

Commission Review

Log of Permanent Rule Filings

September 21, 2016 through October 20, 2016

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

STRUCTURAL PEST CONTROL COMMITTEE

The rules in Chapter 34 are from the Structural Pest Control Committee and include introduction and definitions (.0100); the structural pest control committee (0200); licensing and certification (.0300); public safety (.0400); wood-destroying organisms (.0500); wood-destroying organisms agreements (.0600); household pesticides (.0700); fumigation (.0800); duties and responsibilities of licensee (.0900); time for filing complaints (.1000); inspection fees (.1100); and administrative hearings: contested cases (.1200).

<u>Records: Pesticides and Application Equipment Used</u>	02	NCAC 34	.0328
Amend/*			
<u>Pesticides for Subterranean Termite Prevention and/or Con...</u>	02	NCAC 34	.0502
Amend/*			
<u>Subterranean Termite Control: Buildings After Constructed</u>	02	NCAC 34	.0503
Amend/*			
<u>Subterranean Termite Preventions/Res Bldgs Under Const</u>	02	NCAC 34	.0505
Amend/*			
<u>Min Require/Subterranean Termite Prev/Commercial Bldgs Un...</u>	02	NCAC 34	.0506
Amend/*			

HISTORICAL COMMISSION

The rules in Chapter 4 are from the Division of Archives and History.

The rules in Subchapter 4R concern the archaeology and historic preservation section including general provisions (.0100); environmental review (.0200); national register: plan (.0300); historic properties and historic districts commissions (.0500); designation of historic properties under the state building code (.0600); archaeological resources protection act (.0700); archaeology services (.0800); tax act certification review (.0900); exploration: recovery: and salvage (.1000); historic preservation and conservation agreements (.1400); and survey and planning services (.1500).

<u>Scope of Rules and Overview of Statutory Authority</u>	07	NCAC 04R	.0909
Amend/*			
<u>Scope of Rules and Overview of Statutory Authority under ...</u>	07	NCAC 04R	.0918
Adopt/*			
<u>Definitions</u>	07	NCAC 04R	.0919
Adopt/*			
<u>Applications</u>	07	NCAC 04R	.0920
Adopt/*			
<u>Certification of Historic Significance</u>	07	NCAC 04R	.0921
Adopt/*			
<u>Standards for Evaluating Significance within National Reg...</u>	07	NCAC 04R	.0922
Adopt/*			
<u>Certifications of Rehabilitations</u>	07	NCAC 04R	.0923
Adopt/*			

<u>Standards for Rehabilitation</u> Adopt/*	07 NCAC 04R .0924
<u>Fees for Processing Rehabilitation Certification Requests</u> Adopt/*	07 NCAC 04R .0925
<u>Coordination with the Federal Income-Producing Historic P...</u> Adopt/*	07 NCAC 04R .0926

HHS - HEALTH SERVICE REGULATION, DIVISION OF

The rules in Chapter 14 concern services provided by the Division of Health Service Regulation.

The rules in Subchapter 14C are Certificate of Need regulations including general provisions (.0100); applications and review process (.0200); exemptions (.0300); appeal process (.0400); enforcement and sanctions (.0500); and criteria and standards for nursing facility or adult care home services (.1100), intensive care services (.1200), pediatric intensive care services (.1300), neonatal services (.1400), hospices, hospice inpatient facilities, and hospice residential care facilities (.1500), cardiac catheterization equipment and cardiac angioplasty equipment (.1600), open heart surgery services and heart-lung bypass machines (.1700), diagnostic centers (.1800), radiation therapy equipment (.1900), home health services (.2000), surgical services and operating rooms (.2100), end stage renal disease services (.2200), computed tomography equipment (.2300), immediate care facility/mentally retarded (ICF/MR) (.2400), substance abuse/chemical dependency treatment beds (.2500), psychiatric beds (.2600), magnetic resonance imaging scanner (.2700), rehabilitation services (.2800), bone marrow transplantation services (.2900), solid organ transplantation services (.3000), major medical equipment (.3100), lithotripter equipment (.3200), air ambulance (.3300), burn intensive care services (.3400), oncology treatment centers (.3500), gamma knife (.3600), positron emission tomography scanner (.3700), acute care beds (.3800), gastrointestinal endoscopy procedure rooms in licensed health service facilities (.3900), and hospice inpatient facilities and hospice residential care facilities (.4000).

