

Commission Review
Log of Permanent Rule Filings
October 23, 2018 through November 20, 2018

NORTH CAROLINA HOUSING FINANCE AGENCY

The rules in Chapter 19 concern rural economic development.

The rules in Chapter 19A concern home regulations including general provisions (.0100); eligible and prohibited activities (.0200); threshold for direct HUD participation (.0300); home program fund distribution (.0400); community housing development organization category (.0500); home consortia category (.0600); housing project category (.0700); compliance requirements (.1000); and grant administration (.1100).

<u>Overview and Purpose</u>	04	NCAC	19S	.0101
Repeal				
<u>Definitions</u>	04	NCAC	19S	.0102
Repeal				
<u>Waiver</u>	04	NCAC	19S	.0103
Repeal				
<u>Eligible Applicants</u>	04	NCAC	19S	.0104
Repeal				
<u>Amendments Adopted by Reference</u>	04	NCAC	19S	.0105
Repeal				
<u>Acts and Regulations Adopted by Reference</u>	04	NCAC	19S	.0106
Repeal				
<u>Eligible Activities and Costs</u>	04	NCAC	19S	.0201
Repeal				
<u>Prohibited Costs</u>	04	NCAC	19S	.0202
Repeal				
<u>Participation Threshold Amount</u>	04	NCAC	19S	.0301
Repeal				
<u>Home Program Funding Distribution</u>	04	NCAC	19S	.0401
Repeal				
<u>Size and Use of Home Awards Made to Recipients</u>	04	NCAC	19S	.0402
Repeal				
<u>Program Category Allocation</u>	04	NCAC	19S	.0403
Repeal				
<u>General Application Requirements</u>	04	NCAC	19S	.0404
Repeal				
<u>Definitions</u>	04	NCAC	19S	.0501
Repeal				
<u>Eligibility Requirements</u>	04	NCAC	19S	.0502
Repeal				
<u>Selection Criteria</u>	04	NCAC	19S	.0503
Repeal				
<u>Definition</u>	04	NCAC	19S	.0601
Repeal				
<u>Eligibility Requirement</u>	04	NCAC	19S	.0602
Repeal				

<u>Selection Criteria</u>	04	NCAC	19S	.0603
Repeal				
<u>Definition</u>	04	NCAC	19S	.0701
Repeal				
<u>Eligibility Requirements</u>	04	NCAC	19S	.0702
Repeal				
<u>Selection Criteria</u>	04	NCAC	19S	.0703
Repeal				
<u>Preliminary Awards</u>	04	NCAC	19S	.0704
Repeal				
<u>Equal Opportunity and Fair Housing</u>	04	NCAC	19S	.1001
Repeal				
<u>Affirmative Marketing</u>	04	NCAC	19S	.1002
Repeal				
<u>Environmental Review</u>	04	NCAC	19S	.1003
Repeal				
<u>Displacement, Relocation, and Acquisition</u>	04	NCAC	19S	.1004
Repeal				
<u>Labor Standards</u>	04	NCAC	19S	.1005
Repeal				
<u>Lead-Based Paint</u>	04	NCAC	19S	.1006
Repeal				
<u>Conflict of Interest</u>	04	NCAC	19S	.1007
Repeal				
<u>National Flood Insurance Program</u>	04	NCAC	19S	.1008
Repeal				
<u>Clearinghouse Review</u>	04	NCAC	19S	.1009
Repeal				
<u>Grant Agreement</u>	04	NCAC	19S	.1101
Repeal				
<u>Method of Administration</u>	04	NCAC	19S	.1102
Repeal				
<u>Audit</u>	04	NCAC	19S	.1103
Repeal				
<u>Closeout</u>	04	NCAC	19S	.1104
Repeal				
<u>Recordkeeping</u>	04	NCAC	19S	.1105
Repeal				
<u>Performance Reports</u>	04	NCAC	19S	.1106
Repeal				
<u>Performance Reviews</u>	04	NCAC	19S	.1107
Repeal				
<u>Corrective and Remedial Actions</u>	04	NCAC	19S	.1108
Repeal				
<u>Administrative Hearings and Sanctions</u>	04	NCAC	19S	.1109
Repeal				
<u>Program Amendments</u>	04	NCAC	19S	.1110
Repeal				

