  
**Log of Permanent Rule Filings**  
**May 21, 2014 through June 20, 2014**

**AGRICULTURE, COMMISSIONER OF**

The rules in Chapter 52 are from the Commissioner of Agriculture and cover the Veterinary Division of the department.

The rules in subchapter 52K concern the permitting and operation of animal exhibitions where the animals are displayed for the purpose of physical contact with humans. They include the rules purpose and scope (.0100); definitions (.0200); signage (.0300); fencing and other operational requirements (.0400); food, drink, and hand-washing requirements (.0500); animal keeping and exhibition requirements (.0600); and permitting and record-keeping (.0700).

|                              |    |                |
|------------------------------|----|----------------|
| <u>Signage</u>               | 02 | NCAC 52K .0301 |
| Amend/                       |    |                |
| <u>Fencing</u>               | 02 | NCAC 52K .0401 |
| Amend/                       |    |                |
| <u>Hand Washing Stations</u> | 02 | NCAC 52K .0501 |
| Amend/                       |    |                |

**PUBLIC HEALTH, COMMISSION FOR**

The rules in Chapter 41 concern epidemiology health.

The rules in Subchapter 41A deal with communicable disease control and include reporting of communicable diseases (.0100); control measures for communicable diseases including special control measures (.0200-.0300); immunization (.0400); purchase and distribution of vaccine (.0500); special program/project funding (.0600); licensed nursing home services (.0700); communicable disease grants and contracts (.0800); and biological agent registry (.0900).

|                                           |     |                |
|-------------------------------------------|-----|----------------|
| <u>Reportable Diseases and Conditions</u> | 10A | NCAC 41A .0101 |
| Amend/                                    |     |                |

**JUSTICE, DEPARTMENT OF - DIVISION OF CRIMINAL INFORMATION**

The rules in Subchapter 4E concern organizational rules and functions including general provisions (.0100); requirements for access (.0200); standards and agreements (.0300); operation of DCI terminal (.0400).

|                              |    |                |
|------------------------------|----|----------------|
| <u>Name and Location</u>     | 12 | NCAC 04E .0101 |
| Repeal/                      |    |                |
| <u>Function of DCI</u>       | 12 | NCAC 04E .0102 |
| Repeal/                      |    |                |
| <u>Advisory Policy Board</u> | 12 | NCAC 04E .0103 |
| Repeal/                      |    |                |
| <u>Definitions</u>           | 12 | NCAC 04E .0104 |
| Repeal/                      |    |                |
| <u>Forms</u>                 | 12 | NCAC 04E .0105 |
| Repeal/                      |    |                |
| <u>Manuals</u>               | 12 | NCAC 04E .0106 |

|                                                                                        |    |                |
|----------------------------------------------------------------------------------------|----|----------------|
| Repeal/<br><u>Eligibility for Full or Limited Access to the DCI Network</u><br>Repeal/ | 12 | NCAC 04E .0201 |
| <u>Management Control Requirements</u><br>Repeal/                                      | 12 | NCAC 04E .0202 |
| <u>Non-Terminal Access</u><br>Repeal/                                                  | 12 | NCAC 04E .0203 |
| <u>SBI Task Force Management Control</u><br>Repeal/                                    | 12 | NCAC 04E .0204 |
| <u>User Agreement</u><br>Repeal/                                                       | 12 | NCAC 04E .0301 |
| <u>User Access Fee Agreement</u><br>Repeal/                                            | 12 | NCAC 04E .0302 |
| <u>Servicing Agreement</u><br>Repeal/                                                  | 12 | NCAC 04E .0303 |
| <u>Management Control Agreement</u><br>Repeal/                                         | 12 | NCAC 04E .0304 |
| <u>Disclosure Agreement</u><br>Repeal/                                                 | 12 | NCAC 04E .0305 |
| <u>DCI Terminal Operator</u><br>Repeal/                                                | 12 | NCAC 04E .0401 |
| <u>Certification and Recertification of DCI Operators</u><br>Repeal/                   | 12 | NCAC 04E .0402 |
| <u>Suspension and Revocation of Operator Certification</u><br>Repeal/                  | 12 | NCAC 04E .0403 |
| <u>Period of Suspension</u><br>Repeal/                                                 | 12 | NCAC 04E .0404 |
| <u>Minimum Standards for DCI Terminal Operators</u><br>Repeal/                         | 12 | NCAC 04E .0405 |

