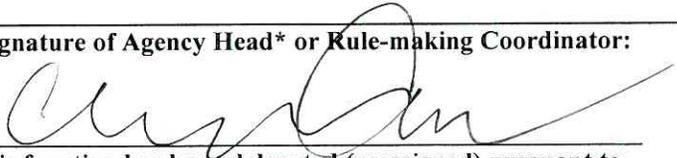


## SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: North Carolina Industrial Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 04 NCAC 10A .0108, ELECTRONIC FILINGS WITH THE COMMISSION; HOW TO FILE	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: October 17, 2016 Link to Agency notice: <a href="http://www.ic.nc.gov/proposedNCICAmend0108.html">http://www.ic.nc.gov/proposedNCICAmend0108.html</a> Hearing on: November 18, 2016 Adoption by Agency on: December 20, 2016 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input checked="" type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> The Industrial Commission proposes for amendment the comprehensive electronic filing rule, 04 NCAC 10A .0108, for two primary reasons. First, the recently expanded capacity of the Commission's Electronic Document Filing Portal, which will allow for more document types to be submitted to the Industrial Commission in a safer, more cost-effective manner, can only be employed with a rule change. The amendment simplifies filing instructions by providing one method for electronic filing for most documents with specific, well-defined exceptions. Second, the amendment provides protections for the personal identifying information of injured workers that were absent from the original rule.	
<b>10. Rule-making Coordinator: Kendall Bourdon</b> Address: 4333 Mail Service Center, Raleigh, NC 27699-4333 Phone: (919) 807-2644 E-Mail: <a href="mailto:kendall.bourdon@ic.nc.gov">kendall.bourdon@ic.nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b> <div style="text-align: center; margin-top: 10px;">  </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Charlton L. Allen Title: Chairman
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

OFFICE OF ADMIN HEARINGS  
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# SUBMISSION FOR PERMANENT RULE

ORIGINAL

12/20/16

<b>1. Rule-Making Agency: NC Division of Mental Health, Developmental Disabilities and Substance Abuse Services</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 26C .0701, <i>Scope</i>	
<b>3. Action:</b> <input checked="" type="checkbox"/> <b>ADOPTION</b> <input type="checkbox"/> <b>AMENDMENT</b> <input type="checkbox"/> <b>REPEAL</b> <input type="checkbox"/> <b>READOPTIO</b> N	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: <b>June 15, 2016</b> Link to Agency notice: <a href="http://www.ncdhhs.gov/divisions/mhddsas/councils-commissions/rulemakingprocess/proposedrules/information">http://www.ncdhhs.gov/divisions/mhddsas/councils-commissions/rulemakingprocess/proposedrules/information</a> Hearing on: Adoption by Agency on: <b>December 20, 2016</b> <input type="checkbox"/> Notice not required under G.S.:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b>  <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> G.S. 122C-115(a3) requires the Secretary, DHHS to adopt rules establishing a process for a county to disengage from a local management entity-managed care organization and realign with another multicounty area authority operating under the 1915(b)(c) Medicaid Waiver. At a minimum, the rules must ensure: provision of services is not disrupted by the disengagement; the disengaging county either is in compliance or plans to merge with an area authority that is in compliance with population requirements provided in G.S. 122C-115(a) of this section; the timing of the disengagement is accounted for and does not conflict with setting capitation rates; adequate notice is provided to the affected counties, the Department of Health and Human Services, and the General Assembly; and provision for distribution of any real property no longer within the catchment area of the area authority.	
<b>10. Rule-making Coordinator: W. Denise Baker</b> Address: 3004 Mail Service Center  Phone: 919-733-4670 E-Mail: <a href="mailto:denise.baker@dhhs.nc.gov">denise.baker@dhhs.nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>   *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Title:
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b>  <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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**SUBMISSION FOR PERMANENT RULE**

12/20/16

<b>1. Rule-Making Agency:</b> NC Division of Mental Health, Developmental Disabilities and Substance Abuse Services	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 26C .0702, <i>County Request to Disengage from a Local Management Entity-Managed Care Organization</i>	
<b>3. Action:</b> <input checked="" type="checkbox"/> <b>ADOPTION</b> <input type="checkbox"/> <b>AMENDMENT</b> <input type="checkbox"/> <b>REPEAL</b> <input type="checkbox"/> <b>READOPTIO</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> <b>Notice of Text published on:</b> June 15, 2016 <b>Link to Agency notice:</b> <a href="http://www.ncdhhs.gov/divisions/mhddsas/councils-commissions/rulemakingprocess/proposedrules/information">http://www.ncdhhs.gov/divisions/mhddsas/councils-commissions/rulemakingprocess/proposedrules/information</a> <b>Hearing on:</b> <b>Adoption by Agency on:</b> December 20, 2016 <input type="checkbox"/> <b>Notice not required under G.S.:</b>	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> G.S. 122C-115(a3) requires the Secretary, DHHS to adopt rules establishing a process for a county to disengage from a local management entity-managed care organization and realign with another multicounty area authority operating under the 1915(b)(c) Medicaid Waiver. At a minimum, the rules must ensure: provision of services is not disrupted by the disengagement; the disengaging county either is in compliance or plans to merge with an area authority that is in compliance with population requirements provided in G.S. 122C-115(a) of this section; the timing of the disengagement is accounted for and does not conflict with setting capitation rates; adequate notice is provided to the affected counties, the Department of Health and Human Services, and the General Assembly; and provision for distribution of any real property no longer within the catchment area of the area authority.	
<b>10. Rule-making Coordinator:</b> W. Denise Baker <b>Address:</b> 3004 Mail Service Center  <b>Phone:</b> 919-733-4670 <b>E-Mail:</b> denise.baker@dhhs.nc.gov  <b>Agency Contact, if any:</b> <b>Phone:</b> <b>E-Mail:</b>	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>  <hr/> <b>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</b>  <b>Typed Name:</b> <b>Title:</b>
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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12/20/16

