

**RULES REVIEW COMMISSION MEETING
MINUTES
March 17, 2016**

The Rules Review Commission met on Thursday, March 17, 2016, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Bobby Bryan, Anna Choi, Margaret Currin, Jeanette Doran, Garth Dunklin, Jay Hemphill, Jeff Hyde, and Stephanie Simpson.

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

The meeting was called to order at 10:03 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 February 18, 2016 meeting. There were none and the minutes were approved as distributed.

FOLLOW UP MATTERS

911 Board

09 NCAC 06C .0111, .0112, .0113, .0114, .0205, and .0216 – The agency is addressing the objections from the January meeting by publishing a Notice of Text in the North Carolina Register. No action was required by the Commission.

Property Tax Commission

17 NCAC 11 .0216 and .0217 - The agency is addressing the objections from the October meeting by publishing a Notice of Text in the North Carolina Register. No action was required by the Commission.

Board of Chiropractic Examiners

21 NCAC 10 .0208 was withdrawn at the request of the agency.

Board of Dental Examiners

21 NCAC 16O .0301, .0302, .0401, .0402; 16Q .0101, .0202, .0203, .0204, .0205, .0206, .0207, .0301, .0302, .0303, .0304, .0305, .0306, .0401, .0402, .0403, .0404, .0405, .0406, .0407, .0408, .0501, .0502, .0503, .0601, .0602, and .0703 - All rules were unanimously approved.

Prior to the review of the rules from the Board of Dental Examiners, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the rules because she has a client who sought her involvement in the review of these Rules.

Prior to the review of the rules from the Board of Dental Examiners, Commissioner Simpson recused herself and did not participate in any discussion or vote concerning the rules because her husband's law firm may have a potential conflict.

The Commission received over 10 letters of objection in accordance with G.S. 150B-21.3(b2), requesting a delayed effective date and legislative review of 21 NCAC 16Q .0101.

LOG OF FILINGS (PERMANENT RULES)

DHHS – Division of Health Service Regulation

All rules were unanimously approved.

Social Services Commission

The Commission extended the period of review for the rules in accordance with G.S. 150B-21.10 and G.S. 150B-21.13. The Commission extended the period of review to allow the Social Services Commission additional time to revise the rules in response to the technical change requests.

Department of Insurance

The Commission objected to the rules, finding the agency failed to comply with the Administrative Procedure Act. Specifically, the Commission found that by failing to send notice to its interested persons' mailing list, the Department failed to comply with G.S. 150B-21.2(d).

As these rules were readoptions scheduled by the Commission pursuant to G.S. 150B-21.3A(d)(2), the Commission will set a new readoption date for these Rules at a later meeting.

Environmental Management Commission

15A NCAC 02L .0106 was unanimously approved.

Mary Maclean Asbill, with the Southern Environmental Law Center, addressed the Commission.

Jennie W. Hauser, with the Attorney General's Office representing the agency, addressed the Commission.

Jay Zimmerman, with the Division of Water Resources, addressed the Commission.

The Commission received over 10 letters of objection in accordance with G.S. 150B-21.3(b2), requesting a delayed effective date and legislative review of the approved rule.

Coastal Resources Commission

All rules were unanimously approved.

Wildlife Resources Commission

All rules were unanimously approved.

Department of Revenue

All rules were unanimously approved.

Board of Dental Examiners

21 NCAC 16W .0101 was unanimously approved.

Medical Board

21 NCAC 32M .0117 was unanimously approved.

Board of Nursing

21 NCAC 36 .0815 was unanimously approved.

Prior to the review of the rule from the Board of Nursing, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the rule because she represents the Board in legal matters, and sometimes assists in rulemaking.

State Human Resources Commission

All rules were unanimously approved.

Prior to the review of the rules from the State Human Resources Commission, Commissioner Doran recused herself and did not participate in any discussion or vote concerning the rules because she is a state employee.

EXISTING RULES REVIEW

Social Services Commission

10A NCAC 70I - The Commission unanimously approved the report as submitted by the agency.

10A NCAC 70K – The Commission unanimously approved the report as submitted by the agency.

Department of Environmental Quality

15A NCAC 01L - The Commission unanimously approved the report as submitted by the agency.

Jennifer Everett, with the agency, addressed the Commission.

