

Commission Review

Log of Permanent Rule Filings

February 21, 2018 through March 20, 2018

AGRICULTURE, BOARD OF

The rules in Chapter 9 are from the Food and Drug Protection Division.

The rules in Subchapter 9B are the rules and standards adopted by reference.

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|-------------------------------------|----|------|-----|-------|
| <u>Adoptions by Reference</u> | 02 | NCAC | 09B | .0116 |
| Amend | | | | |
| <u>Defining Establishment</u> | 02 | NCAC | 09B | .0134 |
| Adopt | | | | |
| <u>Adulteration and Misbranding</u> | 02 | NCAC | 09B | .0135 |
| Adopt | | | | |

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).

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|---|----|------|-----|-------|
| <u>Computation of Time and Notice by the Commission</u> | 04 | NCAC | 10A | .0107 |
| Amend | | | | |

The rules in Subchapter 10M concern the utilization of opioids, related prescriptions, and pain management treatment in workers' compensation claims including general provisions (.0100); utilization rules for opioid and other pharmacological pain management treatment (.0200); utilization rules for opioid antagonists (.0300); utilization rules for nonpharmacological treatment for pain (.0400); and utilization rules for treatment for substance use disorder (.0500).

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|---|----|------|-----|-------|
| <u>Purpose and Applicability of the Rules</u> | 04 | NCAC | 10M | .0101 |
| Adopt | | | | |
| <u>Definitions</u> | 04 | NCAC | 10M | .0102 |
| Adopt | | | | |
| <u>Waiver of Rules</u> | 04 | NCAC | 10M | .0103 |
| Adopt | | | | |
| <u>First Prescription of Medication for Pain in an Acute Phase</u> | 04 | NCAC | 10M | .0201 |
| Adopt | | | | |
| <u>Prescription of Medication for Pain in an Acute Phase Fol...</u> | 04 | NCAC | 10M | .0202 |
| Adopt | | | | |
| <u>Prescription of Medication for Pain in a Chronic Phase</u> | 04 | NCAC | 10M | .0203 |
| Adopt | | | | |
| <u>Co-Prescription of Opioid Antagonist</u> | 04 | NCAC | 10M | .0301 |
| Adopt | | | | |
| <u>Nonpharmacological Treatment for Pain</u> | 04 | NCAC | 10M | .0401 |
| Adopt | | | | |

Treatment for Substance Use Disorder Involving a Targeted...
Adopt

04 NCAC 10M .0501

NAVIGATION AND PILOTAGE FOR THE CAPE FEAR RIVER AND BAR, COMMISSION OF

The rules in Chapter 15 concern navigation and pilotage for the cape fear river and bar.

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| <u>Number of Pilots</u> | 04 NCAC 15 .0119 |
| Readopt without Changes | |
| <u>Apprenticeship</u> | 04 NCAC 15 .0121 |
| Readopt without Changes | |
| <u>Incidents or Accidents Involving Pilots</u> | 04 NCAC 15 .0123 |
| Readopt without Changes | |
| <u>Movement of Vessels</u> | 04 NCAC 15 .0124 |
| Readopt without Changes | |
| <u>Pilotage Rates</u> | 04 NCAC 15 .0127 |
| Readopt without Changes | |
| <u>Fees</u> | 04 NCAC 15 .0128 |
| Readopt without Changes | |

WILDLIFE RESOURCES COMMISSION

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

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

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| <u>Possession of Certain Species of Wildlife Resources</u> | 15A NCAC 10B .0123 |
| Amend | |
| <u>Bear</u> | 15A NCAC 10B .0202 |
| Amend | |
| <u>Deer (White Tailed)</u> | 15A NCAC 10B .0203 |
| Amend | |
| <u>Rabbits</u> | 15A NCAC 10B .0207 |
| Amend | |
| <u>Pheasant (Nonnative Varieties)</u> | 15A NCAC 10B .0211 |
| Amend | |
| <u>Foxes (Gray and Red)</u> | 15A NCAC 10B .0212 |
| Amend | |
| <u>American Alligator</u> | 15A NCAC 10B .0224 |
| Adopt | |

The rules in Subchapter 10C cover inland fishing including jurisdictional issues involving the Marine Fisheries Commission (.0100); general rules (.0200); game fish (.0300); non-game fish (.0400); primary nursery areas (.0500); and anadromous fish spawning areas (.0600).

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| <u>Public Mountain Trout Waters</u> | 15A NCAC 10C .0205 |
| Amend | |
| <u>Black Bass</u> | 15A NCAC 10C .0305 |
| Amend | |
| <u>Trout</u> | 15A NCAC 10C .0316 |

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| Amend | |
| <u>Manner of Taking Nongame Fishes: Purchase and Sale</u> | 15A NCAC 10C .0401 |
| Amend | |
| <u>Taking Nongame Fishes for Bait or Personal Consumption</u> | 15A NCAC 10C .0402 |
| Amend | |

The rules in Subchapter 10D are game lands rules.