**SUBMISSION FOR PERMANENT RULE**

<b>1. Rule-Making Agency: NC Division of Mental Health, Developmental Disabilities and Substance Abuse Services</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 26C .0703, <i>Secretary Response to County Requests to Disengage from a Local Management Entity-Managed Care Organization</i>	
<b>3. Action:</b> <input checked="" type="checkbox"/> <b>ADOPTION</b> <input type="checkbox"/> <b>AMENDMENT</b> <input type="checkbox"/> <b>REPEAL</b> <input type="checkbox"/> <b>READOPTIO</b> N	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: <b>June 15, 2016</b> Link to Agency notice: <a href="http://www.ncdhhs.gov/divisions/mhddsas/councils-commissions/rulemakingprocess/proposedrules/information">http://www.ncdhhs.gov/divisions/mhddsas/councils-commissions/rulemakingprocess/proposedrules/information</a> Hearing on: Adoption by Agency on: December 20, 2016 <input type="checkbox"/> Notice not required under G.S.:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b>  <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> G.S. 122C-115(a3) requires the Secretary, DHHS to adopt rules establishing a process for a county to disengage from a local management entity-managed care organization and realign with another multicounty area authority operating under the 1915(b)(c) Medicaid Waiver. At a minimum, the rules must ensure: provision of services is not disrupted by the disengagement; the disengaging county either is in compliance or plans to merge with an area authority that is in compliance with population requirements provided in G.S. 122C-115(a) of this section; the timing of the disengagement is accounted for and does not conflict with setting capitation rates; adequate notice is provided to the affected counties, the Department of Health and Human Services, and the General Assembly; and provision for distribution of any real property no longer within the catchment area of the area authority.	
<b>10. Rule-making Coordinator: W. Denise Baker</b> Address: 3004 Mail Service Center  Phone: 919-733-4670 E-Mail: <a href="mailto:denise.baker@dhhs.nc.gov">denise.baker@dhhs.nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>   <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Title:
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b>  <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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12/15/16

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC Commission for Mental Health, Developmental Disabilities and Substance Abuse Services	
2. Rule citation & name (name not required for repeal): 10A NCAC 27H .0201, Scope	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/1/16 Link to Agency notice: <a href="http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200">http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200</a> Hearing on: Adoption by Agency on: November 17, 2016 <input type="checkbox"/> Notice not required under G.S.:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: The rules are proposed for amendment to require forensic evaluators appointed pursuant to G.S. 15A-1002(b) to complete all training requirements necessary to be credentialed as a certified forensic evaluator and to attend annual continuing education seminars that provide continuing education and training in conducting forensic evaluations and screening examinations of defendants to determine capacity to proceed and in preparing written reports required by law. These requirements were originally mandated by S.L. 2013-18.	
10. Rule-making Coordinator: W. Denise Baker Address: 3004 Mail Service Center  Phone: 919-733-4670 E-Mail: denise.baker@dhhs.nc.gov  Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Title:
<b>RRC AND OAH USE ONLY</b>	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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12/15/16

**SUBMISSION FOR PERMANENT RULE**

<b>1. Rule-Making Agency: NC Commission for Mental Health, Developmental Disabilities and Substance Abuse Services</b>	
<b>2. Rule citation &amp; name (name not required for repeal): 10A NCAC 27H .0202, Definitions</b>	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/1/16 Link to Agency notice: <a href="http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200">http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200</a> Hearing on: Adoption by Agency on: November 17, 2016 <input type="checkbox"/> Notice not required under G.S.:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> The rules are proposed for amendment to require forensic evaluators appointed pursuant to G.S. 15A-1002(b) to complete all training requirements necessary to be credentialed as a certified forensic evaluator and to attend annual continuing education seminars that provide continuing education and training in conducting forensic evaluations and screening examinations of defendants to determine capacity to proceed and in preparing written reports required by law. These requirements were originally mandated by S.L. 2013-18.	
<b>10. Rule-making Coordinator: W. Denise Baker</b> Address: 3004 Mail Service Center  Phone: 919-733-4670 E-Mail: <a href="mailto:denise.baker@dhhs.nc.gov">denise.baker@dhhs.nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Title:
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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12/15/16

SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency:</b> NC Commission for Mental Health, Developmental Disabilities and Substance Abuse Services	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 27H .0203, Eligibility for Training	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/1/16 Link to Agency notice: <a href="http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200">http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200</a> Hearing on: Adoption by Agency on: November 17, 2016 <input type="checkbox"/> Notice not required under G.S.:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> The rules are proposed for amendment to require forensic evaluators appointed pursuant to G.S. 15A-1002(b) to complete all training requirements necessary to be credentialed as a certified forensic evaluator and to attend annual continuing education seminars that provide continuing education and training in conducting forensic evaluations and screening examinations of defendants to determine capacity to proceed and in preparing written reports required by law. These requirements were originally mandated by S.L. 2013-18.	
<b>10. Rule-making Coordinator:</b> W. Denise Baker Address: 3004 Mail Service Center  Phone: 919-733-4670 E-Mail: <a href="mailto:denise.baker@dhhs.nc.gov">denise.baker@dhhs.nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Title:
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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OFFICE OF ADMIN HEARINGS



**SUBMISSION FOR PERMANENT RULE**

<b>1. Rule-Making Agency: NC Commission for Mental Health, Developmental Disabilities and Substance Abuse Services</b>	
<b>2. Rule citation &amp; name (name not required for repeal): 10A NCAC 27H .0205, LME-MCO Oversight of Forensic Evaluator Program</b>	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO <b>N</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 7/1/16 Link to Agency notice: <a href="http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200">http://www.ncdhhs.gov/proposed-amendment-rules-10a-ncac-27g-6702-operations-and-10a-ncac-27h-section-0200</a> Hearing on: Adoption by Agency on: November 17, 2016 <input type="checkbox"/> Notice not required under G.S.:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> The rules are proposed for amendment to require forensic evaluators appointed pursuant to G.S. 15A-1002(b) to complete all training requirements necessary to be credentialed as a certified forensic evaluator and to attend annual continuing education seminars that provide continuing education and training in conducting forensic evaluations and screening examinations of defendants to determine capacity to proceed and in preparing written reports required by law. These requirements were originally mandated by S.L. 2013-18.	
<b>10. Rule-making Coordinator: W. Denise Baker</b> Address: 3004 Mail Service Center  Phone: 919-733-4670 E-Mail: <a href="mailto:denise.baker@dhhs.nc.gov">denise.baker@dhhs.nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Title:
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

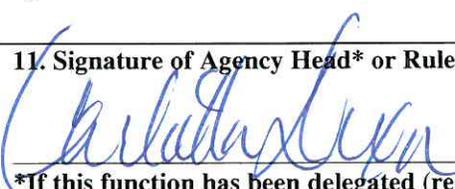
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 2016 DEC 16 PM 4:36  
**FILED**





# SUBMISSION FOR PERMANENT RULE

ORIGINAL

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70A .0103 Reports of Neglect, Abuse or Dependency	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO <b>N</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: August 15, 2016 Link to Agency notice: <a href="https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm">https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm</a> Hearing on: October 12, 2016 at 10:00a.m. Adoption by Agency on: November 9, 2016 at 10:00a.m. <input type="checkbox"/> <b>Notice not required under G.S.:</b> Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b>  <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b>  <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required 10A NCAC 70A .0103
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2014-100 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> 10A NCAC 70A .0103 - G.S. 7B-302 creates the justification for county departments of social services to provide protective services to juveniles and their families of origin. Section 12C.1.(a) of Session Law 2014-100 also sought to reduce the appearance of conflicts of interest in child protective services cases. The North Carolina Child Welfare Services Manual addresses all the potential conflicts of interest a county child welfare agency may have in any given case. This rule change is being proposed to bring North Carolina Administrative Code into alignment with the policy manual. The North Carolina Association of County Directors of Social Services (NCACDSS) prioritized defining conflicts of interest and specifically what the case management practices should be in these types of cases. NCACDSS are supportive of these proposed changes and agree to assume responsibility for the management for these cases. 70A .0103(b) is amended to change "may" to "shall."	
<b>10. Rule-making Coordinator: Carlotta Dixon</b> Address: 820 South Boylan Avenue MSC 2402, Raleigh, NC 27603 Phone: 919-527-6421 E-Mail: carlotta.dixon@dhhs.nc.gov  Agency Contact, if any: Same Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Carlotta Dixon Title: Program Compliance Section Chief
<b>RRC AND OAH USE ONLY</b>	

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ORIGINAL

## SUBMISSION FOR PERMANENT RULE

10. Rule-making Coordinator: Carlotta Dixon  
Address: 820 South Boylan Avenue  
MSC 2402, Raleigh, NC 27603  
Phone: 919-527-6421  
E-Mail: carlotta.dixon@dhhs.nc.gov

Agency Contact, if any: Same  
Phone:  
E-Mail:

11. Signature of Agency Head\* or Rule-making Coordinator:



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Typed Name: Carlotta Dixon  
Title: Program Compliance Section Chief

### RRC AND OAH USE ONLY

Action taken:

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

ORIGINAL

# SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70M .0402 Eligibility Requirements for Regular Monthly Cash Assistance Payments or Vendor Payments	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: August 15, 2016 Link to Agency notice: <a href="https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm">https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm</a> Hearing on: October 12, 2016 at 10:00a.m. Adoption by Agency on: November 9, 2016 at 10:00a.m. <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input checked="" type="checkbox"/> Federal statute / cite: Public Law 110-351 <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-241 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> 10A NCAC 70B .0102; 70M .0402, .0603; 70P .0101-.0105 - Public Law 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008, provides states with the option to continue providing Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to children up to the age of 21. If a state opts in expanding IV-E foster care to age 21, then they must extend adoption assistance and guardianship assistance to age 21 for youth adopted from foster care at 16 and 17 years of age and continue to meet the educational or employment requirements. The North Carolina Session Law 2015-241 2015 Appropriations Act rewrites G.S. 131D-10.10 to charge the Social Services Commission with the power and duty to "adopt any rules necessary for the expansion of foster care for individuals who attained the age of 18 years and chosen to continue receiving foster care services to 21 years of age in accordance with G.S. 131D-10.10." Additionally, state law requires the Department of Health and Human Services, Division of Social Services (Division), to develop a plan for the expansion of foster care services for individuals who have attained the age of 18 years old and opt to continue receiving foster care services until reaching 21 years of age to be implemented by January 1, 2017. Per federal law, this plan must also include the expansion of adoption assistance. Research has consistently shown that youth who remain in care beyond age 18 receive additional independent living services, progress further in their education, experience less economic hardship, and experience less involvement with the criminal justice system than those who exit care at 18. Expanded foster care provides for positive outcomes for youth in care and has demonstrated cost savings for states by decreasing welfare, Medicaid, and criminal justice expenses over time. Session Law 2015-241, Section 12C.4 provides instructions to county child welfare agencies on how to implement Guardianship Assistance Programs in their counties. Guardianship assistance provides and alternative route to permanence when reunification and adoption has been ruled out as appropriate plans for youth. Guardianship assistance is also sensitive to potential guardians' and children's concerns about adoption and provides permanence for youth who would otherwise remain in foster care for the same period of time during which guardianship assistance benefits are provided. Guardianship assistance benefits will increase the number of youth exiting care to permanence by providing continued funds to assist in the cost of care for the youth. Some guardians currently receive WFFA child-only benefits when assuming guardianship of a youth while others may qualify for no benefits, resulting in a significant loss of financial support. Licensed caretakers often refuse to assume guardianship of the youth recognizing that remaining in care provides additional benefits and support for the youth. The Guardianship Assistance Program will address this disincentive to obtaining permanence.	

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2016 DEC -5 PM 12:55  
FILED

ORIGINAL

## SUBMISSION FOR PERMANENT RULE

**10. Rule-making Coordinator: Carlotta Dixon**

**Address: 820 South Boylan Avenue**

**MSC 2402, Raleigh, NC 27603**

**Phone: 919-527-6421**

**E-Mail: carlotta.dixon@dhhs.nc.gov**

**Agency Contact, if any: Same**

**Phone:**

**E-Mail:**

**11. Signature of Agency Head\* or Rule-making Coordinator:**



**\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name: Carlotta Dixon**

**Title: Program Compliance Section Chief**

### RRC AND OAH USE ONLY

**Action taken:**

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

**SUBMISSION FOR PERMANENT RULE**

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70M .0603 Requirements	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: August 15, 2016 Link to Agency notice: <a href="https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm">https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm</a> Hearing on: October 12, 2016 at 10:00a.m. Adoption by Agency on: November 9, 2016 at 10:00a.m. <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input checked="" type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required 10A NCAC 70A .0103
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input checked="" type="checkbox"/> Federal statute / cite: Public Law 110-351 <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-241 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> 10A NCAC 70B .0102; 70M .0402, .0603; 70P .0101-.0105 - Public Law 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008, provides states with the option to continue providing Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to children up to the age of 21. If a state opts in expanding IV-E foster care to age 21, then they must extend adoption assistance and guardianship assistance to age 21 for youth adopted from foster care at 16 and 17 years of age and continue to meet the educational or employment requirements. The North Carolina Session Law 2015-241 2015 Appropriations Act rewrites G.S. 131D-10.10 to charge the Social Services Commission with the power and duty to "adopt any rules necessary for the expansion of foster care for individuals who attained the age of 18 years and chosen to continue receiving foster care services to 21 years of age in accordance with G.S. 131D-10.10." Additionally, state law requires the Department of Health and Human Services, Division of Social Services (Division), to develop a plan for the expansion of foster care services for individuals who have attained the age of 18 years old and opt to continue receiving foster care services until reaching 21 years of age to be implemented by January 1, 2017. Per federal law, this plan must also include the expansion of adoption assistance. Research has consistently shown that youth who remain in care beyond age 18 receive additional independent living services, progress further in their education, experience less economic hardship, and experience less involvement with the criminal justice system than those who exit care at 18. Expanded foster care provides for positive outcomes for youth in care and has demonstrated cost savings for states by decreasing welfare, Medicaid, and criminal justice expenses over time. Session Law 2015-241, Section 12C.4 provides instructions to county child welfare agencies on how to implement Guardianship Assistance Programs in their counties. Guardianship assistance provides and alternative route to permanence when reunification and adoption has been ruled out as appropriate plans for youth. Guardianship assistance is also sensitive to potential guardians' and children's concerns about adoption and provides permanence for youth who would otherwise remain in foster care for the same period of time during which guardianship assistance benefits are provided. Guardianship assistance benefits will increase the number of youth exiting care to permanence by providing continued funds to assist in the cost of care for the youth. Some guardians currently receive WFFA child-only benefits when assuming guardianship of a youth while others may qualify for no benefits, resulting in a significant loss of financial support. Licensed caretakers often refuse to assume guardianship of the youth recognizing that remaining in care provides additional benefits and support for the youth. The Guardianship Assistance Program will address this disincentive to obtaining permanence.	