The rules in Subchapter 4F concern security and privacy including security at local sites (.0100); DCI/NCIC hot files (.0200); submission of data for criminal history records (.0300); computerized criminal history access and use requirements (.0400); removal of criminal history record information (.0500); automated fingerprint identification system (.0600); driver history (.0700).

|                                                   |    |                |
|---------------------------------------------------|----|----------------|
| <u>Security of DCI Equipment</u><br>Repeal/       | 12 | NCAC 04F .0101 |
| <u>Official Use of DCI Information</u><br>Repeal/ | 12 | NCAC 04F .0102 |
| <u>Documentation and Accuracy</u><br>Repeal/      | 12 | NCAC 04F .0201 |
| <u>Validations</u><br>Repeal/                     | 12 | NCAC 04F .0202 |
| <u>Hit Confirmation</u><br>Repeal/                | 12 | NCAC 04F .0203 |
| <u>Arrest Fingerprint Card</u><br>Repeal/         | 12 | NCAC 04F .0301 |
| <u>Final Disposition Information</u><br>Repeal/   | 12 | NCAC 04F .0302 |

|                                                                   |    |                |
|-------------------------------------------------------------------|----|----------------|
| <u>Prison Fingerprint Card</u>                                    | 12 | NCAC 04F .0303 |
| Repeal/                                                           |    |                |
| <u>Dissemination of CCH Records</u>                               | 12 | NCAC 04F .0401 |
| Repeal/                                                           |    |                |
| <u>Accessing of CCH Records</u>                                   | 12 | NCAC 04F .0402 |
| Repeal/                                                           |    |                |
| <u>Use of CCH for Criminal Justice Employment</u>                 | 12 | NCAC 04F .0403 |
| Repeal/                                                           |    |                |
| <u>Individual's Rights to Review</u>                              | 12 | NCAC 04F .0404 |
| Repeal/                                                           |    |                |
| <u>CCH Licensing and Non-Criminal Justice Employment Purposes</u> | 12 | NCAC 04F .0405 |
| Repeal/                                                           |    |                |
| <u>Restrictive Use of CCH for Employment Purposes</u>             | 12 | NCAC 04F .0406 |
| Repeal/                                                           |    |                |
| <u>Research Use and Access of CCH Records</u>                     | 12 | NCAC 04F .0407 |
| Repeal/                                                           |    |                |
| <u>Limitation Requirements</u>                                    | 12 | NCAC 04F .0408 |
| Repeal/                                                           |    |                |
| <u>Expungements</u>                                               | 12 | NCAC 04F .0501 |
| Repeal/                                                           |    |                |
| <u>Purges</u>                                                     | 12 | NCAC 04F .0502 |
| Repeal/                                                           |    |                |
| <u>Automated Fingerprint Identification System</u>                | 12 | NCAC 04F .0601 |
| Repeal/                                                           |    |                |
| <u>Eligibility for Full or Limited Access to the AFIS Network</u> | 12 | NCAC 04F .0602 |
| Repeal/                                                           |    |                |
| <u>AFIS Agreement</u>                                             | 12 | NCAC 04F .0603 |
| Repeal/                                                           |    |                |
| <u>Available Data</u>                                             | 12 | NCAC 04F .0604 |
| Repeal/                                                           |    |                |
| <u>Dissemination of Driver History Information</u>                | 12 | NCAC 04F .0701 |
| Repeal/                                                           |    |                |
| <u>Audits</u>                                                     | 12 | NCAC 04F .0801 |
| Repeal/                                                           |    |                |

The rules in Subchapter 04G concern penalties and administrative hearings including definitions and penalty provisions (.0100); notice of violations (.0200); informal hearing procedure (.0300).

|                                   |    |                |
|-----------------------------------|----|----------------|
| <u>Definitions</u>                | 12 | NCAC 04G .0101 |
| Repeal/                           |    |                |
| <u>Penalty Provisions</u>         | 12 | NCAC 04G .0102 |
| Repeal/                           |    |                |
| <u>Notice of Violation</u>        | 12 | NCAC 04G .0201 |
| Repeal/                           |    |                |
| <u>Informal Hearing Procedure</u> | 12 | NCAC 04G .0301 |
| Repeal/                           |    |                |

## CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Chapter 9 are from the Criminal Justice Education and Training Standards Commission. This Commission has primary responsibility for setting statewide education, training, employment, and retention standards for criminal justice personnel (not including sheriffs).

