

**RULES REVIEW COMMISSION MEETING  
MINUTES  
January 25, 2018**

The Rules Review Commission met on Thursday, January 25, 2018, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Andrew Atkins, Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeanette Doran, Garth Dunklin, Jay Hemphill, Jeff Hyde, and Paul Powell.

Staff members present were Commission Counsels Abigail Hammond, Amber Cronk May, and Jason Thomas; and Julie Brincefield, Alex Burgos, and Dana McGhee.

Chairman Dunklin introduced OAH extern Alexandra Johnson.

The meeting was called to order at 10:02 a.m. with Chairman Dunklin presiding.

Chairman Dunklin read the notice required by G.S. 138A-15(e) and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts of interest.

**APPROVAL OF MINUTES**

Chairman Dunklin asked for any discussion, comments, or corrections concerning the minutes of the December 14, 2017 meeting. There were none and the minutes were approved as distributed.

**FOLLOW UP MATTERS**

**Environmental Management Commission**

15A NCAC 02D .2203 was unanimously approved.

**LOG OF FILINGS (PERMANENT RULES)**

*Pre-Reviewed Rules*

**Department of Commerce - Credit Union Division**

All rules were unanimously approved.

Prior to the review of the rules from the Department of Commerce - Credit Union Division, Commissioner Doran recused herself and did not participate in any discussion or vote concerning the rules because she is employed by the Department of Commerce, DES.

Prior to the review of the rules from the Department of Commerce - Credit Union Division, Commissioner Hemphill recused himself and did not participate in any discussion or vote concerning the rules because of any potential for the appearance of a professional conflict of interest.

**Department of Natural and Cultural Resources**

All rules were unanimously approved.

**Wildlife Resources Commission**

All rules were unanimously approved.

**Department of Transportation**

All rules were unanimously approved.

*Non Pre-Reviewed Rules*

**Well Contractors Certification Commission**

15A NCAC 27 .0702 was unanimously approved.

**Board of Certified Public Accountant Examiners**

All rules were unanimously approved.

Prior to the review of the rules from the Board of Certified Public Accountant Examiners, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the rules because of a conflict of interest.

**Veterinary Medical Board**

21 NCAC 66 .0206 was unanimously approved.

**LOG OF RULES (TEMPORARY RULES)****DHHS/Division of Health Service Regulation**

All rules were unanimously approved.

**EXISTING RULES REVIEW****Medical Care Commission**

10A NCAC 13F – The Commission unanimously approved the report as submitted by the agency.

Prior to the review of the report from the Medical Care Commission, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the report because of a conflict.

**Commission for MH/DD/SAS**

10A NCAC 28B – The Commission unanimously approved the report as submitted by the agency.

10A NCAC 28C – The Commission unanimously approved the report as submitted by the agency.

**Coastal Resources Commission**

15A NCAC 07A – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07H - The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07I - The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07J – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07K – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07L – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07M - The Commission unanimously approved the report as submitted by the agency.

Staff presented a summary of the readoption process to the Commission.

**Banking Commission**

04 NCAC 03 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than January 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

**Department of Health and Human Services**

10A NCAC 01 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than January 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

**Medical Care Commission**

10A NCAC 13C – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than June 30, 2021 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption dates from the Medical Care Commission, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the proposed readoption dates because of a conflict.

**DHHS/Medical Care Commission**

10A NCAC 14A – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than August 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption dates from DHHS/Medical Care Commission, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the proposed readoption dates because of a conflict.

**DHHS/Division of Health Service Regulation**

10A NCAC 14G – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than August 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption dates from the DHHS/Division of Health Service Regulation, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the proposed readoption dates because of a conflict.

**Social Services Commission**

10A NCAC 71 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than August 31, 2021 pursuant to G.S. 150B-21.3A(d)(2).

**Department of Insurance**

11 NCAC 08 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than September 30, 2019 pursuant to G.S. 150B-21.3A(d)(2).

**Code Officials Qualification Board**

11 NCAC 08 .0600, .0700 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than September 30, 2019 pursuant to G.S. 150B-21.3A(d)(2).

**Home Inspector Licensure Board**

11 NCAC 08 .1100 and .1300 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than September 30, 2019 pursuant to G.S. 150B-21.3A(d)(2).