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ORIGINAL

### SUBMISSION FOR PERMANENT RULE

**10. Rule-making Coordinator: Carlotta Dixon**  
Address: 820 South Boylan Avenue  
MSC 2402, Raleigh, NC 27603  
Phone: 919-527-6421  
E-Mail: carlotta.dixon@dhhs.nc.gov

Agency Contact, if any: Same  
Phone:  
E-Mail:

**11. Signature of Agency Head\* or Rule-making Coordinator:**



\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Carlotta Dixon  
Title: Program Compliance Section Chief

**RRC AND OAH USE ONLY**

**Action taken:**

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

ORIGINAL

# SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70P .0101 Scope	
<b>3. Action:</b> <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO <b>N</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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2016 DEC -5 PM 12:55  
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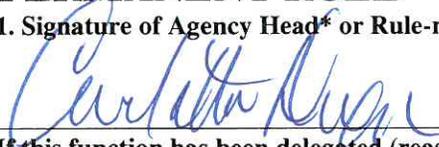
## SUBMISSION FOR PERMANENT RULE

ORIGINAL

**10. Rule-making Coordinator: Carlotta Dixon**  
Address: 820 South Boylan Avenue  
MSC 2402, Raleigh, NC 27603  
Phone: 919-527-6421  
E-Mail: carlotta.dixon@dhhs.nc.gov

Agency Contact, if any: Same  
Phone:  
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**11. Signature of Agency Head\* or Rule-making Coordinator:**



**\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Carlotta Dixon  
Title: Program Compliance Section Chief

### RRC AND OAH USE ONLY

**Action taken:**

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

ORIGINAL

# SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70P .0102 Purpose	
<b>3. Action:</b> <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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2016 DEC -5 PM 12: 56  
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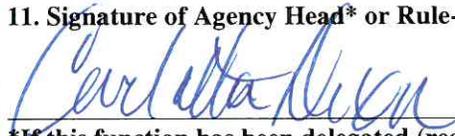
## SUBMISSION FOR PERMANENT RULE

ORIGINAL

10. Rule-making Coordinator: Carlotta Dixon  
Address: 820 South Boylan Avenue  
MSC 2402, Raleigh, NC 27603  
Phone: 919-527-6421  
E-Mail: carlotta.dixon@dhhs.nc.gov

Agency Contact, if any: Same  
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E-Mail:

11. Signature of Agency Head\* or Rule-making Coordinator:



\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Carlotta Dixon  
Title: Program Compliance Section Chief

### RRC AND OAH USE ONLY

Action taken:

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

# SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70P .0103 Definitions	
<b>3. Action:</b> <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO <b>N</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: August 15, 2016 Link to Agency notice: <a href="https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm">https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm</a> Hearing on: October 12, 2016 at 10:00a.m. Adoption by Agency on: November 9, 2016 at 10:00a.m. <input type="checkbox"/> <b>Notice not required under G.S.:</b> Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b>  <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input checked="" type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required 10A NCAC 70A .0103
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input checked="" type="checkbox"/> Federal statute / cite: Public Law 110-351 <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-241 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> 10A NCAC 70B .0102; 70M .0402, .0603; 70P .0101-.0105 - Public Law 110-351, <i>Fostering Connections to Success and Increasing Adoptions Act of 2008</i> , provides states with the option to continue providing Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to children up to the age of 21. If a state opts in expanding IV-E foster care to age 21, then they must extend adoption assistance and guardianship assistance to age 21 for youth adopted from foster care at 16 and 17 years of age and continue to meet the educational or employment requirements. The North Carolina Session Law 2015-241 2015 Appropriations Act rewrites G.S. 131D-10.10 to charge the Social Services Commission with the power and duty to "adopt any rules necessary for the expansion of foster care for individuals who attained the age of 18 years and chosen to continue receiving foster care services to 21 years of age in accordance with G.S. 131D-10.10." Additionally, state law requires the Department of Health and Human Services, Division of Social Services (Division), to develop a plan for the expansion of foster care services for individuals who have attained the age of 18 years old and opt to continue receiving foster care services until reaching 21 years of age to be implemented by January 1, 2017. Per federal law, this plan must also include the expansion of adoption assistance. Research has consistently shown that youth who remain in care beyond age 18 receive additional independent living services, progress further in their education, experience less economic hardship, and experience less involvement with the criminal justice system than those who exit care at 18. Expanded foster care provides for positive outcomes for youth in care and has demonstrated cost savings for states by decreasing welfare, Medicaid, and criminal justice expenses over time. Session Law 2015-241, Section 12C.4 provides instructions to county child welfare agencies on how to implement Guardianship Assistance Programs in their counties. Guardianship assistance provides and alternative route to permanence when reunification and adoption has been ruled out as appropriate plans for youth. Guardianship assistance is also sensitive to potential guardians' and children's concerns about adoption and provides permanence for youth who would otherwise remain in foster care for the same period of time during which guardianship assistance benefits are provided. Guardianship assistance benefits will increase the number of youth exiting care to permanence by providing continued funds to assist in the cost of care for the youth. Some guardians currently receive WFFA child-only benefits when assuming guardianship of a youth while others may qualify for no benefits, resulting in a significant loss of financial support. Licensed caretakers often refuse to assume guardianship of the youth recognizing that remaining in care provides additional benefits and support for the youth. The Guardianship Assistance Program will address this disincentive to obtaining permanence.	

