

G.S. 150B-21.3A Report for 10A NCAC 05, DIVISION OF AGING - GENERAL PROVISIONS									
Agency - DHHS/Division of Aging									
Comment Period - Filled in by agency									
Date Submitted to APO - Filled in by RRC staff									
Subchapter or Blank	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
SUBCHAPTER 05A - INTRODUCTION	SECTION .0100 – GENERAL PROVISIONS	10A NCAC 05A .0101	DEFINITIONS	Amended Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321(1988)	No	Necessary without substantive public interest
	SECTION .0200 – GOVERNOR'S ADVISORY COUNCIL ON AGING	10A NCAC 05A .0201	EXECUTIVE COMMITTEE	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365 (2006); 45 CFR 1321	No	Necessary without substantive public interest
		10A NCAC 05A .0202	ORIENTATION AND TRAINING	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 05B - ADOPTION BY REFERENCE	SECTION .0100 – OLDER AMERICANS PROGRAMS REGULATIONS	10A NCAC 05B .0101	TITLE	Amended Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365 (2006); 45 CFR 1321	No	Necessary without substantive public interest
		10A NCAC 05B .0102	COPIES	Amended Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365 (2006); 45 CFR 1321	No	Necessary without substantive public interest
		10A NCAC 05B .0103	APPLICABLE DOL REGULATIONS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title V of 42 USC 3001 ; 29 USC 2801	No	Necessary without substantive public interest
	SECTION .0200 – ADMINISTRATION OF GRANTS	10A NCAC 05B .0201	TITLE	Amended Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR Parts 74, 80, 81, 84, 90; 5CFR 900 Subpart F	No	Necessary without substantive public interest
		10A NCAC 05B .0202	COPIES	Amended Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.5	No	Necessary without substantive public interest
SUBCHAPTER 05C – ADMINISTRATIVE PROVISIONS	SECTION .0100 – NON-PLAN AREAS	10A NCAC 05C .0101	STAFFING	Eff. September 1, 1978	Unnecessary	No		No	Unnecessary
		10A NCAC 05C .0102	APPLICATION SUBMISSION: REVIEW AND APPROVAL	Amended Eff. May 1, 1990	Unnecessary	No		No	Unnecessary
	SECTION .0200 – DIVISION OF AGING	10A NCAC 05C .0201	PUBLIC HEARINGS	Eff. October 1, 1980	Unnecessary	No		No	Unnecessary
		10A NCAC 05C .0202	PUBLIC INFORMATION	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.27	No	Necessary without substantive public interest
		10A NCAC 05C .0203	DESIGNATION OF PLANNING AND SERVICE AREAS	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05C .0204	DESIGNATION OF AGENCIES ON AGING	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.33	No	Necessary without substantive public interest

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		10A NCAC 05C .0205	ALLOCATION OF FUNDS	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321.37(1988)	No	Necessary without substantive public interest
		10A NCAC 05C .0206	APPLICATIONS FOR SUPPORT	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.37	No	Necessary without substantive public interest
		10A NCAC 05C .0207	DIVISION OF AGING REVIEW OF APPLICATIONS	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.7; 45 CFR 1321.53	No	Necessary without substantive public interest
		10A NCAC 05C .0208	ADMINISTRATION	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.11	No	Necessary without substantive public interest
		10A NCAC 05C .0209	STANDARDS OF PERSONNEL ADMINISTRATION	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321(1988); 5 CFR Part 900	No	Necessary without substantive public interest
		10A NCAC 05C .0210	AFFIRMATIVE ACTION	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	5 CFR Part 900, Subpart F	No	Necessary without substantive public interest
		10A NCAC 05C .0211	PUBLICATIONS	Amended Eff. April 1, 1990	Unnecessary	No		No	Unnecessary
		10A NCAC 05C .0212	CONFIDENTIALITY AND DISCLOSURE	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.51	No	Necessary without substantive public interest
		10A NCAC 05C .0213	CODE OF CONDUCT	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	5 CFR Part 900, Subpart F	No	Necessary without substantive public interest
		10A NCAC 05C .0214	504 HANDICAPPED PROVISIONS	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR Part 84	No	Necessary without substantive public interest
		10A NCAC 05C .0215	DUTIES REGARDING DISCRIMINATION	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321(1988); 45 CFR Parts 80, 84, 91	No	Necessary without substantive public interest
		10A NCAC 05C .0216	EMPLOYMENT DISCRIMINATION: PROCEDURES	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321(1988); 45 CFR Parts 80, 84, 91	No	Necessary without substantive public interest
	SECTION .0300 – AREA AGENCIES ON AGING	10A NCAC 05C .0301	AREA PLAN CONTENT	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321.53(1988)	No	Necessary without substantive public interest
		10A NCAC 05C .0302	CONTRACTING FOR ADMINISTRATIVE FUNCTIONS	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.11; 45 CFR 1321.55(b)	No	Necessary without substantive public interest