CHILD CARE COMMISSION

The rules in Chapter 9 are child care rules and include definitions (.0100); general provisions related to licensing (.0200); procedures for obtaining a license (.0300); issuance of provisional and temporary licenses (.0400); age and developmentally appropriate environments for centers (.0500); safety requirements for child care centers (.0600); staff qualifications (.0700); health standards for children (.0800); nutrition standards (.0900); transportation standards (.1000); continuing education and professional development (.1100); building code requirements for child care centers (.1300); space requirements (.1400); temporary care requirements (.1500); family child care home requirements (.1700); discipline (.1800); special procedures concerning abuse/neglect in child care (.1900); rulemaking and contested case procedures (.2000); religious-sponsored child care center requirements (.2100); administrative actions and civil penalties (.2200); forms (.2300); child care for mildly ill children (.2400); care for school-age children (.2500); child care for children who are medically fragile (.2600); criminal records checks (.2700); voluntary rated licenses (.2800); developmental day services (.2900); and NC pre-kindergarten services (.3000).

<u>Administrative Policies</u>	10A NCAC 09 .0513
Readopt with Changes	
<u>Operational and Personnel Policies</u>	10A NCAC 09 .0514
Readopt with Changes	
<u>Parent Participation</u>	10A NCAC 09 .0515
Readopt with Changes	
<u>Night Care</u>	10A NCAC 09 .0516
Readopt without Changes	
<u>New Staff Orientation</u>	10A NCAC 09 .1101
Amend	
<u>Operational Policies</u>	10A NCAC 09 .1715
Adopt	
<u>Additional Caregiver and Substitute Provider Qualifications</u>	10A NCAC 09 .1729
Amend	
<u>Scope</u>	10A NCAC 09 .2701
Readopt without Changes	
<u>Definitions</u>	10A NCAC 09 .2702
Readopt without Changes	
<u>Criminal History Record Check Requirements for Child Care...</u>	10A NCAC 09 .2703
Readopt with Changes	
<u>Criminal History Record Check Requirements for Nonlicense...</u>	10A NCAC 09 .2704
Readopt without Changes	
<u>Scope</u>	10A NCAC 09 .2801
Readopt with Changes	
<u>Application for a Two through Five Star Rated License</u>	10A NCAC 09 .2802
Readopt with Changes	
<u>Caregiving Activities for Preschool-Aged Children</u>	10A NCAC 09 .2806
Readopt with Changes	
<u>Enhanced Space Requirements</u>	10A NCAC 09 .2809
Readopt with Changes	
<u>Enhanced Program Standards for Child Care Centers</u>	10A NCAC 09 .2817
Readopt with Changes	
<u>Enhanced Staff/Child Ratios for a Rated License for Child...</u>	10A NCAC 09 .2818
Readopt with Changes	

<u>Enhanced Education Standards for On-site Administrators f...</u> Readopt with Changes	10A NCAC 09 .2819
<u>Enhanced Education Standards for Lead Teachers for a Rate...</u> Readopt with Changes	10A NCAC 09 .2820
<u>Enhanced Education Standards for Teachers for Rated Licen...</u> Readopt with Changes	10A NCAC 09 .2821
<u>Enhanced Education Standards for Program Coordinators for...</u> Readopt with Changes	10A NCAC 09 .2822
<u>Enhanced Education Standards for Group Leaders and Assist...</u> Readopt with Changes	10A NCAC 09 .2823
<u>Enhanced Education Standards for a Rated License for Admi...</u> Readopt with Changes	10A NCAC 09 .2824
<u>Enhanced Education Standards for Program Coordinators for...</u> Readopt with Changes	10A NCAC 09 .2825
<u>Education Standards for Group Leaders and Assistant Group...</u> Readopt/Repeal	10A NCAC 09 .2826
<u>Enhanced Education Standards for Operators for a Rated Li...</u> Readopt with Changes	10A NCAC 09 .2827
<u>Enhanced Program Standards for a Rated License for Family...</u> Readopt with Changes	10A NCAC 09 .2828
<u>Quality Points Options</u> Readopt with Changes	10A NCAC 09 .2829
<u>Maintaining the Star Rating</u> Readopt with Changes	10A NCAC 09 .2830
<u>How an Operator May Request or Appeal A Change in Rating</u> Readopt without Changes	10A NCAC 09 .2831