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|------------------------------|--------------------|
| <u>Hunting on Game Lands</u> | 15A NCAC 10D .0103 |
| Amend | |
| <u>Fishing on Game Lands</u> | 15A NCAC 10D .0104 |
| Amend | |

REVENUE, DEPARTMENT OF

The rules in Chapter 6 deal with individual income taxes.

The rules in Subchapter 6B concern individual income tax including filing rules (.0100); personal exemptions (.0300); annuities and pensions (.0400); general (.0500); other tax credits (.0600); active and reserve duty military pay (.0700); installment sales (.0800); sale of principal residence (.0900); private annuity transactions (.1000); involuntary conversation (.1100); cost basis of property (.1200); tenancy by the entirety (.1300); income and deductions of decedents (.1400); stock dividends and stock rights (.1500); basis of divested stock (.1600); exempt income (.1700); scholarship and fellowship grants (.1800); employee death benefits (.1900); depreciation and depletion (.2000); conservation and land clearing (.2100); travel expenses (.2200); education expenses (.2300); moving expenses (.2400); retirement plans (.2500); carry-over loss (.2600); interest deduction (.2700); taxes paid (.2800); casualty and theft losses (.2900); contributions (.3000); medical expenses (.3100); penalties individual income tax (.3200); accounting periods and methods (.3300); statute of limitations and federal changes (.3400); partnerships (.3500); life estate and remainder interest (.3600); estates and trusts (.3700); miscellaneous rules (.3800); non-residents and part-year residents (.3900) and S corporation (.4000).

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|---|-------------------|
| <u>Completing a Return</u> | 17 NCAC 06B .0104 |
| Amend | |
| <u>General</u> | 17 NCAC 06B .3501 |
| Amend | |
| <u>Partnership Returns</u> | 17 NCAC 06B .3503 |
| Amend | |
| <u>NonResident Partners</u> | 17 NCAC 06B .3513 |
| Amend | |
| <u>Income Tax Return for Estates and Trusts</u> | 17 NCAC 06B .3716 |
| Amend | |

The rules in Subchapter 6C concern the withholding of individual income taxes including withholding requirements (.0100), and the regulation of reporting and paying of income tax withheld (.0200).

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| <u>Additional Withholding Allowances</u> | 17 NCAC 06C .0124 |
| Amend | |

TRANSPORTATION, DEPARTMENT OF/DIVISION OF MOTOR VEHICLES

The rules in Chapter 3 are from the Division of Motor Vehicles.

The rules in Subchapter 3D are from the enforcement section and include general information (.0100); motor vehicle dealer, sales, distributor and factory representative licenses (.0200); motor vehicle thefts (.0300); notice of sale and stored vehicles (.0400); general information regarding safety inspection of motor vehicles (.0500); weight of vehicles and registration enforcement (.0600); approval of motor vehicles safety equipment (.0700); safety rules and regulations (.0800); and approval of sun screening devices (.0900).

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|---|--------------------|
| <u>Business Records</u> | 19A NCAC 03D .0219 |
| Amend | |
| <u>Vehicle Records and Required Disclosures</u> | 19A NCAC 03D .0237 |
| Adopt | |

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Chapter 2 concern the retirement System.

The rules in Subchapter 2B concern the teachers' and state employees' retirement system including general provisions (.0100); administration (.0200); beneficiaries (.0300) employer contributions (.0400); types of retirement (.0500); leaves of absence (.0700); military service (inchoate rights only) (.0800); out-of-state service (inchoate rights only) (.0900) prior service (.1000); voluntary withdrawn contributions (.1100); and delayed purchase of service credits (.1200).

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|---|-------------------|
| <u>Anti-Pension Spiking Contribution-Based Benefit Cap Facto...</u> | 20 NCAC 02B .0405 |
| Adopt | |

LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Subchapter 2C concern the local government employees' retirement system including general provisions (.0100); administration (.0200); beneficiaries (.0300); contributions (.0400); disability retirement (.0500); leaves of absence (.0700); membership (.0800); military service (inchoate rights only) (.0900); out-of-state service (inchoate rights only) (.1000) prior service (.1100); retirement allowances (.1200); voluntary withdrawn contributions (.1300); delayed purchase of service credits (.1500) and purchase of service credits for probationary regular employment (.1600).