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		10A NCAC 05C .0303	DIRECT SERVICE DELIVERY BY AN AAA	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.63(b)	No	Necessary without substantive public interest
		10A NCAC 05C .0304	PUBLIC HEARINGS ON AAA PLANS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05C .0305	AREA PLAN SUBMISSION: REVIEW AND APPROVAL	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR Part 1321	No	Necessary without substantive public interest
		10A NCAC 05C .0306	STAFFING	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.55	No	Necessary without substantive public interest
	SECTION .0400 - ALLOCATIONS	10A NCAC 05C .0401	COUNTY ORGANIZATION ON AGING FUNDS	Eff. October 1, 1980	Unnecessary	No		No	Unnecessary
		10A NCAC 05C .0402	PROJECT INCOME FROM STATE FUNDED PROGRAMS	Eff. October 1, 1980	Unnecessary	No		No	Unnecessary
		10A NCAC 05C .0403	RESPIRE CARE	Eff. August 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 1397 SS BlockGrant; 45 CFRPart 96, Appendix A	No	Necessary without substantive public interest
		10A NCAC 05C .0404	INTRASTATE FUNDING FORMULA	Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.37	No	Necessary without substantive public interest
SUBCHAPTER 05D - GRANTS ADMINISTRATION	SECTION .0100 - GRANT/CONTRACT IMPLEMENTATION	10A NCAC 05D .0101	GRANT AWARD NOTIFICATION	Eff. September 1, 1978	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.11 & 1321.17	No	Necessary without substantive public interest
		10A NCAC 05D .0102	CONTRACTS	Eff. September 1, 1978	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05D .0103	BUDGET REVISIONS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001; 45 CFR 1321.17	No	Necessary without substantive public interest
		10A NCAC 05D .0104	PROGRAM AMENDMENTS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321.59 (1988)	No	Necessary without substantive public interest
	SECTION .0200 - OBTAINING FUNDS	10A NCAC 05D .0201	REQUESTS FOR FUNDS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 1321.11 & 1321.17	No	Necessary without substantive public interest
		10A NCAC 05D .0202	MATCHING FUNDS	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.47	No	Necessary without substantive public interest
	SECTION .0300 - EXPENDING PROJECT FUNDS	10A NCAC 05D .0301	GENERAL POLICIES	Amended Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.11	No	Necessary without substantive public interest
		10A NCAC 05D .0302	TRAVEL	Amended Eff. October 1, 1980	Unnecessary	No		No	Unnecessary

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		10A NCAC 05D .0303	VOLUNTEER IN- KIND	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0400 - REPORTING	10A NCAC 05D .0401	REQUIRED REPORTS	Eff. September 1, 1978	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05D .0402	FREQUENCY OF REPORTS	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0500 - MONITORING/ASSESSMENT/EVALUATION	10A NCAC 05D .0501	PURPOSE	Eff. September 1, 1978	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.11(b)	No	Necessary without substantive public interest
		10A NCAC 05D .0502	SCHEDULE	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0600 - GENERAL REQUIREMENTS	10A NCAC 05D .0601	AUDITS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(7) 45 CFR 1321.5	No	Necessary without substantive public interest
		10A NCAC 05D .0602	SUSPENSION/TERMINATION	Amended Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3026(f) 45 CFR 1321.53(c)	No	Necessary without substantive public interest
SUBCHAPTER 05E - DIVISION HEARINGS	SECTION .0100 - GENERAL	10A NCAC 05E .0101	DIVISION HEARINGS IN GENERAL	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29; 45 CFR part 74, Appendix G	No	Necessary without substantive public interest
		10A NCAC 05E .0102	DEFINITIONS	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321 (1988);42 USC 3027(a)(5)	No	Necessary without substantive public interest
		10A NCAC 05E .0103	COMMENCEMENT OF A DIVISION HEARING: PETITIONS	Amended Eff. August 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321(1988); 45 CFR Parts 80, 84 and 91; 42 USC Sec. 3025(b)(1) and 3027(a)(5)	No	Necessary without substantive public interest
		10A NCAC 05E .0104	NOTICE OF FILING: NOTICE OF HEARING	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321(1988); 45 CFR Parts 80, 84 and 91; 42 USC Sec. 3027(a)(5)	No	Necessary without substantive public interest
		10A NCAC 05E .0105	ANSWERS TO THE PETITION	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365 (2006); 45 CFR 1321	No	Necessary without substantive public interest
		10A NCAC 05E .0106	DOCUMENTS	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001; 45 CFR 1321	No	Necessary without substantive public interest
		10A NCAC 05E .0107	VENUE	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest

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		10A NCAC 05E .0108	DISCOVERY	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027 (a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0109	EVIDENCE	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0110	TESTIMONY: WITNESSES	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0111	SUBPOENAS	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0112	PREHEARING STATEMENTS	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0113	PREHEARING: SETTLEMENT CONFERENCE	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0114	FAILURE TO APPEAR AT HEARING	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0115	MISCONDUCT AT HEARING	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027 (a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0116	SANCTIONS	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0117	MOTIONS	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0118	CONTINUANCES AND EXTENSIONS OF TIME	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05E .0119	TIME	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321(1988); 45 CFR Parts 80, 84 and 91; 42 USC Sec. 3027(a)(5)	No	Necessary without substantive public interest
		10A NCAC 05E .0120	AUTHORITY OF PRESIDING OFFICER	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321.11	No	Necessary without substantive public interest
		10A NCAC 05E .0121	FINAL DECISION	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(5); 45 CFR 1321	No	Necessary without substantive public interest

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		10A NCAC 05E .0122	APPEALS TO COMMISSIONER ON AGING	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.31	No	Necessary without substantive public interest
	SECTION .0200 - BIDDING AND CONTRACTING	10A NCAC 05E .0201	BIDDING AND CONTRACTING PROCEDURES	Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3021, 3022(1), 3025(c) & 3027(a)(7)	No	Necessary without substantive public interest
SUBCHAPTER 05F - PLANNING AND SERVICE AREA AND AREA AGENCY DESIGNATION	SECTION .0100 - DIVISION OF AGING DESIGNATION AUTHORITY	10A NCAC 05F .0101	PLANNING AND SERVICE AREA AND AREA AGENCIES ON AGING	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E)	No	Necessary without substantive public interest
		10A NCAC 05F .0102	WITHDRAWAL OF AREA ON AGING DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.35	No	Necessary without substantive public interest
	SECTION .0200 - PLANNING AND SERVICE AREA AND AREA AGENCY ON AGING REQUIREMENTS	10A NCAC 05F .0201	PLANNING AND SERVICE AREA REQUIREMENTS	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E) 45 CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05F .0202	AREA AGENCY ON AGING REQUIREMENTS	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321.35 (1988)	No	Necessary without substantive public interest
	SECTION .0300 - APPLICATION FOR PLANNING SERVICE AREA DESIGNATION AND PRE-HEARING REVIEW	10A NCAC 05F .0301	APPLICATION DUE DATE FOR PLANNING AND SERVICE AREA DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a) and 45CFR 1321.29	No	Necessary without substantive public interest
		10A NCAC 05F .0302	APPLICATION CONTENT FOR PLANNING AND SERVICE AREA DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)	No	Necessary without substantive public interest
		10A NCAC 05F .0303	PRE-HEARING REVIEW ON PLANNING AND SERVICE AREA DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025 (1)(E)	No	Necessary without substantive public interest
	SECTION .0400 - DIVISION OF AGING PUBLIC HEARINGS ON PLANNING AND SERVICE AREA DESIGNATION	10A NCAC 05F .0401	SCHEDULING OF PUBLIC HEARINGS ON PLANNING/SERVICE AREA DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.29	No	Necessary without substantive public interest