<u>Purpose and Scope</u> Repeal/*	10A NCAC 14C .1801
<u>Definitions</u> Repeal/*	10A NCAC 14C .1802
<u>Performance Standards</u> Repeal/*	10A NCAC 14C .1804
<u>Purpose and Scope</u> Repeal/*	10A NCAC 14C .3101
<u>Definitions</u> Repeal/*	10A NCAC 14C .3102
<u>Need for Services</u> Repeal/*	10A NCAC 14C .3104

PUBLIC HEALTH, COMMISSION FOR

The rules in Chapter 41 concern epidemiology health.

The rules in Subchapter 41C concern occupational health including general provisions (.0100); dusty trades program (.0200); industrial hygiene consultation program (.0300); occupational health nursing consultation program (.0400); asbestos hazard management program (.0600); occupational health surveillance (.0700); lead-based paint hazard management program (.0800); and lead-based paint hazard management program for renovation, repair and painting (.0900).

Reportable Diseases, Illnesses, and Injuries
Amend/*

10A NCAC 41C .0702

INSURANCE, DEPARTMENT OF

The rules in Chapter 5 deal with fire and rescue services division.

The rules in Subchapter 5A include general provisions (.0100); state volunteer fire department (.0200); firemen's relief fund (.0300); administration of other funds (.0400); initial certification/re-inspection fire departments (.0500); volunteer fire department fund (.0600); volunteer rescue/EMS fund (.0700); and cigarette fire-safety standards (.0800).

<u>Definitions</u> Amend/*	11 NCAC 05A .0101
<u>Training Operations</u> Amend/**	11 NCAC 05A .0105
<u>Administration of State Volunteer Fire Department</u> Amend/**	11 NCAC 05A .0201
<u>Comprehensive Emergency Management Plan</u> Amend/*	11 NCAC 05A .0202
<u>Eligible Members</u> Amend/**	11 NCAC 05A .0301
<u>Certification of Eligibility</u> Amend/*	11 NCAC 05A .0302
<u>Administration of Firefighters' Relief Fund</u> Amend/*	11 NCAC 05A .0303
<u>Purpose</u> Amend/**	11 NCAC 05A .0501
<u>Establishment of Fire Department</u> Amend/*	11 NCAC 05A .0503
<u>Primary Personnel</u> Amend/*	11 NCAC 05A .0504
<u>Training Requirements</u> Amend/**	11 NCAC 05A .0505
<u>Alarm and Communications</u> Amend/*	11 NCAC 05A .0506
<u>Records and Documents</u> Amend/*	11 NCAC 05A .0507
<u>Apparatus</u> Amend/**	11 NCAC 05A .0508
<u>Inspection</u> Amend/*	11 NCAC 05A .0510
<u>Six Mile Insurance District</u> Amend/**	11 NCAC 05A .0511
<u>Standards and Policies</u> Amend/*	11 NCAC 05A .0512
<u>Definitions</u> Amend/*	11 NCAC 05A .0601
<u>Fire District Rating Certification</u> Amend/*	11 NCAC 05A .0602

<u>Requirements</u>	11	NCAC 05A .0603
Amend/**		
<u>Other Grant Criteria</u>	11	NCAC 05A .0604
Amend/*		
<u>Definitions</u>	11	NCAC 05A .0701
Amend/*		
<u>ALS Certifications</u>	11	NCAC 05A .0702
Amend/*		
<u>Requirements for Units Required to Match Grants</u>	11	NCAC 05A .0703
Amend/**		
<u>Requirements for Units Not Required to Match Grants</u>	11	NCAC 05A .0704
Amend/*		
<u>Other Grant Criteria</u>	11	NCAC 05A .0705
Amend/*		

INSURANCE, COMMISSIONER OF

The rules in Chapter 6 are from the Agent Services Division.

The rules in Subchapter 6A cover general provisions (.0100); forms (.0200); examinations (.0300); licensing (.0400); license renewals and cancellations (.0500); license denials (.0600); prelicensing education (.0700); continuing education (.0800); and public adjusters (.0900).