15A NCAC 01N – The Commission approved the report as submitted by the agency with Commissioners Currin, Doran, and Hemphill voting against the approval.

The Commission recessed at 12:05 p.m. and reconvened at 12:13 p.m.

Department of Treasurer

20 NCAC 01 - The Commission unanimously approved the report as submitted by the agency.

20 NCAC 04 – The Chapter is repealed. No action was required by the Commission.

20 NCAC 07 - The Commission unanimously approved the report as submitted by the agency.

Medical Care Commission

10A NCAC 13P - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than April 30, 2017.

DHHS/Division of Health Services Regulation

10A NCAC 14J - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than September 30, 2019.

DHHS/Division of Medical Assistance

10A NCAC 21 - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2018.

10A NCAC 22 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than March 31, 2018.

Social Services Commission

10A NCAC 97- As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than June 30, 2017.

Department of Natural and Cultural Resources

15A NCAC 12H – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than December 31, 2016.

Commission for Public Health

15A NCAC 18C – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than July 31, 2019.

Locksmith Licensing Board

21 NCAC 29 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than February 28, 2017.

State Human Resources Commission

25 NCAC 01D - As reflected in the attached letter, the Commission voted to schedule readoption of these Rules pursuant to G.S. 150B-21.3A(c)(2) no later than February 28, 2017.

Department of Natural and Cultural Resources

The agency requested a waiver pursuant to 26 NCAC 05 .0112 to nullify the prior classification of rules within the following periodic review reports: 15A NCAC 12A, 15A NCAC 12B, 15A NCAC 12C, 15A NCAC 12D, 15A NCAC 12F, 15A NCAC 12G, 15A NCAC 12I, 15A NCAC 12J, and 15A NCAC 12K. The agency further requested that the periodic review reports be rescheduled on 26 NCAC 05 .0211.

The waiver request was unanimously approved.

The Commission rescheduled the date of review for the reports, and amended 26 NCAC 05 .0211.

The Commission will review the agency's reports at its March 2018 meeting.

Shawn Middlebrooks, with the agency, addressed the Commission.

COMMISSION BUSINESS

The Commission amended 26 NCAC 05 .0211 to reflect all waivers granted by the Commission, and recodifications and transfers of rules in the Code.

The Chair issued a reminder to the Commissioners that the RRC will present at the Administrative Law Section's annual CLE, scheduled for April 8, 2016 from 9:30-10:30 a.m. Additionally, the Chair advised the Commission that he will be giving an update on the status of the lawsuit filed by the State Board of Education against the Rules Review Commission, and on the Periodic Review before the Administrative Procedure Oversight Committee on April 5, 2016.

Chairman Dunklin opened the meeting for a public hearing on the proposed adoption of Rules 26 NCAC 05 .0103, .0104, .0301, .0302, and .0303. The Chair called on anyone present who wished to comment on 26 NCAC 05 .0103, .0104, .0301, .0302, and .0303 as they were noticed in the North Carolina Register. Nadine Pfeiffer from the Division of Health Service Regulation and Ann B. Wall from the Department of Secretary of State made their comments before the Commission. The comments will become part of the rulemaking record. The period to receive comments will expire at 5:00 p.m., April 15, 2016.

The Commission may vote on the adoption of Rules 26 NCAC 05 .0103, .0104, .0301, .0302, and .0303 at its regularly scheduled meeting in April.

The public hearing portion of the meeting was closed at 1:08 p.m.

At 1:08 p.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 1:53 p.m.

The meeting adjourned at 1:53 p.m.

The next regularly scheduled meeting of the Commission is Thursday, April 21st 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,

A handwritten signature in black ink, appearing to read "Alex Burgos", written over a horizontal line.

Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:

A handwritten signature in blue ink, appearing to read "Garth Dunklin", written over a horizontal line.