**Midwifery Joint Committee**

21 NCAC 33 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than December 31, 2018 pursuant to G.S. 150B-21.3A(d)(2).

**Board of Nursing**

21 NCAC 36 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than December 31, 2018 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption date from the Board of Nursing, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the proposed readoption date because her law firm provides legal services to the Board.

**2018 STATE MEDICAL FACILITIES PLAN**

The Commission found that the Department of Health and Human Services and the State Health Coordinating Council complied with G.S. 131E-176(25) in the adoption of the 2018 Plan.

**COMMISSION BUSINESS**

The Commission amended Rule 26 NCAC 05 .0211 to reflect a change in the periodic review schedule.

The Commission voted on the rescheduling of the December 2018 meeting date. The December meeting will be held on December 13, 2018.

The Commission's Bylaws require that elections be held at the January meeting. The following members were elected as officers:

Garth Dunklin was re-elected Chairman.

Jeff Hyde was re-elected 1st Vice-Chairman.

Jeanette Doran re-elected 2nd Vice-Chairman.

At 10:53 a.m., Chairman Dunklin ended the public meeting of the Rules Review Commission and called the meeting into closed session pursuant to G.S. 143-318.11(a)(3) to discuss the lawsuit filed by the State Board of Education against the Rules Review Commission.

The Commission came out of closed session and reconvened at 11:39 a.m.

The meeting adjourned at 11:39 a.m.

The next regularly scheduled meeting of the Commission is Thursday, February 15<sup>th</sup> at 10:00 a.m.

There is a digital recording of the entire meeting available from the Office of Administrative Hearings /Rules Division.

Respectfully Submitted,

  
\_\_\_\_\_  
Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:

  
\_\_\_\_\_  
Garth Dunklin, Chair

January 25, 2018

Rules Review Commission  
Meeting  
Please Print Legibly

Name	Agency
Nadine Pfeiffer	DHHS- DHR
Martha Frisone	DHHS-DHHR
Rose Bannister	NCCU
Tony Knox	NCCU
Lonnie Christopher	NCCOB
Evelyn Hutchinson	CCU
Joanne Rutkofske	NC DHHS
Bob Brooks	NC CPA Board
Frank Traylor	NC CPA Board
Jennifer Everett	DEQ
George Hearn	NCVMB
Daron Barnes	NCWRC
Angela Ellis	NCBON
Alan Vardi	DOT
Steve Hall	DEQ
Thany Quinn	WOT
Alex Douglas	DOT
Sam Puro	CAH
Mich	CAH
Rana Badwan	Credit Union
Phil Frayan	DNER

January 25, 2018

Rules Review Commission  
Meeting  
Please Print Legibly

[illegible]



STATE OF NORTH CAROLINA  
**OFFICE OF ADMINISTRATIVE HEARINGS**

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6714

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

January 25, 2018

Lonnie Christopher, Rulemaking Coordinator  
Banking Commission  
4309 Mail Service Center  
Raleigh, North Carolina 27699-4309

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 04 NCAC 03

Dear Mr. Christopher:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
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Civil Rights  
Division  
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
September 21, 2017  
APO Review: November 25, 2017  
Banking Commission  
Total: 89**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
04 <u>NCAC 03E .0101</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0102</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0201</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0204</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0302</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0401</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0402</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0601</u>	Necessary with substantive public interest
04 <u>NCAC 03E .0602</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0201</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0301</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0402</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0501</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0504</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0505</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0506</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0507</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0508</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0509</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0601</u>	Necessary with substantive public interest
04 <u>NCAC 03F .0602</u>	Necessary with substantive public interest
04 <u>NCAC 03H .0102</u>	Necessary with substantive public interest
04 <u>NCAC 03H .0103</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0101</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0201</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0202</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0203</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0204</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0205</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0301</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0302</u>	Necessary with substantive public interest
04 <u>NCAC 03J .0303</u>	Necessary with substantive public interest





<u>04</u>	<u>NCAC 03M .0203</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0204</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0205</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0206</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0401</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0402</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0403</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0501</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0502</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0602</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0701</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0702</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC 03M .0703</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6700

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

January 25, 2018

Joel Johnson, Rulemaking Coordinator  
Department of Health and Human Services  
2001 Mail Service Center  
Raleigh, North Carolina 27699-2001