<u>Approval of Courses</u>	11	NCAC 06A .0809
Amend/*		

MANUFACTURED HOUSING BOARD

The rules in Chapter 8 are the engineering and building codes including the approval of school maintenance electricians (.0400); qualification board-limited certificate (.0500); qualification board-probationary certificate (.0600); qualification board-standard certificate (.0700); disciplinary actions and other contested matters (.0800); manufactured housing board (.0900); NC Home Inspector Licensure Board (.1000); home inspector standards of practice and code of ethics (.1100); disciplinary actions (.1200); home inspector continuing education (.1300); Manufactured Housing Board continuing education (.1400); and alternate designs and construction appeals (.1500).

<u>Forms</u>	11	NCAC 08 .0904
Amend/**		

WILDLIFE RESOURCES COMMISSION

The rules in Chapter 10 are promulgated by the Wildlife Resources Commission and concern wildlife resources and water safety.

The rules in Subchapter 10B are hunting and trapping rules and cover general hunting and wildlife provisions (.0100), hunting specific animals (.0200), trapping (.0300), and tagging furs (.0400).

<u>Wildlife Taken for Depredations</u>	15A	NCAC 10B .0106
Amend/*		

NATURAL AND CULTURAL RESOURCES, DEPARTMENT OF

The rules in Subchapter 12H concern the Natural Heritage Program including general provisions (.0100); registry of natural heritage areas (.0200); dedication of nature preserves (.0300); and management, use, and protection of dedicated nature preserves.

<u>Definitions as Used in This Subchapter</u> Readopt with Changes/*	15A NCAC 12H .0103
<u>Responsibilities and Duties of Natural Heritage Program</u> Readopt with Changes/*	15A NCAC 12H .0104
<u>Natural Heritage Advisory Committee</u> Readopt with Changes/*	15A NCAC 12H .0105
<u>Objectives of Registry</u> Readopt with Changes/*	15A NCAC 12H .0201
<u>Criteria for Eligibility</u> Readopt with Changes/*	15A NCAC 12H .0202
<u>Registration Process</u> Readopt with Changes/*	15A NCAC 12H .0203
<u>Registration</u> Readopt with Changes/*	15A NCAC 12H .0204
<u>Rescission</u> Readopt with Changes/*	15A NCAC 12H .0205
<u>Public Access</u> Readopt with Changes/*	15A NCAC 12H .0206
<u>Management of Registered Natural Areas</u> Readopt with Changes/*	15A NCAC 12H .0207
<u>Designation of Natural Areas on State Lands</u> Readopt with Changes/*	15A NCAC 12H .0208
<u>Objectives of Dedication</u> Readopt with Changes/*	15A NCAC 12H .0301
<u>Dedication Process</u> Readopt with Changes/*	15A NCAC 12H .0302
<u>Articles of Dedication</u> Readopt with Changes/*	15A NCAC 12H .0303
<u>Buffer Areas</u> Readopt with Changes/*	15A NCAC 12H .0304
<u>Public Trust</u> Readopt with Changes/*	15A NCAC 12H .0305
<u>Amendments</u> Readopt with Changes/*	15A NCAC 12H .0306
<u>Extinguishment by the State</u> Readopt with Changes/*	15A NCAC 12H .0307
<u>Mutual Termination</u> Readopt with Changes/*	15A NCAC 12H .0308
<u>Management Plan</u> Readopt with Changes/*	15A NCAC 12H .0401
<u>Management Principles</u> Readopt with Changes/*	15A NCAC 12H .0402
<u>Management Rules for Preserves</u> Readopt with Changes/*	15A NCAC 12H .0403

TRANSPORTATION, DEPARTMENT OF

The rules in Subchapter 6B concern the public transportation and rail program including technical assistance (.0200); financial assistance (.0300); and the rail industrial access program (.0400).

<u>Identifying Information</u>	19A NCAC 06B .0402
Readopt without Changes/*	
<u>Ineligible Costs</u>	19A NCAC 06B .0405
Readopt without Changes/*	
<u>Application</u>	19A NCAC 06B .0406
Readopt without Changes/*	
<u>Application Evaluation</u>	19A NCAC 06B .0410
Readopt without Changes/*	
<u>Allocation of Funding</u>	19A NCAC 06B .0411
Readopt without Changes/*	
<u>Requests for Reimbursement</u>	19A NCAC 06B .0413
Readopt without Changes/*	

COSMETIC ART EXAMINERS, BOARD OF

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

<u>Complaints</u>	21 NCAC 14B .0608
Adopt/*	

The rules in Subchapter 14P are civil penalty rules.