The rules in Subchapter 9A cover the Commission organization and procedure (.0100) and enforcement of the rules (.0200).

Applicability of Radar/TDS Standards Pre 7/1/82  
Repeal/

12 NCAC 09A .0108

The rules in Subchapter 9B cover minimum standards for: employment (.0100); schools and training programs (.0200); criminal justice instructors (.0300); completion of training (.0400); school directors (.0500); and certification of post-secondary criminal justice education programs (.0600).

Certified Instructors Pre 7/1/82  
Repeal/

12 NCAC 09B .0311

The rules in Subchapter 9C concern the administration of criminal justice education and training standards including responsibilities of the criminal justice standards division (.0100); forms (.0200); certification of criminal justice officers (.0300); accreditation of criminal justice schools and training courses (.0400); minimum standards for accreditation of associate of applied science degree programs incorporating basic law enforcement training (.0500); and equipment and procedures (.0600).

Application for Law Enforcement Employment  
Repeal/

12 NCAC 09C .0217

Form Order Blank  
Repeal/

12 NCAC 09C .0218

Acquisition of Forms  
Repeal/

12 NCAC 09C .0220

## COASTAL RESOURCES COMMISSION

The rules in Subchapter 7H are the state guidelines for areas of environmental concern (AECs) including introduction and general comments (.0100); the estuarine system (.0200); ocean hazard areas (.0300); public water supplies (.0400); natural and cultural resource areas (.0500); development standards (.0600); general permits for construction or maintenance of bulkheads and the placement of riprap for shoreline protection in estuarine and public trust waters (.1100); piers, docks and boat houses in estuarine and public trust waters (.1200); general permit to construct boat ramps along estuarine and public trust shorelines and into estuarine and public trust waters (.1300); groins in estuarine and public trust waters (.1400); excavation within or connecting to existing canals, channels, basins, or ditches in estuarine waters, public trust waters, and estuarine shoreline AECs (.1500); aerial and subaqueous utility lines with attendant structures in coastal wetlands, estuarine waters, public trust waters and estuarine shorelines (.1600); emergency work requiring a CAMA or a dredge and fill permit (.1700); beach bulldozing landward of the mean high-water mark in the ocean hazard AEC (.1800); temporary structures within the estuarine and ocean hazard AECs (.1900); authorizing minor modifications and repair to existing pier/mooring facilities in estuarine and public trust waters and ocean hazard areas (.2000); construction of sheetpile sill for shoreline protection in estuarine and public trust waters (.2100); construction of freestanding moorings in established waters and public trust areas (.2200); replacement of existing bridges and culverts in estuarine waters, estuarine shorelines,

public trust areas and coastal wetlands (.2300); placement of riprap for wetland protection in estuarine and public trust waters (.2400); replacement of structures; the reconstruction of primary or frontal dune systems; and the maintenance excavation of existing canals, basins, channels, or ditches, damaged, destroyed, or filled in by hurricanes or tropical storms (.2500); construction of wetland, stream and buffer mitigation sites by the North Carolina Ecosystem Enhancement Program or the North Carolina Wetlands Restoration Program (.2600); and the construction of riprap sills for wetland enhancement in estuarine and public trust waters (.2700).

|                                                    |                    |
|----------------------------------------------------|--------------------|
| <u>Technical Standards for Beach Fill Projects</u> | 15A NCAC 07H .0312 |
| Amend/                                             |                    |
| <u>General Conditions</u>                          | 15A NCAC 07H .1204 |
| Amend/                                             |                    |
| <u>Specific Conditions</u>                         | 15A NCAC 07H .1205 |
| Amend/                                             |                    |
| <u>Specific Conditions</u>                         | 15A NCAC 07H .1305 |
| Amend/                                             |                    |

## **COSMETIC ART EXAMINERS, BOARD OF**

The rules in Subchapter 14A are the Cosmetic Art Board of Examiners departmental rules including organizational rules (.0100); and license renewal waiver for armed forces (.0400).

|                                        |                   |
|----------------------------------------|-------------------|
| <u>License Waiver for Armed Forces</u> | 21 NCAC 14A .0401 |
| Amend/                                 |                   |

The rules in Subchapter 14B concern rule-making procedures including petitions for rule-making (.0100); notice (.0200); hearings (.0300); declaratory rulings (.0500); and fees (.0600).