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|---|-------------------|
| <u>Anti-Pension Spiking Contribution-Based Benefit Cap Facto...</u> | 20 NCAC 02C .0405 |
| Adopt | |

INTERPRETER AND TRANSLITERATOR LICENSING BOARD

The rules in Chapter 25 are from the Interpreter and Transliterato Board including general provisions (.0100); licensing (.0200); moral fitness for licensure (.0300); reporting and disclosure requirements (.0400); continuing education (.0500); administrative procedure (.0600); and sanctions (.0700).

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| <u>Renewal of a Provisional License</u> | 21 NCAC 25 .0205 |
| Readopt without Changes | |
| <u>Continuing Education Requirements</u> | 21 NCAC 25 .0501 |
| Readopt with Changes | |

MEDICAL BOARD

The rules in Subchapter 32M regulate the approval, registration and practice of nurse practitioners (.0100).

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|---|----|----------------|
| <u>Reporting Criteria</u> | 21 | NCAC 32M .0117 |
| Amend | | |
| <u>Definition of Consultation for Prescribing Targeted Contr...</u> | 21 | NCAC 32M .0118 |
| Adopt | | |

The rules in Subchapter 32S regulate physician assistants including physician assistant registration (.0200).

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|---|----|----------------|
| <u>Prescriptive Authority</u> | 21 | NCAC 32S .0212 |
| Amend | | |
| <u>Definition of Consultation for Prescribing Targeted Contr...</u> | 21 | NCAC 32S .0225 |
| Adopt | | |

NURSING, BOARD OF

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

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|---|----|---------------|
| <u>Reporting Criteria</u> | 21 | NCAC 36 .0815 |
| Amend | | |
| <u>Definition of Consultation for Prescribing Controlled Sub...</u> | 21 | NCAC 36 .0816 |
| Adopt | | |

REAL ESTATE COMMISSION

The rules in Chapter 58 are from the North Carolina Real Estate Commission.

The rules in Subchapter 58A are rules relating to real estate brokers and salesmen including rules dealing with general brokerage (.0100); application for license (.0300); examinations (.0400); licensing (.0500); real estate commission hearings (.0600); petitions for rules (.0700); rulemaking (.0800); declaratory rulings (.0900); real estate education and recovery fund (.1400); discriminatory practices prohibited (.1600); mandatory continuing education (.1700); limited nonresident commercial licensing (.1800); post-licensure education (.1900); annual reports (.2000); brokers in military service (.2100); and broker price opinions and comparative market analyses (.2200).

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|---|----|----------------|
| <u>Advertising</u> | 21 | NCAC 58A .0105 |
| Amend | | |
| <u>Delivery of Instruments</u> | 21 | NCAC 58A .0106 |
| Amend | | |
| <u>Retention of Records</u> | 21 | NCAC 58A .0108 |
| Amend | | |
| <u>Broker-In-Charge</u> | 21 | NCAC 58A .0110 |
| Amend | | |
| <u>Residential Property and Owners' Association Disclosure S...</u> | 21 | NCAC 58A .0114 |
| Amend | | |
| <u>License Renewal</u> | 21 | NCAC 58A .0503 |
| Amend | | |
| <u>Reinstatement of a License</u> | 21 | NCAC 58A .0505 |
| Amend | | |
| <u>Licensing of Persons Licensed in Another Jurisdiction</u> | 21 | NCAC 58A .0511 |

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|---|----|----------------|
| Amend | | |
| <u>Continuing Education Requirement</u> | 21 | NCAC 58A .1702 |
| Amend | | |
| <u>Continuing Education for License Activation</u> | 21 | NCAC 58A .1703 |
| Amend | | |
| <u>Continuing Education Required of Nonresident Brokers</u> | 21 | NCAC 58A .1711 |
| Amend | | |
| <u>Applicability</u> | 21 | NCAC 58A .2101 |
| Amend | | |

The rules in Subchapter 58B deal with time shares including time share project registration (.0100); public offering statement (.0200); cancellation (.0300); time share sales operation (.0400); handling and accounting of funds (.0500); project broker (.0600); and time share forms (.0700)

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| <u>Renewal of Time Share Project Registration</u> | 21 | NCAC 58B .0103 |
| Amend | | |

The rules in Subchapter 58G concern the administration of the Real Estate Commission.

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|--------------------|----|----------------|
| <u>Definitions</u> | 21 | NCAC 58G .0103 |
| Amend | | |

The rules in Subchapter 58H concern real estate education including general rules (.0100); real estate schools (.0200); approved instructors (.0300); and continuing education (.0400).

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| <u>Prelicensing and Postlicensing Roster Reporting</u> | 21 | NCAC 58H .0211 |
| Amend | | |
| <u>Renewal of Sponsor Approval</u> | 21 | NCAC 58H .0404 |
| Amend | | |