

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency -Department of Health and Human Services/Health Service Regulation

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform 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 14J – JAILS, LOCAL CONFINEMENT	SECTION .0100 - DEFINITIONS AND APPLICABILITY FOR	10A NCAC 14J .0101	DEFINITIONS	Eff. June 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		10A NCAC 14J .0102	APPLICABILITY - OPERATIONS AND ENFORCEMENT	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0103	APPLICABILITY - CONSTRUCTION	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0200 - OPERATIONS MANUAL FOR JAILS	10A NCAC 14J .0201	REQUIREMENT FOR OPERATIONS MANUAL	Amended Eff. June 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0202	PURPOSE OF OPERATIONS MANUAL	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0203	CONTENTS OF OPERATIONS MANUAL	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0204	REVIEW OF MANUAL	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0300 - CLASSIFICATION AND HOUSING	10A NCAC 14J .0301	CLASSIFICATION SYSTEM	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0302	FEMALE INMATES	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0303	CONFINEMENT OF MALES UNDER 18 YEARS OF AGE	Eff. June 1, 1990	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	28 CFR Part 115.14	Yes	Necessary with substantive public interest
		10A NCAC 14J .0304	CONFINEMENT OF JUVENILES UNDER AGE 16	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0305	DISCRIMINATION IN HOUSING ASSIGNMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0400 - FIRE SAFETY	10A NCAC 14J .0401	EXITS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		10A NCAC 14J .0402	FIRE EQUIPMENT	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0403	FIRE PLAN	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0404	MATTRESSES	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0405	KEYS	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 - SECURITY	10A NCAC 14J .0501	GENERAL SECURITY REQUIREMENTS	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0600 - SUPERVISION	10A NCAC 14J .0601	SUPERVISION	Amended Eff. June 1, 1992	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
	SECTION .0700 - SANITATION AND PERSONAL HYGIENE	10A NCAC 14J .0701	SANITATION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0702	MATTRESSES AND BEDDING	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0703	SHAVING	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0704	SHOWERS AND TOILETS	Amended Eff. March 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0705	PERSONAL HYGIENE ITEMS	Amended Eff. January 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0800 - COMMISSARY OR CANTEEN SERVICES	10A NCAC 14J .0801	AVAILABILITY OF SERVICES	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0900 - FOOD	10A NCAC 14J .0901	FOOD SERVICE	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0902	MEAL SERVICE	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0903	FOOD AND NUTRIENT REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .0904	MENUS	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .0905	MODIFIED DIETS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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	SECTION .1000 - HEALTH CARE OF INMATES AND EXERCISE	10A NCAC 14J .1001	MEDICAL PLAN	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .1002	HEALTH SCREENING FORM	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .1003	MEDICAL ISOLATION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1004	EXERCISE	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1100 - REPORTS	10A NCAC 14J .1101	MONTHLY REPORT FOR JAILS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1102	REPORT OF DEATH	Amended Eff. June 1, 1993	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1200 - STANDARDS FOR NEW JAIL DESIGN AND CONSTRUCTION	10A NCAC 14J .1201	APPLICABILITY - CONSTRUCTION	Amended Eff. June 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .1202	CONSULTATION AND TECHNICAL ASSISTANCE	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .1203	COMPLIANCE REVIEW AND APPROVAL	Amended Eff. June 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .1204	SPECIFIC CONSTRUCTION REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1206	ELEVATORS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1207	INMATE PROCESSING AREA	Eff. June 1, 1990	Necessary without substantive public interest	No		Yes	Necessary with substantive public interest
		10A NCAC 14J .1208	VISITATION AREAS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1209	MEDICAL AREA	Eff. June 1, 1990	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest
		10A NCAC 14J .1210	OTHER AREAS	Eff. June 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .1211	ADMINISTRATIVE FACILITIES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1212	FLOORS, CEILINGS, AND WALLS	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		10A NCAC 14J .1213	SHOWERS AND PLUMBING FIXTURES	Eff. June 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		10A NCAC 14J .1214	WINDOWS AND GLAZING	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest

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		10A NCAC 14J .1215	DOORS, BUNKS AND LOCKS	Eff. June 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		10A NCAC 14J .1216	SAFETY EQUIPMENT	Amended Eff. June 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1217	MECHANICAL SYSTEMS	Eff. June 1, 1990	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest
		10A NCAC 14J .1218	PLUMBING SYSTEMS	Amended Eff. June 1, 1992	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		10A NCAC 14J .1219	ELECTRICAL SYSTEMS	Eff. June 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		10A NCAC 14J .1220	ADDITIONAL SECURITY REQ/ "INSTITUTIONAL OCCUPANCY- RESTRAINED" JAILS	Amended Eff. June 1, 1993	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest
		10A NCAC 14J .1221	CONFINEMENT UNITS	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1222	STANDARDS FOR SINGLE SEGREGATION CELLS	Eff. June 1, 1990	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest
		10a NCAC 14J .1223	STANDARDS FOR SINGLE CELLS	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1224	STANDARDS FOR MULTIPLE OCCUPANCY CELLS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1225	STANDARDS FOR DAYROOMS	Amended Eff. June 1, 1993	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		10A NCAC 14J .1226	STANDARDS FOR DORMITORIES	Amended Eff. December 1, 1991	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
	SECTION .1300 - INSPECTION AND ENFORCEMENT OF MINIMUM STANDARDS	10A NCAC 14J .1301	INSPECTIONS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1302	REPORT OF INSPECTION	Amended Eff. October 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1303	DETERMINATION THAT CONDITIONS JEOPARDIZE INMATES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1304	AGREEMENT OF CORRECTION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1305	ORDER OF CORRECTIVE ACTION OR ORDER OF CLOSURE	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1306	DESIGNATION BY SECRETARY	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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	SECTION .1400 - SATELLITE JAIL/WORK RELEASE UNITS	10A NCAC 14J .1401	APPLICABILITY	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1500 - CONSTRUCTION STANDARDS FOR EXISTING FACILITIES	10A NCAC 14J .1501	DEFINITIONS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1502	BUILDING MATERIALS AND CONSTRUCTION REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1503	DOORS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1504	WINDOWS AND SECURITY SCREENING	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1505	SINGLE ROOM REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1506	MULTIPLE ROOM REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1507	DORMITORY AREA REQUIREMENTS IN JAILS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1508	DORMITORY AREA REQUIREMENTS IN COUNTY JAIL ANNEXES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1509	DAYROOM AND SAFETY VESTIBULE REQUIREMENTS: COUNTY JAIL	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1510	HOLDING AREAS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1511	OTHER AREAS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1512	LIGHTING AND VENTILATION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1513	WALLS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1514	SLIDING DOORS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1515	SWINGING DOORS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1516	ACCESS DOORS AND PANELS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1517	PRISON KEY-OPERATED LOCKS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		10A NCAC 14J .1518	HINGES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1519	OBSERVATION AND SPEAKING PANELS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1520	FOOD PASSES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1521	MIRRORS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1522	BUNKS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1523	TABLES, BENCHES AND SEATS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1524	SHOWER STALLS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1525	REMOTE CONTROL LOCKING MECHANISMS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1526	MATERIAL TESTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1527	PROTECTION EQUIPMENT FOR ELECTRICAL LIGHTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1528	DOOR PULLS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1529	WIRE WINDOW GUARDS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1530	SECURITY SCREENS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1531	INSECT SCREENS AND DOORS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1532	KEY CABINET	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1533	PLUMBING	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1534	PLUMBING FIXTURES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1535	FLOOR DRAINS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1536	GENERAL PROVISIONS REGARDING EQUIPMENT INSTALLATION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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	SECTION .1600 - CONSTRUCTION STANDARDS FOR EXISTING STATE-FUNDED SATELLITE JAIL/WORK RELEASE UNITS	10A NCAC 14J .1601	APPLICABILITY	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1602	CONFINEMENT UNIT	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1603	PROGRAMMING AREAS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1604	ADMINISTRATION AREA	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1605	CONSTRUCTION MATERIALS FOR SATELLITE JAIL/WORK RELEASE UNITS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1606	MECHANICAL SYSTEMS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1607	GENERAL REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1700 - MUNICIPAL LOCKUPS	10A NCAC 14J .1701	DEFINITIONS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1702	APPLICABILITY - CONSTRUCTION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1703	REQUIREMENT FOR OPERATIONS MANUAL	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1704	PURPOSE OF OPERATIONS MANUAL	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1705	CONTENTS OF OPERATIONS MANUAL	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1706	REVIEW OF MANUAL	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1707	CLASSIFICATION SYSTEM	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1708	FEMALE INMATES	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1709	CONFINEMENT OF MALES UNDER 18 YEARS OF AGE	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1710	DISCRIMINATION IN HOUSING ASSIGNMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1711	EXITS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		10A NCAC 14J .1712	FIRE EQUIPMENT	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1713	FIRE PLAN	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1714	MATTRESSES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1715	KEYS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1716	GENERAL SECURITY REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1717	SUPERVISION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1718	SANITATION AND TOILETS	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1719	MATTRESSES AND BEDDING	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1720	FOOD SERVICE	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1721	MEAL SERVICE	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1722	FOOD AND NUTRIENT REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1723	MENUS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1724	MODIFIED DIETS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1725	MEDICAL PLAN	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1726	HEALTH SCREENING FORM	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1727	LOGS OF ADMISSIONS AND RELEASES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1728	MONTHLY REPORT OF MUNICIPAL LOCKUPS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1729	REPORT OF DEATH	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1730	CONSULTATION AND TECHNICAL ASSISTANCE	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1731	COMPLIANCE REVIEW AND APPROVAL	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1732	SPECIFIC CONSTRUCTION REQUIREMENTS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency -Department of Health and Human Services/Health Service Regulation