|                                       |                   |
|---------------------------------------|-------------------|
| <u>Issuance of Declaratory Ruling</u> | 21 NCAC 14B .0504 |
| Repeal/                               |                   |

The rules in Subchapter 14H are sanitation rules for both operators and facilities including sanitation (.0100); shop licensing and physical dimensions (.0200); cosmetic art shop and equipment (.0300); sanitation procedures and practices (.0400); and enforcement, maintenance of licensure (.0500).

|                                                 |                   |
|-------------------------------------------------|-------------------|
| <u>Licensees and Students</u>                   | 21 NCAC 14H .0401 |
| Amend/                                          |                   |
| <u>Systems of Grading Beauty Establishments</u> | 21 NCAC 14H .0504 |
| Amend/                                          |                   |
| <u>Rule Compliance and Enforcement Measures</u> | 21 NCAC 14H .0505 |
| Amend/                                          |                   |

The rules in Subchapter 14I govern the operation of cosmetic art schools including record keeping (.0100); the reception area (.0200); classrooms (.0300); and licensure of convicted felons (.0400).

|                                                                     |                   |
|---------------------------------------------------------------------|-------------------|
| <u>Application/Licensure/Individuals Who Have Been Convicted...</u> | 21 NCAC 14I .0401 |
| Amend/                                                              |                   |

The rules in Subchapter 14K deal with the manicurist curriculum.

|                                |                   |
|--------------------------------|-------------------|
| <u>Live Model Performances</u> | 21 NCAC 14K .0107 |
|--------------------------------|-------------------|

Repeal/

The rules in Subchapter 14O are esthetician curriculum rules.

Live Model Performances

21 NCAC 14O .0106

Repeal/

The rules in Subchapter 14P are civil penalty rules.

Operations of Schools of Cosmetic Art

21 NCAC 14P .0113

Amend/

The rules in Subchapter 14R are continuing education rules.

Continuing Education

21 NCAC 14R .0105

Amend/

The rules in Subchapter 14T concern cosmetic art schools including the scope of the rules and school applications (.0100); physical requirements for cosmetic art schools (.0200); school equipment and supplies (.0300); student equipment (.0400); record keeping (.0500); curricula for all cosmetic art disciplines (.0600); school licensure, operations, closing and relocating schools (.0700); school inspections (.0800); and disciplinary actions (.0900).

Esthetics Curriculum

21 NCAC 14T .0604

Amend/

Manicuring Curriculum

21 NCAC 14T .0605

Amend/

Natural Hair Care Styling Curriculum

21 NCAC 14T .0606

Amend/

Field Trips

21 NCAC 14T .0615

Amend/

Additional Hours

21 NCAC 14T .0616

Amend/

Teacher Trainees

21 NCAC 14T .0617

Amend/

School Operations/Licensure Maintenance

21 NCAC 14T .0701

Amend/

## **DENTAL EXAMINERS, BOARD OF**

The rules in Chapter 16 cover the licensing of dentists and dental hygienists.

The rules in Subchapter 16B concern licensure examination for dentists including examination required (.0100); qualifications (.0200); application (.0300); Board conducted examinations (.0400); licensure by credentials (.0500); limited volunteer dental license (.0600); instructor's license (.0700); temporary volunteer dental license (.0800); and exemptions for active military (.0900).

