

G.S. 150B-21.3A Report for 21 NCAC Chapter 61, NORTH CAROLINA RESPIRATORY CARE BOARD

Agency - North Carolina Respiratory Care Board

Comment Period - October 31st thru December 31st, 2014 at 4:00 PM EST

Date Submitted to APO - June 22, 2015

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS	21 NCAC 61 .0101	PURPOSE	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0102	BOARD OFFICE	Eff. August 1, 2002	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	21 NCAC 61 .0103	DEFINITIONS	Amended Eff. September 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0200 - APPLICATION FOR LICENSE	21 NCAC 61 .0201	APPLICATION PROCESS	Amended Eff. April 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0202	EXEMPTIONS	Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	21 NCAC 61 .0203	INTERVIEWS	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0204	FEES	Amended Eff. December 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0205	BACKGROUND INVESTIGATION	Eff. April 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0300 - LICENSING	21 NCAC 61 .0301	LICENSE NUMBER: DISPLAY OF LICENSE	Amended Eff. April 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0302	LICENSE RENEWAL	Amended Eff. June 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0303	LICENSE WITH PROVISIONAL ENDORSEMENT	Amended Eff. March 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0304	LICENSE WITH TEMPORARY ENDORSEMENT	Amended Eff. March 1, 2004	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	21 NCAC 61 .0305	INACTIVE STATUS	Amended Eff. March 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0306	LICENSE BY RECIPROCITY	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0307	GROUNDS FOR LICENSE DENIAL OR DISCIPLINE	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0308	CONTINUING DUTY TO REPORT	Amended Eff. September 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0309	SCHEDULE OF CIVIL PENALTIES	Eff. April 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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	21 NCAC 61 .0310	CIVIL PENALTY PROCEDURES	Eff. March 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0400 - CONTINUING EDUCATION REQUIREMENTS FOR LICENSE HOLDERS	21 NCAC 61 .0401	CONTINUING EDUCATION REQUIREMENTS	Amended Eff. September 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0500 - GENERAL	21 NCAC 61 .0501	CHANGE OF ADDRESS OR BUSINESS NAME	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0502	ADVERTISING	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0600 - RULES	21 NCAC 61 .0601	PETITIONS FOR ADOPTION, AMENDMENT, OR REPEAL OF RULES	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0602	PROCEDURE FOR ADOPTION OF RULES	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0603	TEMPORARY RULES	Eff. August 1, 2002	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	21 NCAC 61 .0604	DECLARATORY RULINGS	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0700 - ADMINISTRATIVE HEARING PROCEDURES	21 NCAC 61 .0701	APPLICABLE HEARING RULES	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0702	RIGHT TO HEARING	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0703	REQUEST FOR HEARING	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0704	GRANTING OR DENYING HEARING REQUEST	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0705	NOTICE OF HEARING	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0706	CONTESTED CASES	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0707	PREHEARING PROCEDURES	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0708	PETITION FOR INTERVENTION	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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	21 NCAC 61 .0709	TYPES OF INTERVENTION	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0710	DISQUALIFICATION OF BOARD MEMBERS	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0711	SUBPOENAS	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0712	WITNESSES	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0713	FINAL DECISION	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	21 NCAC 61 .0714	PROPOSALS FOR DECISION	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note