

Commission Review
Log of Permanent Rule Filings
November 22, 2016 through December 20, 2016

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

INDUSTRIAL COMMISSION

The rules in Chapter 10 are from the Industrial Commission. The rules in Subchapter 10A concern workers' compensation rules including administration (.0100); notice of act (.0200); insurance (.0300); disability, compensation, fees (.0400); agreements (.0500); claims administration and procedures (.0600); appeals (.0700); rules of the commission (.0800); report of earnings (.0900); and preauthorization for medical treatment (.1000).

Electronic Filings with the Commission; How to File 04 NCAC 10A .0108
 Amend/*

HHS - MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES, DIVISION OF

The rules in Subchapter 26C concern other general mental health rules including designation of facilities for the custody and treatment of involuntary clients (.0100); research (.0200); death reporting (.0300); miscellaneous (.0400); summary suspension and revocation (.0500); removal of local management entity functions (.0600); and county disengagement from a local management entity-managed care organization (.0700).

Scope 10A NCAC 26C .0701
 Adopt/*
County Request to Disengage from a Local Management Entit... 10A NCAC 26C .0702
 Adopt/*
Secretary Response to County Requests to Disengage from a... 10A NCAC 26C .0703
 Adopt/*

MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES, COMMISSION FOR

The rules in Chapter 27 concern mental health community facilities and services. The rules in Subchapter 27G are from either the department or the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services including general information (.0100); operation and management rules (.0200); physical plant rules (.0300); facility licensing procedures (.0400); area program requirements (.0500); area authority or county program monitoring of facilities and services (.0600); accreditation of area programs and services (.0700); waivers and appeals (.0800); general rules for infants and toddlers (.0900); partial hospitalization for individuals who are mentally ill (.1100); psychological rehabilitation facilities for individuals with severe and persistent mental illness (.1200); residential treatment for children and adolescents who are emotionally disturbed or who have a mental illness (.1300); day treatment for children and adolescents with emotional or behavioral disturbances (.1400); intensive residential treatment for children and adolescents who are emotionally disturbed or who have a mental illness (.1500); residential treatment staff secure facilities for children or adolescents (.1700); psychiatric residential treatment facilities for children and adolescents (.1900); specialized community residential centers for individuals with developmental disabilities (.2100); before/after school and summer developmental day services for children with or at risk for developmental delays or disabilities, or atypical development (.2200); adult developmental and

vocational programs for individuals with developmental disabilities (.2300); developmental day services for children with or at risk for developmental delays or disabilities, or atypical development (.2400); early childhood intervention services (ECIS) for children with an at risk for developmental delays or disabilities, or atypical development and their families (.2500); nonhospital medical detoxification for individuals who are substance abusers (.3100); social setting detoxification for substance abuse (.3200); outpatient detoxification for substance abuse (.3300); residential treatment/rehabilitation for individuals with substance abuse disorders (.3400); outpatient facilities for individuals with substance abuse disorders (.3500); outpatient opioid treatment (.3600); day treatment facilities for individuals with substance abuse disorders (.3700); substance abuse services for DWI offenders (.3800); drug education schools (DES) (.3900); treatment alternatives to street crimes (TASC) (.4000); substance abuse primary prevention services (.4200); therapeutic community (.4300); facility based crises services for individual of all disability groups (.5000); community respite services for individuals of all disability groups (.5100); residential therapeutic (habilitative) camps for children and adolescents of all disability groups (.5200); day activity for individuals of all disability groups (.5400); sheltered workshops for individuals of all disability groups (.5500); supervised living for individuals of all disability groups (.5600); assertive community treatment service (.5700); supportive employment for individuals of all disability groups (.5800); case management for individuals of all disability groups (.5900); inpatient hospital treatment for individuals who have mental illness or substance abuse disorders (.6000); emergency services for individuals of all disability groups (.6100); outpatient services for individuals of all disability groups (.6200); companion respite services for individuals of all disability groups (.6300); personal assistants for individuals of all disabilities groups (.6400); employment assistance programs (.6500); specialized foster care services (.6600); forensic screening and evaluation services for individuals of all disability groups (.6700); prevention services (.6800); consultation and education services (.6900); local management entity response to complaints (.7000); and target population (.7100).