Examination Required; Exemptions

21 NCAC 16B .0101

Amend/

In General

21 NCAC 16B .0201

Amend/

|                                                                     |    |                |
|---------------------------------------------------------------------|----|----------------|
| <u>Student May Apply</u>                                            | 21 | NCAC 16B .0202 |
| Amend/                                                              |    |                |
| <u>Application for Licensure</u>                                    | 21 | NCAC 16B .0301 |
| Amend/                                                              |    |                |
| <u>Board Approved Examinations</u>                                  | 21 | NCAC 16B .0303 |
| Amend/                                                              |    |                |
| <u>Application for Board Conducted Examination</u>                  | 21 | NCAC 16B .0401 |
| Repeal/                                                             |    |                |
| <u>Time for Filing</u>                                              | 21 | NCAC 16B .0402 |
| Repeal/                                                             |    |                |
| <u>Examination Conducted by the Board</u>                           | 21 | NCAC 16B .0403 |
| Repeal/                                                             |    |                |
| <u>Patients and Supplies for Board Conducted Clinical Examin...</u> | 21 | NCAC 16B .0404 |
| Repeal/                                                             |    |                |
| <u>Scope of Board Conducted Clinical Examination</u>                | 21 | NCAC 16B .0405 |
| Repeal/                                                             |    |                |
| <u>Board Conducted Reexamination</u>                                | 21 | NCAC 16B .0406 |
| Repeal/                                                             |    |                |
| <u>Dental Licensure by Credentials</u>                              | 21 | NCAC 16B .0501 |
| Amend/                                                              |    |                |
| <u>Limited Volunteer Dental License</u>                             | 21 | NCAC 16B .0601 |
| Amend/                                                              |    |                |
| <u>Instructor's License</u>                                         | 21 | NCAC 16B .0701 |
| Amend/                                                              |    |                |
| <u>Temporary Volunteer Dental Permit</u>                            | 21 | NCAC 16B .0801 |
| Amend/                                                              |    |                |
| <u>Definitions</u>                                                  | 21 | NCAC 16B .0901 |
| Amend/                                                              |    |                |
| <u>Dental Licensure by Endorsement Based on Status as Milita...</u> | 21 | NCAC 16B .1002 |
| Amend/                                                              |    |                |
| <u>Proof of Competency</u>                                          | 21 | NCAC 16B .1101 |
| Adopt/                                                              |    |                |

The rules in Subchapter 16C are dental hygienist licensure rules including general provisions (.0100); qualifications (.0200); application (.0300); Board conducted examinations (.0400); and licensure by credentials (.0500).

|                                                           |    |                |
|-----------------------------------------------------------|----|----------------|
| <u>Licensure</u>                                          | 21 | NCAC 16C .0101 |
| Amend/                                                    |    |                |
| <u>Student May Apply</u>                                  | 21 | NCAC 16C .0202 |
| Amend/                                                    |    |                |
| <u>Application for Licensure</u>                          | 21 | NCAC 16C .0301 |
| Amend/                                                    |    |                |
| <u>Board Approved Examinations</u>                        | 21 | NCAC 16C .0303 |
| Amend/                                                    |    |                |
| <u>Reexamination</u>                                      | 21 | NCAC 16C .0311 |
| Adopt/                                                    |    |                |
| <u>Application for Examination Conducted by the Board</u> | 21 | NCAC 16C .0401 |
| Repeal/                                                   |    |                |

|                                                                     |    |                |
|---------------------------------------------------------------------|----|----------------|
| <u>Time for Filing</u>                                              | 21 | NCAC 16C .0402 |
| <u>Repeal/</u>                                                      |    |                |
| <u>Examination Conducted by the Board</u>                           | 21 | NCAC 16C .0403 |
| <u>Repeal/</u>                                                      |    |                |
| <u>Patients and Supplies for Board Conducted Clinical Examin...</u> | 21 | NCAC 16C .0404 |
| <u>Repeal/</u>                                                      |    |                |
| <u>Board Conducted Reexamination</u>                                | 21 | NCAC 16C .0405 |
| <u>Repeal/</u>                                                      |    |                |
| <u>Dental Hygiene Licensure by Credentials</u>                      | 21 | NCAC 16C .0501 |
| <u>Amend/</u>                                                       |    |                |
| <u>Proof of Competency</u>                                          | 21 | NCAC 16C .0601 |
| <u>Adopt/</u>                                                       |    |                |

The rules in Subchapter 16Q concern general anesthesia and sedation including definitions (.0100); general anesthesia (.0200); parenteral conscious sedation (.0300); enteral conscious sedation (.0400); renewal of permits (.0500); reporting and penalties (.0600); and penalty for non-compliance (.0700).

|                                                    |    |                |
|----------------------------------------------------|----|----------------|
| <u>Temporary Approval Prior to Site Inspection</u> | 21 | NCAC 16Q .0303 |
| <u>Amend/</u>                                      |    |                |

## **PHARMACY, BOARD OF**

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); sterile parenteral pharmaceuticals (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

|                                          |    |               |
|------------------------------------------|----|---------------|
| <u>Medication in Health Departments</u>  | 21 | NCAC 46 .2401 |
| <u>Amend/</u>                            |    |               |
| <u>Drugs and Devices to be Dispensed</u> | 21 | NCAC 46 .2403 |
| <u>Amend/</u>                            |    |               |