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## SUBMISSION FOR PERMANENT RULE

ORIGINAL

10. Rule-making Coordinator: Carlotta Dixon  
Address: 820 South Boylan Avenue  
MSC 2402, Raleigh, NC 27603  
Phone: 919-527-6421  
E-Mail: carlotta.dixon@dhhs.nc.gov

Agency Contact, if any: Same  
Phone:  
E-Mail:

11. Signature of Agency Head\* or Rule-making Coordinator:



\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Carlotta Dixon  
Title: Program Compliance Section Chief

RRC AND OAH USE ONLY

**Action taken:**

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

# SUBMISSION FOR PERMANENT RULE

ORIGINAL

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70P .0104 Guardianship Assistance Program Eligibility	
<b>3. Action:</b> <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO <b>N</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: August 15, 2016 Link to Agency notice: <a href="https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm">https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm</a> Hearing on: October 12, 2016 at 10:00a.m. Adoption by Agency on: November 9, 2016 at 10:00a.m. <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b>  <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input checked="" type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required 10A NCAC 70A .0103
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input checked="" type="checkbox"/> Federal statute / cite: Public Law 110-351 <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-241 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> 10A NCAC 70B .0102; 70M .0402, .0603; 70P .0101-.0105 - Public Law 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008, provides states with the option to continue providing Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to children up to the age of 21. If a state opts in expanding IV-E foster care to age 21, then they must extend adoption assistance and guardianship assistance to age 21 for youth adopted from foster care at 16 and 17 years of age and continue to meet the educational or employment requirements. The North Carolina Session Law 2015-241 2015 Appropriations Act rewrites G.S. 131D-10.10 to charge the Social Services Commission with the power and duty to "adopt any rules necessary for the expansion of foster care for individuals who attained the age of 18 years and chosen to continue receiving foster care services to 21 years of age in accordance with G.S. 131D-10.10." Additionally, state law requires the Department of Health and Human Services, Division of Social Services (Division), to develop a plan for the expansion of foster care services for individuals who have attained the age of 18 years old and opt to continue receiving foster care services until reaching 21 years of age to be implemented by January 1, 2017. Per federal law, this plan must also include the expansion of adoption assistance. Research has consistently shown that youth who remain in care beyond age 18 receive additional independent living services, progress further in their education, experience less economic hardship, and experience less involvement with the criminal justice system than those who exit care at 18. Expanded foster care provides for positive outcomes for youth in care and has demonstrated cost savings for states by decreasing welfare, Medicaid, and criminal justice expenses over time. Session Law 2015-241, Section 12C.4 provides instructions to county child welfare agencies on how to implement Guardianship Assistance Programs in their counties. Guardianship assistance provides and alternative route to permanence when reunification and adoption has been ruled out as appropriate plans for youth. Guardianship assistance is also sensitive to potential guardians' and children's concerns about adoption and provides permanence for youth who would otherwise remain in foster care for the same period of time during which guardianship assistance benefits are provided. Guardianship assistance benefits will increase the number of youth exiting care to permanence by providing continued funds to assist in the cost of care for the youth. Some guardians currently receive WFFA child-only benefits when assuming guardianship of a youth while others may qualify for no benefits, resulting in a significant loss of financial support. Licensed caretakers often refuse to assume guardianship of the youth recognizing that remaining in care provides additional benefits and support for the youth. The Guardianship Assistance Program will address this disincentive to obtaining permanence.	

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ORIGINAL

### SUBMISSION FOR PERMANENT RULE

**10. Rule-making Coordinator: Carlotta Dixon**  
Address: 820 South Boylan Avenue  
MSC 2402, Raleigh, NC 27603  
Phone: 919-527-6421  
E-Mail: carlotta.dixon@dhhs.nc.gov

Agency Contact, if any: Same  
Phone:  
E-Mail:

**11. Signature of Agency Head\* or Rule-making Coordinator:**



\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Carlotta Dixon  
Title: Program Compliance Section Chief