MEDICAL CARE COMMISSION

The rules in Subchapter 14A concern rulemaking (.0100); contested cases (.0200); and hearings, transfers and discharges (.0300).

<u>Definitions</u> Readopt with Changes	10A NCAC 14A .0301
<u>General</u> Readopt with Changes	10A NCAC 14A .0302
<u>Initiating a Hearing</u> Readopt with Changes	10A NCAC 14A .0303

MENTAL HEALTH, COMMISSION FOR

The rules in Chapter 26 are from the Mental Health, Developmental Disabilities and Substance Abuse Services Commission. The rules in Subchapter 26F concern controlled substances including schedules of controlled substances (.0100).

<u>Schedule V</u> Amend	10A NCAC 26F .0106
----------------------------	--------------------

INSURANCE, DEPARTMENT OF

The rules in Chapter 7 are from the state property fire insurance fund division including general provisions (.0100); plan approval for state buildings (.0200); the state property fire insurance fund (.0300); and aerial adventure park financial responsibility (.0400).

<u>Definitions</u>	11	NCAC 07	.0401
Adopt			
<u>Proof of Insurance Coverage</u>	11	NCAC 07	.0402
Adopt			

INDUSTRIAL COMMISSION

The rules in Subchapter 23A 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).

<u>Contact Information</u>	11	NCAC 23A	.0109
Adopt			
<u>Compromise Settlement Agreements</u>	11	NCAC 23A	.0502
Amend			
<u>Appointment of Guardian Ad Litem</u>	11	NCAC 23A	.0604
Amend			
<u>Motions Practice</u>	11	NCAC 23A	.0609
Amend			
<u>Attorneys Retained for Proceedings</u>	11	NCAC 23A	.0617
Amend			
<u>Foreign Language and Sign Language Interpreters</u>	11	NCAC 23A	.0619
Amend			
<u>Written Communications with the Commission</u>	11	NCAC 23A	.0620
Adopt			
<u>Review by the Full Commission</u>	11	NCAC 23A	.0701
Amend			
<u>Review of Administrative Decisions</u>	11	NCAC 23A	.0702
Amend			
<u>Waiver of Rules</u>	11	NCAC 23A	.0801
Amend			

The rules in Subchapter 23B concern tort claims including administration (.0100); claims procedures (.0200); appeals to full commission (.0300); appeals to the court of appeals (.0400); and rules of the commission (.0500).

<u>Hearings</u>	11	NCAC 23B	.0206
Amend			
<u>Hearings of Claims by Prison Inmates</u>	11	NCAC 23B	.0207
Repeal			
<u>Sanctions</u>	11	NCAC 23B	.0503
Amend			

The rules in Subchapter 23H are the rules of the Industrial Commission relating to the public safety of employees' death benefits act.

<u>Determination of Claims by the Commission</u>	11	NCAC 23H	.0201
--	----	----------	-------

Amend

Hearings Before the Commission

Amend

11 NCAC 23H .0202

PUBLIC SAFETY, DEPARTMENT OF

The rules in Chapter 5 concern the governor's crime commission including the grant application process (.0200); grant application and administration (.0300); penalties (.0400); and appeal (.0500),