<u>Renewals, Expired Licenses, Licenses Required</u>	21 NCAC 14P .0105
Amend/*	
<u>Licenses to be Posted</u>	21 NCAC 14P .0107
Amend/*	
<u>Establishment of Cosmetic Art Schools</u>	21 NCAC 14P .0111
Amend/*	
<u>Operation of Schools of Cosmetic Art</u>	21 NCAC 14P .0113
Amend/*	
<u>Cosmetology Curriculum</u>	21 NCAC 14P .0114
Repeal/*	

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

<u>New School Applications</u>	21 NCAC 14T .0102
Amend/*	
<u>Esthetics Schools</u>	21 NCAC 14T .0203
Repeal/*	

<u>Manicuring Schools</u>	21	NCAC 14T .0204
Repeal/*		
<u>Natural Hair Care Schools</u>	21	NCAC 14T .0205
Repeal/*		
<u>Permanent Records, Forms and Documentation</u>	21	NCAC 14T .0502
Amend/*		
<u>School Operations/Licensure Maintenance</u>	21	NCAC 14T .0701
Amend/*		
<u>School Performance Requirements</u>	21	NCAC 14T .0705
Amend/*		
<u>School Probation</u>	21	NCAC 14T .0901
Amend/*		

DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16H concern dental assistants including classification and training (.0100); and permitted functions of dental assistant (.0200).

<u>Limited Exception for Assisting Hygienists</u>	21	NCAC 16H .0207
Adopt/*		

NURSING, BOARD OF

The rules in Chapter 36 include rules relating to general provisions (.0100); licensure (.0200); approval of nursing programs (.0300); unlicensed personnel and nurses aides (.0400); professional corporations (.0500); articles of organization (.0600); nurse licensure compact (.0700); and approval and practice parameters for nurse practitioners (.0800).

<u>Definitions</u>	21	NCAC 36 .0120
Amend/*		
<u>Establishment of a Nursing Program Initial Approval</u>	21	NCAC 36 .0302
Amend/*		
<u>Existing Nursing Program</u>	21	NCAC 36 .0303
Amend/*		
<u>Process for Closure of a Program</u>	21	NCAC 36 .0309
Amend/*		
<u>Administration</u>	21	NCAC 36 .0317
Amend/*		
<u>Faculty</u>	21	NCAC 36 .0318
Amend/*		
<u>Students</u>	21	NCAC 36 .0320
Amend/*		
<u>Curriculum</u>	21	NCAC 36 .0321
Amend/*		
<u>Facilities</u>	21	NCAC 36 .0322
Amend/*		
<u>Records and Reports</u>	21	NCAC 36 .0323
Amend/*		

SOCIAL WORK CERTIFICATION AND LICENSURE BOARD

The rules in Chapter 63 deal with Social Work Certification including general rules (.0100); certification (.0200); examinations (.0300); renewal of certification (.0400); ethical guidelines (.0500); disciplinary procedures (.0600); adoption of rules (.0700); and professional corporations and limited liability companies.

<u>Definitions</u>	21	NCAC 63	.0102
Readopt with Changes/*			
<u>References</u>	21	NCAC 63	.0204
Readopt without Changes/*			
<u>Work Experience</u>	21	NCAC 63	.0211
Readopt without Changes/*			
<u>Certification and Licensure for Military Personnel and Mi...</u>	21	NCAC 63	.0214
Adopt/*			
<u>Continuing Education Requirements</u>	21	NCAC 63	.0401
Readopt without Changes/*			
<u>Relationships with Colleagues</u>	21	NCAC 63	.0505
Readopt without Changes/**			
<u>Continuances</u>	21	NCAC 63	.0610
Adopt/*			

BUILDING CODE COUNCIL

<u>2012 NC Existing Building Code/Water Supply System Test</u>	609.4
Amend/*	
<u>2012 NC Existing Building Code/Occupant Load Increase</u>	1401.2.6
Amend/*	
<u>2012 NC Plumbing Code/Water Service Pipe</u>	Table 605.3
Amend/*	