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform 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 14J .1733	CENTRAL CONTROL STATION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1734	ELEVATORS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1735	INMATE PROCESSING AREA	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1736	VISITATION AREAS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1737	OTHER AREAS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1738	FLOORS, CEILINGS, AND WALLS	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1739	SHOWERS AND PLUMBING FIXTURES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1740	WINDOWS AND GLAZING	Amended Eff. December 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1741	DOORS, BUNKS AND LOCKS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1742	SAFETY EQUIPMENT	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1743	MECHANICAL SYSTEMS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1744	PLUMBING SYSTEMS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1745	ELECTRICAL SYSTEMS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1746	CLOTHING AND TOWEL HOOKS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1747	CONFINEMENT UNITS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1748	STANDARDS FOR SINGLE CELLS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1749	STANDARDS FOR MULTIPLE OCCUPANCY CELLS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1750	INSPECTIONS	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1751	REPORT OF INSPECTION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1752	DETERMINATION THAT CONDITIONS JEOPARDIZE INMATES	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1753	AGREEMENT OF CORRECTION	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 14J .1754	ORDER OF CORRECTIVE ACTION OR ORDER OF CLOSURE	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency -Department of Health and Human Services/Health Service Regulation

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform 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 14J .1755	DESIGNATION BY SECRETARY	Eff. June 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

Rule Title	Rule Citation	Date	First Name	Last Name	Company	Email Address	Zip	Comment
DEFINITIONS	10A NCAC 14J .0101	3/4/15	Erin	Glendening	DHSR	erin.glendening@dhhs.nc.gov		This is a test comment to make sure the system is working.
CONFINEMENT OF MALES UNDER 18 YEARS OF AGE	10A NCAC 14J .0303	5/4/15	Frank	Randel	Hemphill - Randel Assoc.	fr-hra@carolina.rr.com		Revise to comply with PREA. PREA also doesn't make a distinction on male or female inmates under 18 years of age. The subheading should be changed to read 'CONFINEMENT OF INMATES UNDER 18 YEARS OF AGE'. The sentence under .0303 should be deleted and replaced with the wording in PREA 28 CFR 115.14. Alternatively 28 CFR 115.14 could be included by reference in case the federal standards change over time this article will always be current.
SUPERVISION	10A NCAC 14J .0601	5/4/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com		<p>Add the following requirements from PREA:</p> <p>(a) A youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.</p> <p>(b) In areas outside of housing units, agencies shall either:</p> <ol style="list-style-type: none"> (1) Maintain sight and sound separation between youthful inmates and adult inmates, or (2) Provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

