

Commission Review
Log of Permanent Rule Filings
August 21, 2014 through September 22, 2014

* Approval Recommended, ** Objection Recommended, *** Other

AGRICULTURE, BOARD OF

The rules in Chapter 20 concern the North Carolina State Fair.

The rules in Subchapter 20B concern regulations of the state fair including general provisions (.0100); space rental: commercial exhibit and concession regulations (.0200); competitive exhibit regulations (.0300); and operation of state fair facilities (.0400).

Alcoholic Beverages
Amend/*

02 NCAC 20B .0413

INDUSTRIAL COMMISSION

The Industrial Commission filed the following permanent rules on September 25, 2014, in accordance with Session Law 2014-77. The legislation states the following:

[T]he Industrial Commission shall adopt permanent rules in accordance with the provisions of this act using the procedure and time lines for temporary rules set forth in G.S. 150B-21.1(a3). Rules adopted by the Industrial Commission in accordance with this section shall be subject to review by the Rules Review Commission as provided by G.S. 150B-21.1(b); provided however, that if the rules are approved by the Rules Review Commission, they shall become effective as provided by G.S. 150B-21.3(b).

G.S. 150B-21.1(b) states that the Rules Review Commission must review rules submitted under the temporary rulemaking process within 15 business days of receipt.

The rules in Subchapter 10A concern workers' compensation rules including administration (.0100); notice of act (.0200); insurance (.0300); disability, compensation, fees (.0400); agreements (.0500); claims administration and procedures (.0600); appeals (.0700); rules of the commission (.0800); report of earnings (.0900); and preauthorization for medical treatment (.1000).

Discovery
Amend/*

04 NCAC 10A .0605

Medical Motions and Emergency Medical Motions
Amend/*

04 NCAC 10A .0609A

Review by the Full Commission
Amend/*

04 NCAC 10A .0701

Review of Administrative Decisions
Amend/*

04 NCAC 10A .0702

The rules in Subchapter 10C concern North Carolina Industrial Commission Rules for Utilization of Rehabilitation Professionals in Workers' Compensation Claims including administration (.0100); and rules of the commission (.0200).

Vocational Rehabilitation Services and Return to Work

04 NCAC 10C .0109

Amend/*

The rules in Subchapter 10E concern the administrative rules of the Industrial Commission including administration (.0100); fees (.0200); and rules of the Commission (.0300).

Hearing Costs or Fees 04 NCAC 10E .0202
Adopt/*

Fees Set by the Commission 04 NCAC 10E .0203
Adopt/*

The rules in Subchapter 10L concern workers' compensation forms.

Form 21 - Agreement for Compensation for Disability 04 NCAC 10L .0101
Adopt/*

Supplemental Agreement as to Payment of Compensation 04 NCAC 10L .0102
Adopt/*

Form 26A - Employer's Admission of Employee's Right to Pe... 04 NCAC 10L .0103
Adopt/*

MEDICAL CARE COMMISSION

The rules in Chapter 13 are from the NC Medical Care Commission.

The rules in Subchapter 13B set standards for the licensing of hospitals including supplemental rules for the licensure of skilled intermediate, adult care home beds in a hospital (.1900); specialized rehabilitative and rehabilitative services (.2000); general information (.3000); procedure (.3100); general requirements (.3200); patients' bill of rights (.3300); supplemental rules for the licensure of critical care hospitals (.3400); grievance and management (.3500); management and administration of operations (.3600); medical staff (.3700); nursing services (.3800); medical record services (.3900); outpatient services (.4000); emergency services (.4100); special care units (.4200); maternal-neonatal services (.4300); respiratory care services (.4400); pharmacy services and medication administration (.4500); surgical and anesthesia services (.4600); nutrition and dietetic services (.4700); diagnostic imaging (.4800); laboratory services and pathology (.4900); physical rehabilitation services (.5000); infection control (.5100); psychiatric services (.5200); nursing and adult care beds (.5300); comprehensive inpatient rehabilitation (.5400); supplemental rules for hospitals providing living organ donation transplant services (.5500); physical plant (.6000); general requirements (.6100); and construction requirements (.6200).

Itemized Charges 10A NCAC 13B .3110
Amend/*

Required Policies, Rules, and Regulations 10A NCAC 13B .3502
Amend/*

The rules in Subchapter 13C concern licensing of ambulatory surgical facilities including general provisions (.0100); licensing procedures (.0200); governing authority and management (.0300); medical and surgical services (.0400); anesthesia services (.0500); pathology services (.0600); radiology services (.0700); pharmaceutical services (.0800); nursing services (.0900); medical records services (.1000); surgical facilities and equipment (.1100); functional safety (.1200); control and sanitation (.1300); and physical plant construction (.1400).

