

# Commission Review

## Log of Permanent Rule Filings

### December 21, 2018 through January 22, 2019

\* Approval Recommended, \*\* Objection Recommended, \*\*\* Other, P Pre-reviewed

#### SOCIAL SERVICES COMMISSION

The rules in Chapter 10 concern subsidized child care and include identifying and general information (.0100); requirements for the purchase of child care (.0200); requirements for child care service funds (.0300); start-up funds (.0400); requirements for contracts with private agencies (.0500); requirements for child care centers (.0600); requirements for family child care homes (.0700); requirements for nonlicensed child care homes (.0800); general policies for provision of subsidized child care services (.0900); eligibility for services (.1000); client fees for child care services (.1100); appeals (.1200).

<u>Scope</u>	10A NCAC 10 .0101
Amend*	
<u>Definitions</u>	10A NCAC 10 .0102
Readopt with Changes*	
<u>Applicability</u>	10A NCAC 10 .0201
Repeal*	
<u>Payment Rates</u>	10A NCAC 10 .0202
Readopt/Repeal*	
<u>Rates for Subsidized Child Care</u>	10A NCAC 10 .0203
Readopt with Changes*	
<u>Definition of Fund</u>	10A NCAC 10 .0301
Repeal*	
<u>Allocation</u>	10A NCAC 10 .0306
Readopt/Repeal*	
<u>Payment</u>	10A NCAC 10 .0307
Readopt with Changes*	
<u>Requirements for the Administration of the Subsidized Chi...</u>	10A NCAC 10 .0310
Readopt with Changes*	
<u>Provider Appeal to Local Purchasing Agency</u>	10A NCAC 10 .0311
Readopt/Repeal*	
<u>Appeal to Division of Child Development and Early Educati...</u>	10A NCAC 10 .0312
Readopt/Repeal*	
<u>Scope</u>	10A NCAC 10 .0501
Repeal*	
<u>Approval</u>	10A NCAC 10 .0502
Readopt/Repeal*	
<u>Length of Contract</u>	10A NCAC 10 .0503
Readopt/Repeal*	
<u>Administration of Funds</u>	10A NCAC 10 .0504
Readopt/Repeal*	
<u>Administration of Program</u>	10A NCAC 10 .0505
Readopt/Repeal*	
<u>Records</u>	10A NCAC 10 .0506
Readopt/Repeal*	
<u>Standards for Facilities Participating in the Subsidized ...</u>	10A NCAC 10 .0601

Readopt with Changes*	
<u>Standards for Family Child Care Homes Participating in th...</u>	10A NCAC 10 .0701
Readopt/Repeal*	
<u>Scope</u>	10A NCAC 10 .0901
Repeal*	
<u>Methods of Service Provision</u>	10A NCAC 10 .0902
Readopt/Repeal*	
<u>Definition of Service</u>	10A NCAC 10 .0903
Readopt/Repeal*	
<u>Availability of Funding</u>	10A NCAC 10 .0904
Readopt with Changes*	
<u>Support for Employment and Training for Employment</u>	10A NCAC 10 .0905
Readopt with Changes*	
<u>Support for Child Protective and Child Welfare Services</u>	10A NCAC 10 .0906
Readopt with Changes*	
<u>Support for Children with or at Risk for Developmental De...</u>	10A NCAC 10 .0907
Readopt with Changes*	
<u>Limitations</u>	10A NCAC 10 .0908
Readopt/Repeal*	
<u>Recipient Choice</u>	10A NCAC 10 .0909
Readopt with Changes*	
<u>Children with Special Needs</u>	10A NCAC 10 .0910
Readopt with Changes*	
<u>Basic Eligibility Criteria</u>	10A NCAC 10 .1001
Readopt with Changes*	
<u>Income Eligible Status</u>	10A NCAC 10 .1002
Readopt with Changes*	
<u>Income Eligibility Levels</u>	10A NCAC 10 .1003
Readopt/Repeal*	
<u>Without Regard to Income</u>	10A NCAC 10 .1004
Readopt with Changes*	
<u>Responsibility for Eligibility Determination</u>	10A NCAC 10 .1005
Readopt/Repeal*	
<u>Determination of Income Eligibility</u>	10A NCAC 10 .1006
Readopt with Changes*	
<u>Requirements for Determination and Redetermination of Eli...</u>	10A NCAC 10 .1007
Readopt with Changes*	
<u>General Fee Policy</u>	10A NCAC 10 .1101
Readopt with Changes*	
<u>Amount and Collection of Recipient Fees</u>	10A NCAC 10 .1102
Readopt with Changes*	
<u>Adjustment in Fees</u>	10A NCAC 10 .1103
Readopt with Changes*	
<u>Definitions</u>	10A NCAC 10 .1201
Adopt*	
<u>Notice</u>	10A NCAC 10 .1202
Adopt*	
<u>Filing</u>	10A NCAC 10 .1203
Adopt*	