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		10A NCAC 05F .0402	PREHEARING REVIEW COMMENTS	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E) CFR 1321.29 45	No	Necessary without substantive public interest
		10A NCAC 05F .0403	NOTIFICATION OF DECISION ON PLANNING AND SERVICE AREA DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E) CFR 1321.29 45	No	Necessary without substantive public interest
		10A NCAC 05F .0404	PLANNING/SERVICE AREA DESIGNATION INITIATED BY THE DIVISION OF AGING	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E)	No	Necessary without substantive public interest
	SECTION .0500 - APPLICATION FOR AREA AGENCY ON AGING DESIGNATION AND PRE-HEARING REVIEW	10A NCAC 05F .0501	AREA AGENCY ON AGING DESIGNATION CRITERIA	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E);	No	Necessary without substantive public interest
		10A NCAC 05F .0502	APPLICATION CONTENT FOR AREA AGENCY ON AGING DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E)	No	Necessary without substantive public interest
		10A NCAC 05F .0503	PRE-HEARING REVIEW ON AREA AGENCY ON AGING DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(1)(E) CFR 1321.29 45	No	Necessary without substantive public interest
	SECTION .0600 - DIVISION OF AGING PUBLIC HEARINGS ON AREA AGENCY ON AGING DESIGNATION	10A NCAC 05F .0601	SCHEDULING OF PUBLIC HEARINGS ON AREA AGENCY ON AGING DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0602	PREHEARING REVIEW COMMENTS	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0603	NOTIFICATION OF DECISION ON AREA AGENCY ON AGING DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
	SECTION .0700 - WITHHOLDING AREA FUNDS OR WITHDRAWING AREA AGENCY ON AGING DESIGNATION	10A NCAC 05F .0701	NOTIFICATION OF IMPENDING ACTION TO WITHHOLD AREA FUNDS	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest

G.S. 150B-21.3A Report for 10A NCAC 05, DIVISION OF AGING - GENERAL PROVISIONS									
Agency - DHHS/Division of Aging									
Comment Period - Filled in by agency									
Date Submitted to APO - Filled in by RRC staff									
Subchapter or Blank	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		10A NCAC 05F .0702	PUBLIC HEARING/WITHHOLDING AREA FUNDS	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0703	DECISION ON WITHHOLDING AREA FUNDS	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025 & 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0704	NOTICE/IMPENDING ACTION/WITHDRAW AREA AGENCY ON AGING DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0705	PUBLIC HEARING/WITHDRAWAL OF AREA AGENCY ON AGING DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0706	NOTIFICATION OF DECISION TO WITHDRAW AREA AGENCY DESIGNATION	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
	SECTION .0800 - APPEAL OF DIVISION OF AGING DECISION	10A NCAC 05F .0801	CONTESTED CASE	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0802	APPEAL TO COMMISSIONER ON AGING	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
		10A NCAC 05F .0803	JUDICIAL REVIEW	Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025; 42 USC 3027 P.L. 109-365 (2006); 45 CFR 1321.29 (1988)	No	Necessary without substantive public interest
SUBCHAPTER 05G - HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS	SECTION .0100 - ALLOCATION OF BLOCK GRANT FUNDS	10A NCAC 05G .0101	ALLOCATION/BLOCK GRANT FUNDING/AREA AGENCIES ON AGING	Eff. August 3, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3021-3024 45CFR 1321.37	No	Necessary without substantive public interest
	SECTION .0200 - BASIS FOR GRANTING BLOCK GRANT FUNDS TO COUNTIES	10A NCAC 05G .0201	DEFINITIONS	Amended Eff. May 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05G .0202	COUNTY FUNDING PLANS	Amended Eff. May 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05G .0203	PUBLIC HEARING FOR COUNTY FUNDING PLAN	Eff. August 3, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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Comment Period - Filled in by agency									
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Subchapter or Blank	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0300 - PRIORITY FOR THE RECEIPT OF BLOCK GRANT SERVICES	10A NCAC 05G .0301	DEFINITIONS	Eff. September 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05G .0302	CLIENT PRIORITIES FOR RECEIPT OF SERVICES	Eff. August 3, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 05I - CONSUMER CONTRIBUTIONS	SECTION .0100 - PURPOSE AND DEFINITIONS	10A NCAC 05I .0101	PURPOSE AND DEFINITIONS	Amended Eff. September 1, 2005	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3021 to 3024 45 CFR 1321.37	No	Necessary without substantive public interest
	SECTION .0200 - REQUIREMENTS	10A NCAC 05I .0201	SERVICES SUBJECT TO CONSUMER CONTRIBUTIONS	Amended Eff. September 1, 2005	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3030c-2; 45 CFR 1321.65; 45 CFR 1321.67	No	Necessary without substantive public interest
		10A NCAC 05I .0202	INITIAL AND ANNUAL REVIEWS	Amended Eff. September 1, 2005	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3030c-2; 45 CFR 1321.65; 45 CFR 1321.67	No	Necessary without substantive public interest
		10A NCAC 05I .0203	COLLECTION OF CONSUMER CONTRIBUTION REVENUE	Amended Eff. September 1, 2005	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3030c-2; 45 CFR 1321.65; 45 CFR 1321.67	No	Necessary without substantive public interest
		10A NCAC 05I .0204	TERMINATION	Amended Eff. September 1, 2005	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3030c-2; 45 CFR 1321.65; 45 CFR 1321.67	No	Necessary without substantive public interest
		10A NCAC 05I .0205	DEDUCTING CONSUMER CONTRIBUTION REVENUES FROM MONTHLY SERVICE REIMBURSEMENT	Amended Eff. September 1, 2005	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3030c-2; 45 CFR 1321.65; 45 CFR 1321.67	No	Necessary without substantive public interest
SUBCHAPTER 05J - CONFIDENTIALITY OF CLIENT DATA	SECTION .0100 - DEFINITIONS FOR CONFIDENTIALITY OF CLIENT DATA	10A NCAC 05J .0101	DEFINITIONS FOR CONFIDENTIALITY OF CLIENT DATA	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3001 P.L. 109-365(2006); 45 CFR 1321.51(1988)	No	Necessary without substantive public interest
	SECTION .0200 - REQUIREMENTS	10A NCAC 05J .0201	CONFIDENTIALITY OF CLIENT DATA	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.51	No	Necessary without substantive public interest
		10A NCAC 05J .0202	INFORMATION FROM OTHER COMMUNITY SERVICE ORGANIZATIONS	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.51	No	Necessary without substantive public interest
		10A NCAC 05J .0203	DISCLOSURE PURSUANT TO OTHER LAWS	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.51		Necessary without substantive public interest
		10A NCAC 05J .0204	OWNERSHIP OF RECORDS	Eff. November 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05J .0205	SECURITY OF RECORDS	Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05J .0206	RELEASE OF CLIENT INFORMATION	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.51	No	Necessary without substantive public interest