Operations
Amend/*

10A NCAC 27G .6702

Subchapter 27H concerns miscellaneous rules including admission procedures for minors or incompetent persons to nonrestrictive treatment facilities (.0100); training and registration of forensic evaluators (.0200); Hepatitis B screening and vaccination of residents and employees in group homes for developmentally disabled persons (.0300); client eligibility (.0400); surrogate parents for infants and toddlers in early intervention services (.0500); and continuity of care (.0600).

Scope
Amend/*

10A NCAC 27H .0201

Definitions
Amend/**

10A NCAC 27H .0202

Eligibility for Training
Amend/**

10A NCAC 27H .0203

Training and Certification
Amend/*

10A NCAC 27H .0204

LME-MCO Oversight of Forensic Evaluator Program
Amend/**

10A NCAC 27H .0205

Termination of Certification
Amend/**

10A NCAC 27H .0206

Duties of Certified Forensic Evaluator
Amend/**

10A NCAC 27H .0207

SOCIAL SERVICES COMMISSION

The rules in Chapter 70 are from the Social Services Commission and deal with children's services.

The rules in Subchapter 70A deal with protective services including general (.0100); and community child protection teams (.0200).

Reports of Neglect, Abuse or Dependency 10A NCAC 70A .0103
Amend/*

The rules in Subchapter 70B concern foster care services including general provisions (.0100); resource items to support school participation (.0200); and risk assessment (.0300).

Eligibility 10A NCAC 70B .0102
Amend/*

The rules in Subchapter 70M concern adoption standards including general provisions (.0100); organization and administration (.0200); functions of an adoption agency (.0300); adoption assistance (.0400); out-of-state adoption fees (.0500); and non-recurring adoption costs (.0600).

Eligibility Requirements for Regular Monthly Cash Assista... 10A NCAC 70M .0402
Amend/*

Requirements 10A NCAC 70M .0603
Amend/*

The rules in Subchapter 70P concern the guardianship assistance program.

Scope 10A NCAC 70P .0101
Adopt/*

Purpose 10A NCAC 70P .0102
Adopt/*

Definitions 10A NCAC 70P .0103
Adopt/*

Guardianship Assistance Program Eligibility 10A NCAC 70P .0104
Adopt/*

Guardianship Assistance Program Requirements 10A NCAC 70P .0105
Adopt/*

COASTAL RESOURCES COMMISSION

The rules in Subchapter 7H are the state guidelines for areas of environmental concern (AECs) including introduction and general comments (.0100); the estuarine system (.0200); ocean hazard areas (.0300); public water supplies (.0400); natural and cultural resource areas (.0500); development standards (.0600); general permits for construction or maintenance of bulkheads and the placement of riprap for shoreline protection in estuarine and public trust waters (.1100); piers, docks and boat houses in estuarine and public trust waters (.1200); general permit to construct boat ramps along estuarine and public trust shorelines and into estuarine and public trust waters (.1300); groins in estuarine and public trust waters (.1400); excavation within or connecting to existing canals, channels, basins, or ditches in estuarine waters, public trust waters, and estuarine shoreline AECs (.1500); aerial and subaqueous utility lines with attendant structures in coastal wetlands, estuarine