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 10A NCAC 01

Dear Mr. Johnson:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Abigail M. Hammond  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

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fax: 919/431-3104

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Clerk's Office  
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Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW**

**February 16, 2017**

**APO Review: April 23, 2017**

**Health and Human Services, Department of**  
**Total: 21**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>10A NCAC 01E .0101</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0102</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0103</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0104</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0105</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0106</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0107</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0108</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0201</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0202</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0203</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0204</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0205</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0206</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0207</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0208</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0301</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0302</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0303</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0304</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0305</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
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Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

January 25, 2018

Nadine Pfeiffer, Rulemaking Coordinator  
Department of Health and Human Services  
Medical Care Commission  
2701 Mail Service Center  
Raleigh, North Carolina 27699-2701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 10A NCAC 13C

Dear Ms. Pfeiffer:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than June 30, 2021.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
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Clerk's Office  
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Rules Review  
Commission  
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Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
October 19, 2017  
APO Review: December 23, 2017  
Medical Care Commission  
Total: 9**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>10A NCAC 13C .0202</u>	Necessary with substantive public interest
<u>10A NCAC 13C .0301</u>	Necessary with substantive public interest
<u>10A NCAC 13C .0501</u>	Necessary with substantive public interest
<u>10A NCAC 13C .0902</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1404</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1405</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1406</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1407</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1410</u>	Necessary with substantive public interest



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January 25, 2018

Nadine Pfeiffer, Rulemaking Coordinator  
Joel Johnson, Rulemaking Coordinator  
Department of Health and Human Services  
Medical Care Commission  
2701 Mail Service Center  
Raleigh, North Carolina 27699-2701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 10A NCAC 14A

Dear Ms. Pfeiffer and Mr. Johnson:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than August 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script, reading "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
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fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW**

**November 16, 2017**

**APO Review: January 09, 2018**

**Health and Human Services, Department of**  
**Total: 3**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>10A NCAC 14A .0101</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0102</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0103</u>	Necessary with substantive public interest



**RRC DETERMINATION  
PERIODIC RULE REVIEW  
November 16, 2017  
APO Review: January 09, 2018  
Medical Care Commission  
Total: 3**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>10A NCAC 14A .0301</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0302</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0303</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

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Street address:  
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Raleigh, NC 27609-6285

January 25, 2018

Nadine Pfeiffer, Rulemaking Coordinator  
Department of Health and Human Services  
Division of Health Service Regulation  
2701 Mail Service Center  
Raleigh, North Carolina 27699-2701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 10A NCAC 14G

Dear Ms. Pfeiffer:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than August 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW**

**November 16, 2017**

**APO Review: January 09, 2018**

**HHS - Health Service Regulation, Division of**  
**Total: 4**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>10A NCAC 14G .0101</u>	Necessary with substantive public interest
<u>10A NCAC 14G .0102</u>	Necessary with substantive public interest
<u>10A NCAC 14G .0103</u>	Necessary with substantive public interest
<u>10A NCAC 14G .0104</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
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Raleigh, NC 27609-6285

January 25, 2018

Belivia Spaulding, Rulemaking Coordinator  
Social Services Commission  
2402 Mail Service Center  
Raleigh, North Carolina 27699-2420

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 10A NCAC 71

Dear Ms. Spaulding:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than August 31, 2021.

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Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
March 16, 2017  
APO Review: May 20, 2017  
Social Services Commission  
Total: 64**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>10A NCAC 71K .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71K .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0103</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0104</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0105</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0103</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0104</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0201</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0203</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0204</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0205</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0206</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0207</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0209</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0210</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0211</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0212</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0213</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0214</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0215</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0216</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0302</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0303</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0401</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0402</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0103</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0104</u>	Necessary with substantive public interest

<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0105</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0106</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0107</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0108</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0201</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0202</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0203</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0204</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71V</u>	<u>.0205</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0101</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0302</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0303</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0304</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0403</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0404</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0405</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0407</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0408</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0410</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0412</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0413</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0502</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0503</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0601</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0602</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0603</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0604</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0605</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0606</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0607</u>	Necessary with substantive public interest
<u>10A</u>	<u>NCAC</u>	<u>71W</u>	<u>.0704</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
**OFFICE OF ADMINISTRATIVE HEARINGS**

