

REQUEST FOR TECHNICAL CHANGE

AGENCY: Midwifery Joint Committee

RULE CITATION: All Rules Submitted

DEADLINE FOR RECEIPT: Thursday, February 9, 2017

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

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

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

On the Submission for Permanent Rule form, Box 6, please correct the date of adoption by the agency. An agency cannot adopt the rules after approval by RRC. Did you intend to state January 20, 2017 (which appears to be the date from a review of the Board of Nursing's website)?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: January 26, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: Midwifery Joint Committee

RULE CITATION: 21 NCAC 33 .0103

DEADLINE FOR RECEIPT: Thursday, February 9, 2017

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

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

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

In the Submission for Permanent Rule form, Box 2, please delete the word "Amendment"

Also on the form, in Box 3, please remove the "P" before "Repeal"

In the Rule's Introductory Statement, line 1, the Rule was published in NCR 31:09.

Consider making this a two paragraph rule. Paragraph (a) would be lines 4-6 and Paragraph (b) would be lines 6-9.

On line 6, shouldn't "committee" be capitalized, pursuant to Rule 21 NCAC 33 .0101(a)?

21 NCAC 33 .0101 ADMINISTRATIVE BODY AND DEFINITIONS

(a) The responsibility for administering the provisions of G.S. 90, Article 10A shall be assumed by an administrative body, the Midwifery Joint Committee, hereinafter referred to as the "Committee." The certified nurse midwife shall hereinafter be referred to as "midwife."

On line 6, since I don't see that you give the website elsewhere, please insert the url here. "...on the North Carolina Board of Nursing website, www.ncbon.com."

On line 8, I suggest inserting a comma after "applicant"

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: January 26, 2017

Copy

1 21 NCAC 33 .0103 is amended as published in NCR 30:09, page 826-828, as follows:

2

3 **21 NCAC 33 .0103 APPLICATION FORM**

4 The application ~~form required by the committee to obtain approval to practice as a midwife is designated Form No.~~
5 ~~4~~ to obtain approval to practice as a midwife is electronically available ~~The form may be obtained~~ from the
6 committee on the North Carolina Board of Nursing website. The ~~form application~~ requires information on the
7 applicant's education, evidence of the applicant's certification by the American College of Nurse Midwives, ~~and~~
8 identification of the physician(s) who will supervise the applicant and the sites where the applicant intends to
9 practice midwifery.

10

11 *History Note:* Authority G.S. 90-178.4(b); 90-178.5;
12 Eff. February 1, 1984;
13 Amended Eff. March 1, 2017; January 1, 1989.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Midwifery Joint Committee

RULE CITATION: 21 NCAC 33 .0107

DEADLINE FOR RECEIPT: Thursday, February 9, 2017

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

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

In the Submission for Permanent Rule form, Box 2, please delete the word "Repeal"

In the Rule's Introductory Statement, line 1, the Rule was published in NCR 31:09.

In the Rule, you need to include the full History Note of the Rule and an effective date. For example:

21 NCAC 33 .0107 NURSE MIDWIFE APPLICANT STATUS

*History Note: Authority G.S. 90-178.2; 90-178.3; 90-178.5; 90-171.83;
 Eff. April 1, 2001;
 Repealed Eff. March 1, 2017.*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: January 26, 2017

Original

1 21 NCAC 33. 0107 is repealed as published in NCR 30:09, page 826-828, as follows:

2

3 **21 NCAC 33 .0107 Nurse Midwife Applicant Status**

4

5 *Authority G.S. 150B-21.1*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Midwifery Joint Committee

RULE CITATION: 21 NCAC 33 .0111

DEADLINE FOR RECEIPT: Thursday, February 9, 2017

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

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

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

In the Rule's Introductory Statement, line 1, the Rule was published in NCR 31:09.

On lines 4 and 5, what is "The Certificate of Maintenance Program" and why is the term capitalized?

On line 10, shouldn't "committee" be capitalized, pursuant to Rule 21 NCAC 33 .0101(a)?

On line 10, when will the Committee request this?

In the History Note, please put the citations in numerical order. It should be in the same order as you published it in the Register. Put the laws first and then the Session Law.

Please add an effective date for this Rule as well.

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: January 26, 2017

Copy

1 21 NCAC 33. 0111 is adopted as published in NCR 30:09, page 826-828, as follows:

2

3 **21 NCAC 33 .0111** **CONTINUING EDUCATION (CE)**

4 In order to maintain midwifery approval to practice, the midwife shall meet the requirements of The Certificate
5 Maintenance Program of the American College of Nurse-Midwives, including continuing education requirements.

6 Every midwife who prescribes controlled substances shall complete at least one hour of continuing education (CE)
7 hours annually consisting of CE designated specifically to address controlled substances prescribing practices, signs
8 of the abuse or misuse of controlled substances, and controlled substance prescribing for chronic pain management.

9 Documentation shall be maintained by the midwife for the previous five calendar years and made available upon
10 request to the committee.

11

12

13 Authority G.S. 90-14(a)(15); S.L. 2015-241, S. 12F .16(b); G.S. 90-5.1; G.S. 90-178.5(2).