#### RRC AND OAH USE ONLY

**Action taken:**

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

ORIGINAL

# SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: Social Services Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal):</b> 10A NCAC 70P .0105 Guardianship Assistance Program Requirements	
<b>3. Action:</b> <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO <b>N</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: August 15, 2016 Link to Agency notice: <a href="https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm">https://www2.ncdhhs.gov/dss/sscommission/pubnot.htm</a> Hearing on: October 12, 2016 at 10:00a.m. Adoption by Agency on: November 9, 2016 at 10:00a.m. <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b>  <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input checked="" type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required 10A NCAC 70A .0103
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input checked="" type="checkbox"/> Federal statute / cite: Public Law 110-351 <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-241 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> 10A NCAC 70B .0102; 70M .0402, .0603; 70P .0101-.0105 - Public Law 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008, provides states with the option to continue providing Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to children up to the age of 21. If a state opts in expanding IV-E foster care to age 21, then they must extend adoption assistance and guardianship assistance to age 21 for youth adopted from foster care at 16 and 17 years of age and continue to meet the educational or employment requirements. The North Carolina Session Law 2015-241 2015 Appropriations Act rewrites G.S. 131D-10.10 to charge the Social Services Commission with the power and duty to "adopt any rules necessary for the expansion of foster care for individuals who attained the age of 18 years and chosen to continue receiving foster care services to 21 years of age in accordance with G.S. 131D-10.10." Additionally, state law requires the Department of Health and Human Services, Division of Social Services (Division), to develop a plan for the expansion of foster care services for individuals who have attained the age of 18 years old and opt to continue receiving foster care services until reaching 21 years of age to be implemented by January 1, 2017. Per federal law, this plan must also include the expansion of adoption assistance. Research has consistently shown that youth who remain in care beyond age 18 receive additional independent living services, progress further in their education, experience less economic hardship, and experience less involvement with the criminal justice system than those who exit care at 18. Expanded foster care provides for positive outcomes for youth in care and has demonstrated cost savings for states by decreasing welfare, Medicaid, and criminal justice expenses over time. Session Law 2015-241, Section 12C.4 provides instructions to county child welfare agencies on how to implement Guardianship Assistance Programs in their counties. Guardianship assistance provides and alternative route to permanence when reunification and adoption has been ruled out as appropriate plans for youth. Guardianship assistance is also sensitive to potential guardians' and children's concerns about adoption and provides permanence for youth who would otherwise remain in foster care for the same period of time during which guardianship assistance benefits are provided. Guardianship assistance benefits will increase the number of youth exiting care to permanence by providing continued funds to assist in the cost of care for the youth. Some guardians currently receive WFFA child-only benefits when assuming guardianship of a youth while others may qualify for no benefits, resulting in a significant loss of financial support. Licensed caretakers often refuse to assume guardianship of the youth recognizing that remaining in care provides additional benefits and support for the youth. The Guardianship Assistance Program will address this disincentive to obtaining permanence.	

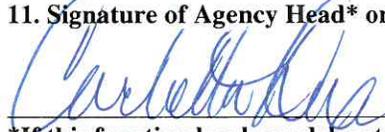
OFFICE OF ADMIN HEARINGS  
2016 DEC -5 PM 12:56  
FILED

## SUBMISSION FOR PERMANENT RULE

**10. Rule-making Coordinator: Carlotta Dixon**  
Address: 820 South Boylan Avenue  
MSC 2402, Raleigh, NC 27603  
Phone: 919-527-6421  
E-Mail: carlotta.dixon@dhhs.nc.gov

Agency Contact, if any: Same  
Phone:  
E-Mail:

**11. Signature of Agency Head\* or Rule-making Coordinator:**



\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Carlotta Dixon  
Title: Program Compliance Section Chief

### RRC AND OAH USE ONLY

**Action taken:**

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:









12/20/16

SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: State Human Resources Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal): 25 NCAC 01D .0101 COMPENSATION PLAN</b>	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: September 1, 2016 Link to Agency notice: <a href="http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking">http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking</a> Hearing on: September 20, 2016 Adoption by Agency on: December 1, 2016 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> These amendments conform to recent changes made by the State Human Resources Commission to the statewide Salary Administration Policy.	
<b>10. Rule-making Coordinator: Margaret Duke</b> Address: 1331 Mail Service Center Raleigh, NC 27608 Phone: (919) 807-4869 E-Mail: <a href="mailto:margaret.b.duke@nc.gov">margaret.b.duke@nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Margaret Duke Title: Rule-making Coordinator
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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FILED

12/20/16

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Human Resources Commission

2. Rule citation & name (name not required for repeal): 25 NCAC 01D .0102 SALARY RANGES

3. Action:
[ ] ADOPTION [x] AMENDMENT [ ] REPEAL [ ] READoption

4. Rule exempt from RRC review?
[ ] Yes. Cite authority:
[x] No

5. Rule automatically subject to legislative review?
[ ] Yes. Cite authority:
[x] No

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6. Notice for Proposed Rule:
[x] Notice Required
Notice of Text published on: September 1, 2016
Link to Agency notice: http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking
Hearing on: September 20, 2016
Adoption by Agency on: December 1, 2016
[ ] Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
[ ] Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
[x] No

8. Fiscal impact (check all that apply):
[ ] State funds affected
[ ] Environmental permitting of DOT affected and analysis submitted to Board of Transportation
[ ] Local funds affected
[ ] Substantial economic impact (>=\$1,000,000)
[ ] Approved by OSBM
[x] No fiscal note required

9. REASON FOR ACTION
9A. What prompted this action? Check all that apply:
[x] Agency
[ ] Court order / cite:
[ ] Federal statute / cite:
[ ] Federal regulation / cite:
[ ] Legislation enacted by the General Assembly
Cite Session Law:
[ ] Petition for rule-making
[ ] Other:
9B. Explain: These amendments conform to recent changes made by the State Human Resources Commission to the statewide Salary Administration Policy.