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6700

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

January 25, 2018

Loretta Peace-Bunch, Rulemaking Coordinator  
Department of Insurance  
1201 Mail Service Center  
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 11 NCAC 08

Dear Ms. Peace-Bunch:

Attached to this letter is the rule subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this rule was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of this rule for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rule identified on the attached printout shall be readopted by the agency no later than September 30, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
November 16, 2017  
APO Review: January 09, 2018  
Insurance, Department of  
Total: 1**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>11</u> <u>NCAC 08</u> <u>.0203</u>	Necessary with substantive public interest





STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

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6714 Mail Service Center  
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Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

January 25, 2018

Loretta Peace-Bunch, Rulemaking Coordinator  
Mike Hejduk, Rulemaking Coordinator  
Code Officials Qualification Board  
1201 Mail Service Center  
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 11 NCAC 08 .0600 and .0700

Dear Ms. Peace-Bunch and Mr. Hejduk:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than September 30, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
November 16, 2017  
APO Review: January 09, 2018  
Code Officials Qualification Board  
Total: 4**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
11 <u>NCAC 08 .0602</u>	Necessary with substantive public interest
11 <u>NCAC 08 .0707</u>	Necessary with substantive public interest
11 <u>NCAC 08 .0708</u>	Necessary with substantive public interest
11 <u>NCAC 08 .0714</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:  
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Street address:  
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Raleigh, NC 27609-6285

January 25, 2018

Loretta Peace-Bunch, Rulemaking Coordinator  
Mike Hejduk, Rulemaking Coordinator  
Home Inspector Licensure Board  
1201 Mail Service Center  
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 11 NCAC 08 .1100 and .1300

Dear Ms. Peace-Bunch and Mr. Hejduk:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than September 30, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration 919/431-3000 fax 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
November 16, 2017  
APO Review: January 09, 2018  
Home Inspector Licensure Board  
Total: 17**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
11 <u>NCAC 08 .1101</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1102</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1103</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1104</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1105</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1106</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1107</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1108</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1109</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1110</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1111</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1112</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1113</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1114</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1115</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1116</u>	Necessary with substantive public interest
11 <u>NCAC 08 .1302</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6714

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

January 25, 2018

Angela Ellis, Rulemaking Coordinator  
Midwifery Joint Committee  
4516 Lake Boone Trail  
Raleigh, North Carolina 27607

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 21 NCAC 33

Dear Ms. Ellis:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2018.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Abigail M. Hammond  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
November 16, 2017  
APO Review: January 09, 2018  
Midwifery Joint Committee  
Total: 7**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
21 <u>NCAC 33 .0101</u>	Necessary with substantive public interest
21 <u>NCAC 33 .0102</u>	Necessary with substantive public interest
21 <u>NCAC 33 .0103</u>	Necessary with substantive public interest
21 <u>NCAC 33 .0104</u>	Necessary with substantive public interest
21 <u>NCAC 33 .0105</u>	Necessary with substantive public interest
21 <u>NCAC 33 .0110</u>	Necessary with substantive public interest
21 <u>NCAC 33 .0111</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6714

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

January 25, 2018

Angela Ellis, Rulemaking Coordinator  
Board of Nursing  
4516 Lake Boone Trail  
Raleigh, North Carolina 27607

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **21 NCAC 36**

Dear Ms. Ellis:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2018.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
November 16, 2017  
APO Review: January 09, 2018  
Nursing, Board of  
Total: 46**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
21 <a href="#"><u>NCAC 36 .0109</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0112</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0113</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0202</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0203</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0211</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0213</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0218</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0219</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0220</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0221</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0223</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0224</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0225</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0226</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0228</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0232</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0233</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0302</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0303</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0309</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0317</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0318</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0320</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0321</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0322</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0323</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0403</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0404</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0405</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0406</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0801</u></a>	Necessary with substantive public interest
21 <a href="#"><u>NCAC 36 .0802</u></a>	Necessary with substantive public interest



<u>21</u>	<u>NCAC 36</u>	<u>.0803</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0804</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0805</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0806</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0807</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0808</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0809</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0810</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0811</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0812</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0813</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0814</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0815</u>	Necessary with substantive public interest