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Subchapter or Blank	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		10A NCAC 05J .0207	INFORMED CONSENT	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.51	No	Necessary without substantive public interest
		10A NCAC 05J .0208	CLIENT ACCESS TO RECORDS	Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05J .0209	CONTESTED INFORMATION	Eff. November 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05J .0210	WITHHOLDING OF INFORMATION FROM THE CLIENT	Eff. November 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 05J .0211	DISCLOSURE OF CLIENT INFORMATION WITHOUT CLIENT CONSENT	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1321.51	No	Necessary without substantive public interest
		10A NCAC 05J .0212	INFORMATION NEEDS OF SERVICE PROVIDERS	Eff. November 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 05L - ADVOCACY ASSISTANCE	SECTION .0100 – GENERAL PROVISIONS	10A NCAC 05L .0101	GENERAL ADVOCACY RESPONSIBILITIES	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3025(a)(1)(D) P.L. 109-365(2006); 45 CFR 1321.13(1988)	No	Necessary without substantive public interest
		10A NCAC 05L .0102	LONG-TERM CARE OMBUDSMAN PROGRAM	Amended Eff. January 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a) P.L. 109-365(2006); 45 CFR 1321.3 & 1321.11(1988)	No	Necessary without substantive public interest
		10A NCAC 05L .0103	LEGAL SERVICES PROGRAM	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 USC 3027(a)(11)	No	Necessary without substantive public interest
SUBCHAPTER 05M – SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM	SECTION .0100 – GENERAL PROVISIONS	10A NCAC 05M .0101	POLICIES MANUAL	Eff. October 1, 1980	Necessary without substantive public interest	Yes	Title V of 42 USC 3001 P.L. 109-365(2006); 20 CFR Part 641	No	Necessary without substantive public interest
		10A NCAC 05M .0102	APPLICATION PROCEDURES	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title V of 42 USC 3001 P.L. 109-365(2006); 20 CFR Part 641	No	Necessary without substantive public interest