INMATE PROCESSING AREA	10A NCAC 14J .1207	5/4/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>In recent interpretations of 10A NCAC 14J .1214 (d) regarding natural light, inmates in holding cells may be kept overnight which was interpreted to mean that natural light requirements per .1214 must be provided. The definition for confinement units under 10A NCAC 14J .0101 does not specifically include inmate processing area holding cells which results in a gray area open for interpretation sometimes after construction has begun or nearly completed. Natural light for inmate processing area holding cells may at times, due to site restrictions, be difficult to achieve. Simply adding 'inmate processing area holding cells' under the definition of 'confinement units' would be a little convoluted and could be missed. It also does not take into consideration the challenges of a difficult site. Suggest the following be added to .1207: Provide access to natural light. This requirement can be suspended if it is written in the jail operations manual that detainees will either be processed into a confinement unit within 48 hours where natural light is available or be released.</p>
INMATE PROCESSING AREA	10A NCAC 14J .1207	5/4/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>Due to increasing drug and alcohol abuse perhaps it is time to require at least one holding cell in the inmate processing area be a padded cell. Currently it does not appear to be a requirement. Suggest the following be added to .1207: Provide at least one padded cell for every ten holding cells. Padding shall be abuse resistant and be provided on floor, walls, and door to 8'-0" minimum above the finish floor. Provide padded cell with blow-out type flushing floor drain operated from outside the cell. Provide a hose faucet connection with hot and cold water outside the cell for cleaning. (Possibly add the following) For jail facilities with a rated capacity of less than 100? a mobile chair with restraints may be used in lieu of a padded cell. Provide electronic video surveillance recording of each padded cell.</p>

MEDICAL AREA	10A NCAC 14J .1209	5/4/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>cross referenced with .1003 MEDICAL ISOLATION</p> <p>Inmates with communicable diseases are becoming more of a concern. Most counties elect to transfer highly contagious inmates, such as those who have TB, to another facility that is more properly equipped and better trained to handle such a patient. Only very large facilities such as Charlotte may have the doctors, nurses, facilities, and other resources needed to house contagious inmates. Jails may have a detainee come in that is either unaware that they are infected or may conceal the fact that they are infected from staff. For most counties a jail will only have a very limited interaction with an infected detainee before transferring them out. Jails will not have all the elaborate filtration systems, controls, and isolation areas that a hospital can have. Jail architects and engineers can use some simple specific guidelines to address medical isolation / prevention as a first line of defense. Something that states for example a number of air changes per hour and cfm/pressure differential guidelines that can be used based off of CDC recommendations. Discharging 100% of the medical area / medical isolation cells air directly to the outside 100% of the time on the off-chance an inmate would conceal his infection would be a heavy utility cost burden. I would suggest the mechanical systems be isolated so air from these areas can't be recirculated to other areas of the facility. Perhaps through the use of mechanical system & controls allow a doctor or nurse to decide when to switch to 100% air discharge to the outside.18</p>
SHOWERS AND PLUMBING FIXTURES	10A NCAC 14J .1213	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>ADA guidelines have certain requirements that can be in conflict with a jail setting due to the high abuse that can be experienced. Wall mounted folding seats have a very short lifespan in a jail. Suggest adding the following for clarifications:</p> <p>Showers for the handicapped shall be provided per the current ADA guidelines with the following modifications: Showers may be provided with a portable seat in lieu of a folding wall mounted seat furnished by staff as needed and stored away when not in use; Accessible showers shall be provided with a quick disconnect for the hand-held unit provided by staff as needed and stored away when not in use; Showers shall be ligature resistant with no handles.</p> <p>Accessible showers and toilets in inmate areas shall be provided with ligature resistant grab bars with closure plates.</p>