<u>Appeal to the Local Purchasing Agency</u> Adopt*	10A NCAC 10 .1204
<u>Operator Appeal to Division of Child Development and Earl...</u> Adopt*	10A NCAC 10 .1205

## **MENTAL HEALTH, DD/SAS, COMMISSION FOR**

The rules in Subchapter 26D concern the standards for mental health and mental retardation for the department of correction including scope and definitions (.0100); organization responsibilities (.0200); required staff (.0300); organization relations (.0400); quality assurance (.0500); facilities management (.0600); client records (.0700); service eligibility (.0800); treatment and habilitation (.0900); clinical services (.1000); medication services (.1100); protections regarding certain procedures (.1200); research practices (.1300); emergency services (.1400); prevention services (.1500); and inpatient services for inmates who are mentally ill (.1600).

<u>Involuntary Administration of Psychotropic Medication</u> Readopt without Changes*	10A NCAC 26D .1104
<u>Psychotropic Medication Education</u> Readopt without Changes*	10A NCAC 26D .1105
<u>Use of Seclusion</u> Readopt without Changes*	10A NCAC 26D .1202
<u>Use of Restraint</u> Readopt without Changes*	10A NCAC 26D .1203
<u>Protective Devices</u> Readopt without Changes*	10A NCAC 26D .1204
<u>Involuntary Referrals and Transfers</u> Readopt without Changes*	10A NCAC 26D .1206

## **SOCIAL SERVICES COMMISSION**

The rules in Chapter 67 concern social services procedures.

The rules in Subchapter 67A concern general administration including administration (.0100); hearing policy (.0200); and regional social services departments (.0300).

<u>Regional Departments of Social Services Financial Obligat...</u> Adopt*	10A NCAC 67A .0301
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## **INDUSTRIAL COMMISSION**

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>Location of Main Office and Hours of Business</u> Amend*	11 NCAC 23B .0101
<u>Official Forms</u> Amend*	11 NCAC 23B .0102
<u>Filing Fees</u> Amend*	11 NCAC 23B .0103
<u>Electronic Filings with the Commission, How to File</u> Amend*	11 NCAC 23B .0104

<u>Contact Information</u>	11	NCAC 23B .0105
Adopt*		
<u>Medical Malpractice Claims by Unrepresented Prison Inmates</u>	11	NCAC 23B .0202
Amend*		
<u>Infants and Incompetents</u>	11	NCAC 23B .0203
Amend*		
<u>Motions</u>	11	NCAC 23B .0204
Amend*		
<u>Mediation</u>	11	NCAC 23B .0205
Amend*		
<u>Hearing Costs</u>	11	NCAC 23B .0208
Amend*		
<u>Appeals to the Full Commission</u>	11	NCAC 23B .0302
Amend*		
<u>Proposed Issues on Repeal</u>	11	NCAC 23B .0303
Repeal*		
<u>Briefs to the Full Commission</u>	11	NCAC 23B .0305
Repeal*		
<u>Motions Before the Full Commission</u>	11	NCAC 23B .0307
Amend*		
<u>Stays</u>	11	NCAC 23B .0308
Amend*		
<u>Oral Argument</u>	11	NCAC 23B .0310
Amend*		
<u>Stays</u>	11	NCAC 23B .0402
Amend*		
<u>Waiver of Rules</u>	11	NCAC 23B .0501
Amend*		

The rules in Subchapter 23L concern workers' compensation forms.