<u>Notice Of Availability Of Funds</u>	14B NCAC 05 .0201
Readopt/Repeal	
<u>Consistency with State or Federal Grant Programs</u>	14B NCAC 05 .0202
Readopt/Repeal	
<u>Request for Preapplication Forms</u>	14B NCAC 05 .0203
Readopt/Repeal	
<u>Grant Preapplication Form</u>	14B NCAC 05 .0204
Readopt/Repeal	
<u>Preapplication Submission Procedures</u>	14B NCAC 05 .0205
Readopt/Repeal	
<u>Incomplete Preapplications</u>	14B NCAC 05 .0206
Readopt/Repeal	
<u>Review of Preapplications</u>	14B NCAC 05 .0207
Readopt/Repeal	
<u>Notification to Preapplications</u>	14B NCAC 05 .0208
Readopt/Repeal	
<u>Application Form and Requirements</u>	14B NCAC 05 .0301
Readopt/Repeal	
<u>Application Submission Procedures</u>	14B NCAC 05 .0302
Readopt/Repeal	
<u>Application Due Date</u>	14B NCAC 05 .0303
Readopt/Repeal	
<u>Grant Application Process</u>	14B NCAC 05 .0304
Readopt/Repeal	
<u>Grant Period</u>	14B NCAC 05 .0305
Readopt/Repeal	
<u>Time Limitation on Federal Funding</u>	14B NCAC 05 .0306
Readopt/Repeal	
<u>Grant Award Contracts</u>	14B NCAC 05 .0307
Readopt/Repeal	
<u>Continuation Funds</u>	14B NCAC 05 .0310
Readopt/Repeal	
<u>Adjustments to Grants</u>	14B NCAC 05 .0311
Readopt/Repeal	
<u>Grant Termination or Suspension</u>	14B NCAC 05 .0401
Readopt/Repeal	
<u>Loss of Grantee Eligibility</u>	14B NCAC 05 .0402
Readopt/Repeal	
<u>Appeal</u>	14B NCAC 05 .0501
Readopt/Repeal	

ALCOHOLIC BEVERAGE CONTROL COMMISSION

The rules in Subchapter 15A concern organization rules: policies and procedures including general provisions (.0100); structure (.0200); publications, records, copies (.0300); rule-making (.0400); emergency rules (.0500); declaratory rulings (.0600); personnel policies: commission (.0700); adjudication: contested cases (.0800); fiscal rules for local boards (.0900); local abc board: personnel policies (.1000); local abc boards: relationship with state commission (.1100); openings and discontinuance of stores (.1200); storage and distribution of spirituous liquors: commercial transportation (.1300); purchase of alcoholic beverages by local boards (.1400); pricing of spirituous liquor (.1500); warehouse storage of spirituous liquors (.1600); retail sales of alcoholic beverages (.1700); purchase transportation permits for individuals and mixed beverages permittees (.1800); sales of liquor to mixed beverages permittees (.1900); local board training (.2000); distillery permit holders' sale of spirituous liquor distilled on premises to visitors of the distillery for consumption off the premises (.2100); special one-time permits (.2200); and homemade wine and malt beverage events (.2300).

<u>Definitions</u>	14B NCAC 15A .2301
Adopt	
<u>Competitions</u>	14B NCAC 15A .2302
Adopt	
<u>Exhibitions</u>	14B NCAC 15A .2303
Adopt	
<u>Organized Affairs</u>	14B NCAC 15A .2304
Adopt	
<u>Home Product Production Education Meeting</u>	14B NCAC 15A .2305
Adopt	
<u>Possession, Consumption, Transportation, and Disposition ...</u>	14B NCAC 15A .2306
Adopt	
<u>Allowable Fees</u>	14B NCAC 15A .2307
Adopt	

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2B pertain to surface water standards and monitoring including procedures for assignment of water quality standards (.0100); the standards used to classify the waters of the state (.0200); stream classifications (.0300); effluent limitations (.0400); monitoring and reporting requirements (.0500); and water quality management plans (.0600).

<u>French Broad River Basin</u>	15A NCAC 02B .0304
Amend	

The rules in Subchapter 2K concern dam safety including general provisions (.0100); obtaining approval for dam construction: repair: or removal (.0200); inspections: dam safety orders (.0300); and minimum stream flows to maintain aquatic habitat (.0500).