Requirements for Issuance of a License 10A NCAC 13C .0202
Amend/*

<u>Itemized Charges</u>	10A NCAC 13C .0205
Amend/*	
<u>Governing Authority</u>	10A NCAC 13C .0301
Amend/*	

The rules in Subchapter 13D are rules for the licensing of nursing homes including general information (.2000); licensure (.2100); general standards of administration (.2200); patient and resident care and services (.2300); medical records (.2400); physician's services (.2500); pharmaceutical services (.2600); dietary services (.2700); activities, recreation and social services (.2800); special requirements (.2900); specially designated units (.3000); design and construction (.3100); functional requirements (.3200); fire and safety requirements (.3300); and mechanical, electrical, and plumbing requirements (.3400).

<u>Preservation of Medical Records</u>	10A NCAC 13D .2402
Amend/*	
<u>Use of Nurse Practitioners and physician Assistants</u>	10A NCAC 13D .2503
Amend/*	

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 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).

<u>Responsibilities of the School Director</u>	12 NCAC 09B .0202
Amend/*	
<u>Basic Law Enforcement Training</u>	12 NCAC 09B .0205
Amend/*	
<u>Criminal Justice Instructor Training</u>	12 NCAC 09B .0209
Amend/*	
<u>Specialized Firearms Instruction Training</u>	12 NCAC 09B .0226
Amend/*	
<u>Specialized Driver Instructor Training</u>	12 NCAC 09B .0227
Amend/*	
<u>Specialized Subject Control Arrest Techniques Instructor ...</u>	12 NCAC 09B .0232
Amend/*	
<u>Specialized Physical Fitness Instructor Training</u>	12 NCAC 09B .0233
Amend/*	
<u>General Instructor Certification</u>	12 NCAC 09B .0302
Amend/*	
<u>Specialized Instructor Certification</u>	12 NCAC 09B .0304
Amend/*	
<u>Time Requirement for Completion of Training</u>	12 NCAC 09B .0401
Amend/*	
<u>Evaluation for Training Waiver</u>	12 NCAC 09B .0403
Amend/*	
<u>Comprehensive Written Examination - Basic Law Enforcement...</u>	12 NCAC 09B .0406

Amend/*		
<u>Comprehensive Written Examination - Basic SMI Certification</u>	12	NCAC 09B .0408
Amend/*		
<u>Comprehensive Written Exam - Instructor Training</u>	12	NCAC 09B .0413
Amend/*		
<u>Comprehensive Written Exam - Specialized Instructor Training</u>	12	NCAC 09B .0414
Amend/*		
<u>Satisfaction of Minimum Training - SMI Instructor</u>	12	NCAC 09B .0416
Amend/*		

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).

<u>Pre-Delivery Report of Training Course Presentation</u>	12	NCAC 09C .0211
Amend/*		
<u>Reports of Training Course Presentation and Completion</u>	12	NCAC 09C .0403
Amend/*		

The rules in Subchapter 9E relate to the law enforcement officers' in-service training program.

<u>Minimum Training Specifications: Annual In-Service Training</u>	12	NCAC 09E .0105
Amend/*		

The rules in Subchapter 9F cover concealed handgun training.

<u>Topical Areas</u>	12	NCAC 09F .0102
Amend/*		

The rules in Subchapter 9G are the standards for correction including scope, applicability and definitions (.0100); minimum standards for certification of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0200); certification of correctional officers, probation/parole officers, probation/parole officers intermediate and instructors (.0300); minimum standards for training of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0400); enforcement of rules (.0500); professional certification program (.0600); and forms (.0700).

<u>General Instructor Certification</u>	12	NCAC 09G .0308
Amend/*		
<u>Comprehensive Written Exam - Instructor Training</u>	12	NCAC 09G .0314
Amend/*		
<u>Instructor Training</u>	12	NCAC 09G .0414
Amend/*		

IRRIGATION CONTRACTORS LICENSING BOARD

The rules in Chapter 23 are from the Irrigation Contractors' Licensing Board and concern licensing (.0100); hearing rules of the North Carolina Irrigation Contractors' Licensing Board (0200); irrigation record drawing minimum standards (.0300); irrigation design minimum standards (.0400); irrigation

system installation minimum standards (.0500); irrigation system management for water efficiency minimum standards (.0600); and

<u>Ethics</u>	21	NCAC 23	.0105
Adopt/**			
<u>Conduct of Hearing</u>	21	NCAC 23	.0206
Amend/**			
<u>Decision of Board</u>	21	NCAC 23	.0207
Amend/**			
<u>Trenching and Piping</u>	21	NCAC 23	.0505
Amend/**			

NC MEDICAL BOARD/PERFUSION ADVISORY COMMITTEE

The rules in Subchapter 32V are rules covering licensure of perfusionists and the practice of perfusion. Perfusion primarily concerns operating cardiopulmonary bypass systems during cardiac surgery cases.

<u>Definitions</u>	21	NCAC 32V	.0102
Amend/*			