<u>Form T-42 - Application for Appointment of Guardian Ad Litem</u>	11	NCAC 23L .0105
Adopt*		

## **PUBLIC SAFETY, DEPARTMENT OF**

The rules in Chapter 05 concern the Governor's Crime Commission.

The rules in Subchapter 05B grant administration including general provisions (.0100); program grants (.0200); and penalties (.0300).

<u>Purpose</u>	14B	NCAC 05B .0101
Adopt*		
<u>Applications for Grants</u>	14B	NCAC 05B .0201
Adopt*		
<u>Review of Proposals</u>	14B	NCAC 05B .0202
Adopt*		
<u>Administration of Grants</u>	14B	NCAC 05B .0203
Adopt*		
<u>Grant Termination or Suspension</u>	14B	NCAC 05B .0301
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>Water Supply Watershed Protection Program: Purpose</u> Adopt*	15A NCAC 02B .0620
<u>Water Supply Watershed Protection Program: Definitions</u> Adopt*	15A NCAC 02B .0621
<u>Water Supply Watershed Protection Program: Applicability ...</u> Adopt*	15A NCAC 02B .0622
<u>Water Supply Watershed Protection Program: Program Admini...</u> Adopt*	15A NCAC 02B .0623
<u>Water Supply Watershed Protection Program: NonPoint Sourc...</u> Adopt*	15A NCAC 02B .0624

The rules in Subchapter 2T set out the requirements for the issuance of permits for waste systems that do not discharge to the surface waters of the state and include general requirements (.0100); and requirements for various systems including: wastewater pump and haul systems (.0200); sewer extensions (.0300); system-wide collection system permitting (.0400); wastewater irrigation systems (.0500); single-family residence wastewater irrigation systems (.0600); high rate infiltration systems (.0700); other non-discharge wastewater systems (.0800); reclaimed water systems (.0900); closed-loop recycle systems (.1000); residuals management (.1100); coal combustion products management (.1200); animal waste management systems (.1300); manure hauler operations (.1400); soil remediation (.1500); and groundwater remediation systems (.1600).

<u>Animal Waste Residuals Management</u> Amend*	15A NCAC 02T .1310
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## COSMETIC ART EXAMINERS, BOARD OF

The rules in Subchapter 14H are sanitation rules for both operators and facilities including sanitation (.0100); shop licensing and physical dimensions (.0200); cosmetic art shop and equipment (.0300); sanitation procedures and practices (.0400); and enforcement, maintenance of licensure (.0500).

<u>Licensees and Students</u> Amend*	21 NCAC 14H .0401
<u>Rule Compliance and Enforcement Measures</u> Amend*	21 NCAC 14H .0505

## MEDICAL BOARD

The rules in Chapter 32 include the licensing and practice standards of doctors, approval of nurse practitioners and physician assistants, regulation of professional corporations and mobile intensive care, and other aspects of medical practice and the regulatory procedures.

The rules in Subchapter 32W concern the regulations of anesthesiologist assistants.

<u>Identification Requirements</u> Amend*	21 NCAC 32W .0112
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## PHARMACY, BOARD OF

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); compounding (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

<u>Drugs and Devices to be Dispensed</u>	21	NCAC 46	.2403
Amend*			
<u>Responsibilities of Pharmacist-Manager</u>	21	NCAC 46	.2502
Amend*			

## STATE HUMAN RESOURCES COMMISSION

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).q

<u>Salary Rate</u>	25	NCAC 01D	.0913
Adopt*			

The rules in Subchapter 1H concern recruitment and selection including general provisions (.0600); general provision for priority consideration (.0700); promotional priority (.0800); reduction-in-force-priority reemployment (.0900); exempt priority consideration (.1000); and veteran's preference (.1100).

<u>Posting and Announcement of Vacancies</u>	25	NCAC 01H	.0631
Amend*			