

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Fee-Based Practicing Pastoral Counselors

RULE CITATION: 21 NCAC 45 .0401

DEADLINE FOR RECEIPT: Tuesday, February 9, 2016

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

In this Rule, who is mailing the form? I suspect it is the Board. Further, is the intent is to give licensees notice that the renewal form shall be sent each spring and due on or before January 1 of the following year. If so, I recommend changing the language on lines 7 and 8 to make that clear. For example:

"The Board shall mail each licensee the renewal form shall be mailed in the spring of each year with renewal being on or before January 1, of the following year. The licensee shall return the form on or before January 1 of the following year."

On line 8, I take it that the form only asks for the addresses and telephone numbers? If it asks for more, are those contents in other Rules or statute?

Also on line 8, does your regulated public understand what is meant by "current"?

On line 9, I take it the required supervision is that required by Rule 21 NCAC 45 .0801? If so, I recommend ending the sentence "... required supervision. supervision in Rule .0801 of this Chapter."

In the History Note, I suggest you keep the authority as currently cited. If you do not wish to do so, please at least retain 90-389, which is the statutory authority to require the renewal.

Also in the History Note, the earliest date this Rule change can be effective is March 1, 2016. Please simply replace "February" with "March" You do not need to show the change – just change it.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: January 26, 2016

1 Rule 21 NCAC 45 .0401 is amended without notice or hearing pursuant to G.S. 150B-21.5(a)(5) as follows:

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3 **SECTION .0400 - CERTIFICATION RENEWAL**
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6 **21 NCAC 45 .0401 CERTIFICATION RENEWAL FORM**

7 The renewal form shall be mailed in the spring of each year with renewal being on or before January 1, of the following
8 year. The form shall ask for current home and business addresses and telephone numbers. Pastoral Counseling
9 Associates shall submit an additional form ~~documentating~~ documenting required supervision.

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11 *History Note: Authority G.S. ~~90-385(f); 90-389; 90-385.~~*
12 *Eff. March 1, ~~1996.~~ 1996;*
13 *Amended Eff. February 1, 2016.*
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