<u>Additional Requirements for Dams that Impound Coal Combustion ...</u>	15A NCAC 02K .0224
Adopt	

The rules in Chapter 13 concern Solid Waste Management. The rules in Subchapter 13B concern Solid Waste Management including general provisions (.0100); permits for solid waste management facilities (.0200); treatment and processing facilities (.0300); transfer facilities (.0400); disposal sites (.0500); monitoring requirements (.0600); administrative penalty procedures (.0700); septage management

(.0800); yard waste facilities (.0900); solid waste management loan program (.1000); scrap tire management (.1100); medical waste management (.1200); disposition of remains of terminated pregnancies (.1300); municipal solid waste compost facilities (.1400); standards for special tax treatment of recycling and resource recovery equipment and facilities (.1500); requirements for municipal solid waste landfill facilities (.1600); and requirements for beneficial use of coal combustion by-products (.1700).

<u>Incorporation by Reference</u>	15A NCAC 13B .0830
Amend	
<u>Definitions</u>	15A NCAC 13B .0831
Readopt with Changes	
<u>General Provisions</u>	15A NCAC 13B .0832
Readopt with Changes	
<u>Septage Management Firm Permits</u>	15A NCAC 13B .0833
Readopt with Changes	
<u>Permit Fees</u>	15A NCAC 13B .0834
Readopt without Changes	
<u>Septage Land Application Site Permits</u>	15A NCAC 13B .0835
Readopt with Changes	
<u>Septage Detention and Treatment Facility Permits</u>	15A NCAC 13B .0836
Readopt with Changes	
<u>Location of Septage Land Application Sites</u>	15A NCAC 13B .0837
Readopt with Changes	
<u>Management of Septage Land Application Sites</u>	15A NCAC 13B .0838
Readopt with Changes	
<u>Record Keeping for Septage Management Firms</u>	15A NCAC 13B .0839
Readopt with Changes	
<u>Sampling and Analysis</u>	15A NCAC 13B .0840
Readopt without Changes	
<u>Standards for Septage Detention and Treatment Facilities</u>	15A NCAC 13B .0841
Readopt with Changes	
<u>Innovative or Alternative Treatment or Storage Methods</u>	15A NCAC 13B .0842
Readopt with Changes	
<u>Land Use and Site Closure</u>	15A NCAC 13B .0843
Readopt with Changes	
<u>Transportation of Septage</u>	15A NCAC 13B .0844
Readopt with Changes	
<u>Revocation of Permits</u>	15A NCAC 13B .0845
Readopt/Repeal	
<u>Appeals</u>	15A NCAC 13B .0846
Readopt without Changes	

PUBLIC HEALTH, COMMISSION FOR

The rules in Chapter 18 are from the Commission for Health Services and cover environmental aspects of health such as sanitation (18A), mosquito control (18B), water supplies (18C), and water treatment facility operators (18D).

The rules in Subchapter 18C are water supply rules including their protection and location (.0100-.0200), submission of plans, etc. (.0300), design criteria (.0400-.0500), raw surface water facilities (.0600), surface water treatment facilities (.0700), hydropneumatic storage tanks (.0800), distribution systems (.0900), disinfection (.1000), protection of unfiltered and filtered supplies (.1100-.1200), variances (.1300), fluoridation (.1400), water quality standards and variances (.1500-.1600), systems grants (.1700), local plan approval (.1800), administrative penalties (.1900), filtration and disinfection (.2000); operating permits (.2100); and ground water systems (.2200).q

Source Water Protection Planning
Adopt

15A NCAC 18C .1305

DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16T concern patient records.

Record Content
Readopt with Changes
Informed Consent
Adopt

21 NCAC 16T .0101

21 NCAC 16T .0103

NORTH CAROLINA HOUSING FINANCE AGENCY

The rules in Subchapter 1N concern housing counseling including training for reverse mortgage counselors (.0200).

Fees
Readopt/Repeal

24 NCAC 01N .0204