SHOWERS AND PLUMBING FIXTURES	10A NCAC 14J .1213	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	.1213 SHOWERS AND PLUMBING FIXTURES (d) Suggest adding an exception to the requirement for mouth guards on drinking fountains in single segregation cells designed specifically for suicide prevention. It provides an opportunity for an inmate to hang himself. Health department input?
WINDOWS AND GLAZING	10A NCAC 14J .1214	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	.1214 WINDOWS AND GLAZING (d) No guidelines are given on the amount of natural light that needs to be made available in terms of area of skylights or windows. The energy code does strictly control the permissible area of skylights as a percentage of the roof area. Not all facilities will be able to use skylights and not all facilities will be able to use windows. ACA guidelines specify that each dayroom have a minimum of 12 square feet of transparent glazing with a view to the outside, plus two additional square feet of glazing per inmate whose cell does not contain a window with a view to the outside. The U values for skylights required by the energy code dictates that a skylight have insulation in the glazing making the daylight diffused rather than direct through a clear glazing. Providing natural light should not be construed to mean that you have to see the sun directly through the skylight. Also a past interpretation of this requirement eliminated the possibility of using reflective tube skylights. Suggest adding the following: For each dayroom provide a minimum of 12 square feet of glazing to the outside plus 2 additional square feet of glazing per inmate whose cell does not contain a window with a view to the outside. Use of reflective tube skylights to fulfill this requirement is prohibited.

DOORS, BUNKS AND LOCKS	10A NCAC 14J .1215	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>.1215 DOORS, BUNKS, LOCKS (g) This sentence can be interpreted that all cells should be designed for suicide prevention. What is the intent? Regular detention grade plumbing fixtures can be used for suicide as can mouth guards, desks, mechanical grilles, stools, and some sprinkler heads. Should all these items be added as well? Making all items in all cells ligature resistant will likely be cost prohibitive. Mouth guards in particular will be controversial. Suggest replacing this sentence with the following:</p> <p>Doors, locks, detention hardware, bunks, desks, mechanical grilles, sprinkler heads, mouth guards, and all other items inside a segregation cell specifically designed for suicide prevention shall be ligature resistant. Bunks, stools, and desks for cells designed specifically for suicide prevention shall not have legs. Door pulls inside all cells shall be flush pulls.</p>
MECHANICAL SYSTEMS	10A NCAC 14J .1217	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>By code each toilet is required to have an exhaust fan. Toilets located out in the large open dayroom area are also required to have an exhaust fan provided. Providing a dedicated toilet exhaust fan in a large open dayroom area is all but useless and adds another unnecessary opening into security envelope. The mechanical code already requires that a certain amount of fresh air be provided for each inmate. Suggest adding something similar to the following:</p> <p>Where toilets are located in a large open dayroom area designed for more than 16 inmates with a ceiling height greater than 12' a dedicated toilet exhaust fan is not required if acceptable to the local AHJ.</p>
PLUMBING SYSTEMS	10A NCAC 14J .1218	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>.1218 PLUMBING SYSTEMS (a) NCSBC Plumbing code is readily available for free on NCDOT OSFM web site.</p>
PLUMBING SYSTEMS	10A NCAC 14J .1218	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>Suggest adding the requirement that sewage grinders be provided for every jail. A few county's elect not to put one in which later clogs up the jail main line or even public lines as inmates try to flush anything and everything.</p>

ELECTRICAL SYSTEMS	10A NCAC 14J .1219	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>.1219 ELECTRICAL SYSTEMS (f) This sentence is vague and serves almost no purpose. Suggest clarifying what systems as a minimum shall be provided on emergency power. Also the jail rules are silent on the size of the fuel tank that should be provided for a generator. A 24 hour supply will suffice for most emergencies. Anything longer than that would require an excessively large tank that is difficult to justify. Perhaps the following:</p> <p>An auxiliary emergency generator shall be provided for each jail. The emergency generator may provide emergency power for the entire facility or as a minimum for the following electrical systems and equipment: Emergency egress lighting interior and exterior, smoke control system, fire alarm system, building heat and ventilation system, fire pump where provided, sewer lift station where provided, vehicular sallyport vehicle gates / doors, all security electronics systems with the exception of video visitation, medical area lighting and power, medical isolation ventilation system, communications systems, kitchen refrigerators and freezers where provided, heat for domestic and fire line backflow preventer enclosures where not installed in a below-grade vault, security fence motor operated gates where provided. When a generator is provided with liquid fuel the fuel tank shall be sized to run the generator continuously for 24 hours minimum.</p>
ADDITIONAL SECURITY REQ/ "INSTITUTIONAL OCCUPANCY-RESTRAINED" JAILS	10A NCAC 14J .1220	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>.1220 ADDITIONAL SECURITY REQ/ 'INSTITUTIONAL OCCUPANCY RESTRAINED' JAILS (3) Suggest revising as follows: Clothing or towel hooks with a projecting arm whether fixed or collapsing shall not be used. Security towel hooks utilizing a stainless steel ball and spring encased inside a stainless steel housing may be used except in single segregation cells, padded cells, inmate processing area holding cells.</p>