waters, public trust waters and estuarine shorelines (.1600); emergency work requiring a CAMA or a dredge and fill permit (.1700); beach bulldozing landward of the mean high-water mark in the ocean hazard AEC (.1800); temporary structures within the estuarine and ocean hazard AECs (.1900); authorizing minor modifications and repair to existing pier/mooring facilities in estuarine and public trust waters and ocean hazard areas (.2000); construction of sheetpile sill for shoreline protection in estuarine and public trust waters (.2100); construction of freestanding moorings in established waters and public trust areas (.2200); replacement of existing bridges and culverts in estuarine waters, estuarine shorelines, public trust areas and coastal wetlands (.2300); placement of riprap for wetland protection in estuarine and public trust waters (.2400); replacement of structures; the reconstruction of primary or frontal dune systems; and the maintenance excavation of existing canals, basins, channels, or ditches, damaged, destroyed, or filled in by hurricanes or tropical storms (.2500); construction of wetland, stream and buffer mitigation sites by the North Carolina Ecosystem Enhancement Program or the North Carolina Wetlands Restoration Program (.2600); and the construction of riprap sills for wetland enhancement in estuarine and public trust waters (.2700).

General Use Standards for Ocean Hazard Areas
Amend/*

15A NCAC 07H .0306

PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, BOARD OF EXAMINERS OF

The rules in Chapter 50 are from the Plumbing, Heating and Fire Sprinkler Contractors including rules about organization (.0100); forms (.0200); examinations (.0300); general procedures (.0400); policy statements and interpretative rules (.0500); contested cases (.1000); fees (.1100); petitions for rules (.1200); declaratory rulings (.1300); and continuing education (.1400).

State and Local Government Plumbing or Heating Technician
Adopt/*

21 NCAC 50 .0312

Responsibilities of State and Local Government Technician...
Adopt/*

21 NCAC 50 .0313

Multiple Licenses
Amend/*

21 NCAC 50 .0405

Supervision in Absence of Inspection
Adopt/*

21 NCAC 50 .0414

Fees for Copies of Records and Returned Checks
Amend/*

21 NCAC 50 .1104

STATE HUMAN RESOURCES COMMISSION

The rules in Subchapter 1C concern personnel administration including employment (.0100); general employment policies (.0200); personnel records and reports (.0300); appointment (.0400); work schedule (.0500); competitive service (.0600); secondary employment (.0700); requirements for teleworking programs (.0800); employee recognition programs (.0900); and separation (.1000).

Permanent and Time-Limited Appointment
Amend/*

25 NCAC 01C .0402

Reduction in Force
Amend/*

25 NCAC 01C .1004

The rules in Subchapter 1D are the rules dealing with compensation and include administration of the pay plan (.0100); new appointments (.0200); promotion (.0300); demotions or reassignments (.0400); separation (.0500); reallocation (.0600); salary range revision (.0700); initial classification (.0800);

transfer (.0900); reinstatement (.1000); longevity pay (.1200); holiday premium pay (.1300); shift premium pay (.1400); emergency call-back pay (.1500); foreign service pay (.1600); employment of physicians for extended duty (.1800); hours of work and overtime compensation (.1900); unemployment insurance (.2000); special salary adjustments (.2100); comprehensive compensation system (.2500); and in-range salary adjustments (.2600).

<u>Compensation Plan Philosophy and Plan</u> Amend/*	25	NCAC 01D .0101
<u>Salary Structures</u> Amend/*	25	NCAC 01D .0102
<u>Pay Status</u> Amend/*	25	NCAC 01D .0105
<u>Total State Service Defined</u> Amend/*	25	NCAC 01D .0112
<u>Break in Service</u> Amend/*	25	NCAC 01D .0114
<u>Initial Employment</u> Readopt with Changes/*	25	NCAC 01D .0201
<u>Promotion</u> Amend/*	25	NCAC 01D .0301
<u>Demotion and Reassignment</u> Amend/*	25	NCAC 01D .0401
<u>Reallocation</u> Amend/*	25	NCAC 01D .0608
<u>Lateral Transfer</u> Amend/*	25	NCAC 01D .0901
<u>Reinstatement</u> Amend/*	25	NCAC 01D .1001
<u>Severance Salary Continuation Policy</u> Readopt without Changes/*	25	NCAC 01D .2701
<u>Severance Salary Continuation Eligibility</u> Amend/*	25	NCAC 01D .2702

The rules in Subchapter 1O are rules dealing with the performance management system.

<u>Performance Management Covered Employees</u> Amend/*	25	NCAC 01O .0108
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