10. Rule-making Coordinator: Margaret Duke
Address: 1331 Mail Service Center
Raleigh, NC 27608
Phone: (919) 807-4869
E-Mail: margaret.b.duke@nc.gov
Agency Contact, if any:
Phone:
E-Mail:

11. Signature of Agency Head\* or Rule-making Coordinator:
Margaret Duke
\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Typed Name: Margaret Duke
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
[ ] RRC extended period of review:
[ ] RRC determined substantial changes:
[ ] Withdrawn by agency
[ ] Subject to Legislative Review
[ ] Other:





12/20/16

**SUBMISSION FOR PERMANENT RULE**

<b>1. Rule-Making Agency: State Human Resources Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal): 25 NCAC 01D .0114 BREAK IN SERVICE</b>	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: September 1, 2016 Link to Agency notice: <a href="http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking">http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking</a> Hearing on: September 20, 2016 Adoption by Agency on: December 1, 2016 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b>  <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:  <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b>  <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
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<b>9B. Explain:</b> These amendments are technical.	
<b>10. Rule-making Coordinator: Margaret Duke</b> Address: 1331 Mail Service Center Raleigh, NC 27608 Phone: (919) 807-4869 E-Mail: <a href="mailto:margaret.b.duke@nc.gov">margaret.b.duke@nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>   <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Margaret Duke Title: Rule-making Coordinator
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<b>Action taken:</b>  <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 2016 DEC 20 PM 4: 06  
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12/20/16

SUBMISSION FOR PERMANENT RULE

<b>1. Rule-Making Agency: State Human Resources Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal): 25 NCAC 01D .0301 DEFINITION AND POLICY</b>	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> These amendments conform to recent changes made by the State Human Resources Commission to the statewide Salary Administration Policy. The other change is technical.	
<b>10. Rule-making Coordinator: Margaret Duke</b> Address: 1331 Mail Service Center Raleigh, NC 27608 Phone: (919) 807-4869 E-Mail: <a href="mailto:margaret.b.duke@nc.gov">margaret.b.duke@nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b>   <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Margaret Duke Title: Rule-making Coordinator
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b>  <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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**SUBMISSION FOR PERMANENT RULE**

1. Rule-Making Agency: State Human Resources Commission	
2. Rule citation & name (name not required for repeal): 25 NCAC 01D .0401 DEFINITION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: September 1, 2016 Link to Agency notice: <a href="http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking">http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking</a> Hearing on: September 20, 2016 Adoption by Agency on: December 1, 2016 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: These amendments conform to recent changes made by the State Human Resources Commission to the statewide Salary Administration Policy.	
10. Rule-making Coordinator: Margaret Duke Address: 1331 Mail Service Center Raleigh, NC 27608 Phone: (919) 807-4869 E-Mail: <a href="mailto:margaret.b.duke@nc.gov">margaret.b.duke@nc.gov</a>  Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  Typed Name: Margaret Duke Title: Rule-making Coordinator
<b>RRC AND OAH USE ONLY</b>	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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**SUBMISSION FOR PERMANENT RULE**

<b>1. Rule-Making Agency: State Human Resources Commission</b>	
<b>2. Rule citation &amp; name (name not required for repeal): 25 NCAC 01D .2701 SEVERANCE SALARY CONTINUATION POLICY</b>	
<b>3. Action:</b> <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input checked="" type="checkbox"/> READOPTIO <b>N</b>	
<b>4. Rule exempt from RRC review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	<b>5. Rule automatically subject to legislative review?</b> <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
<b>6. Notice for Proposed Rule:</b> <input checked="" type="checkbox"/> <b>Notice Required</b> Notice of Text published on: September 1, 2016 Link to Agency notice: <a href="http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking">http://oshr.nc.gov/about-oshr/state-hr-commission/proposed-rulemaking</a> Hearing on: September 20, 2016 Adoption by Agency on: December 1, 2016 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
<b>7. Rule establishes or increases a fee? (See G.S. 12-3.1)</b> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	<b>8. Fiscal impact (check all that apply):</b> <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<b>9. REASON FOR ACTION</b>	
<b>9A. What prompted this action? Check all that apply:</b> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2014-120 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
<b>9B. Explain:</b> This rule is readopted with no changes.	
<b>10. Rule-making Coordinator: Margaret Duke</b> Address: 1331 Mail Service Center Raleigh, NC 27608 Phone: (919) 807-4869 E-Mail: <a href="mailto:margaret.b.duke@nc.gov">margaret.b.duke@nc.gov</a>  <b>Agency Contact, if any:</b> Phone: E-Mail:	<b>11. Signature of Agency Head* or Rule-making Coordinator:</b> <div style="text-align:center;"></div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  <b>Typed Name: Margaret Duke</b> <b>Title: Rule-making Coordinator</b>
<b>RRC AND OAH USE ONLY</b>	
<b>Action taken:</b> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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