STANDARDS FOR SINGLE SEGREGATION CELLS	10A NCAC 14J .1222	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>.1222 STANDARDS FOR SINGLE SEGREGATION CELLS Should all single segregation cells be designed for suicide prevention? Suggest adding the following as a minimum:</p> <p>(5) Drinking fountains may be supplied without mouthguards for cells designed for suicide prevention. (6) When a table and stool are not provided in a cell include in the jail operations manual procedures on how inmates will be served food. (7) Bunks in cells designed for suicide prevention shall be either wall mounted without vertical legs or a solid 15" high concrete base provided sized to accommodate a standard detention mattress. Metal bunks shall be provided without any holes.</p> <p>With all the items listed under this subheading no mention is made of providing a bunk. There is a listing for the dimensions of a bunk under .1215 (f), which implies if you provide a bunk those are the dimensions. I couldn't find anywhere where a bunk is required in any type of cell / confinement unit. It's assumed through common practice / common sense one would be provided for each inmate.</p>
STANDARDS FOR DAYROOMS	10A NCAC 14J .1225	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>.1225 STANDARDS FOR DAYROOMS (cross reference with .1004 EXERCISE) Many facilities provide their exercise area within the dayrooms instead of an outdoor space. There are no real guidelines on space requirements for a dayroom that doubles as the exercise area. ACA indicates a minimum of 500 square feet of unencumbered space for exercise areas used by less than 100 inmates. Suggest revising paragraph (2) as follows:</p> <p>(2) a minimum floor space of 105 square feet or 35 square feet per inmate (exclusive of lavatories, showers, and toilets), whichever is greater. If a separate exercise area is not provided and the dayroom serves as the exercise area to fulfill the requirements of 10A NCAC 14J .1004 the minimum floor space shall be 500 square feet (exclusive of lavatories, showers, and toilets) or 35 square feet per inmate plus 200 square feet (exclusive of lavatories, showers, and toilets), whichever is greater.</p> <p>ACA also requires a minimum ceiling height of 18 feet for interior exercise areas. Should that be included in dayrooms that also serve as the exercise area? Would that be an undue burden on smaller facilities? Perhaps make the ceiling height 10 feet or 12 feet minimum?</p>

STANDARDS FOR DORMITORIES	10A NCAC 14J .1226	5/11/15	Frank	Randel	Hemphill - Randel Assoc. Architects	fr-hra@carolina.rr.com	<p>.1226 STANDARDS FOR DORMITORIES Many facilities provide their exercise area within the dormitory instead of an outdoor space. There are no real guidelines on space requirements for a dormitory that doubles as the exercise area. ACA indicates a minimum of 500 square feet of unencumbered space for exercise areas used by less than 100 inmates. Suggest revising paragraph (1) as follows:</p> <p>(1) a minimum floor space of 70 square feet per inmate including both the sleeping and dayroom area (exclusive of lavatories, showers, and toilets). If a separate exercise area is not provided and the dormitory serves as the exercise area to fulfill the requirements of 10A NCAC 14J .1004 the minimum floor space shall be 500 square feet (exclusive of lavatories, showers, and toilets) or 70 square feet per inmate (exclusive of lavatories, showers, and toilets) plus 200 square feet, whichever is greater.</p> <p>ACA also requires a minimum ceiling height of 18 feet for interior exercise areas. Should that be included in dayrooms that also serve as the exercise area? Would that be an undue burden on smaller facilities? Perhaps make the ceiling height 10 feet or 12 feet minimum?</p>
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