Garth Dunklin, Chair

Rules Review Commission
Meeting
Please Print Legibly

Name	Agency
ERICA GARNER	NCWRC
Jennifer Everett	DEQ
Cynthia Tillman	NCBON
Linda Burkhaus	NCBON
Barbara Lowery	NCBON
Blake Giese	BODE
Jennie W. Hauser	AG-EMC
Angela Ellis	NCBON
Jennifer Lewis	NCBON
Chandra Graves	NCBON
Nadine Beffter	NC DHHS - DHSR
Laetia Peace Beryl	Insurance
Carlin Bakewell	Dental Bd
May Mada Asbill	SELC
Scarlette Gardner	NC-OSHA
John R. Bogue Jr.	NC-OSHA
Jenice W. Davidson	NC DOR
Eric Wayne	NC DOR
Jay Zimmerman	NC AWR
Judy Estew	NC Attorney General's office
Shannon Conley	NC State treasurer.
Chris Thaw	NC DHHS - DPHS

Rules Review Commission
Meeting
Please Print Legibly

Vincent Tomaino	NC DEQ WI
Paula Karwinski	OSHR
Jenn McInnis	OSHR
Lynne Berry	DAAS
Borden Culbreth	NC Locksmith Bd
Rita B Bland	NC DSS
Tracy Ashworth	DPS
Darlene Yoo	DPS
Brianna Elliott	Duke
Charlotta Dix	DSS
Margaret Mice	OSHR
Margaret McDougal	DPS
Brian Murray	DPS
Danita Morant	OSHR
Josh Davis	DNCR
Kenn Howell	DNCR
Sharon Middlebrook	DNCR
Ann Wall	504
Brenda Watson	DST



STATE OF NORTH CAROLINA
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Street address:
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March 17, 2016

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 13P**

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 March 17, 2016 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 April 30, 2017.

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

Sincerely,

Abigail M. Hammond
Commission Counsel

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Rules Division
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Assistants
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
January 21, 2016
APO Review: February 02, 2016**

**Medical Care Commission
Total: 29**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 13P .0101</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0102</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0201</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0203</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0204</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0216</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0219</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0221</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0301</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0302</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0403</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0501</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0502</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0504</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0507</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0508</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0510</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0601</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0602</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0603</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0901</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0902</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0903</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0904</u>	Necessary with substantive public interest
<u>10A NCAC 13P .0905</u>	Necessary with substantive public interest
<u>10A NCAC 13P .1401</u>	Necessary with substantive public interest
<u>10A NCAC 13P .1402</u>	Necessary with substantive public interest
<u>10A NCAC 13P .1403</u>	Necessary with substantive public interest
<u>10A NCAC 13P .1507</u>	Necessary with substantive public interest



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March 17, 2016

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 14J**

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 March 17, 2016 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.

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Sincerely,

Abigail M. Hammond
Commission Counsel

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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 19, 2015
APO Review: January 05, 2016**

**HHS - Health Service Regulation, Division of
Total: 33**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 14J .0101</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0102</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0103</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0201</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0203</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0204</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0301</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0302</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0303</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0402</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0403</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0404</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0405</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0501</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0601</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0702</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0705</u>	Necessary with substantive public interest
<u>10A NCAC 14J .0904</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1001</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1002</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1201</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1202</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1203</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1207</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1210</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1212</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1213</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1214</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1215</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1218</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1219</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1225</u>	Necessary with substantive public interest
<u>10A NCAC 14J .1226</u>	Necessary with substantive public interest



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March 17, 2016

Sarah Pfau, Rulemaking Coordinator
Department of Health and Human Services
Division of Medical Assistance
2501 Mail Service Center
Raleigh, North Carolina 27699-2501

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **10A NCAC 21 and 10A NCAC 22**

Dear Ms. Pfau:

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 March 17, 2016 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 March 31, 2018.

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Sincerely,

Abigail M. Hammond
Commission Counsel

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**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2014 through June 30, 2015
HHS - Medical Assistance, Division of
Total: 82**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
<u>10A NCAC 21A .0301</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21A .0302</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21A .0303</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21B .0204</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21B .0311</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0101</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0102</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0103</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0201</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0301</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0302</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0401</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0402</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0501</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0502</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 21D .0503</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22B .0101</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22B .0102</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22B .0103</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22B .0104</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22B .0105</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22C .0101</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22C .0102</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22C .0103</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22D .0101</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0104</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0105</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0106</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0107</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0201</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0202</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0203</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0301</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0302</u>	Necessary with substantive public interest	August 22, 2015
<u>10A NCAC 22F .0402</u>	Necessary with substantive public interest	August 22, 2015

10A NCAC 22F .0601	Necessary with substantive public interest	August 22, 2015
10A NCAC 22F .0602	Necessary with substantive public interest	August 22, 2015
10A NCAC 22F .0603	Necessary with substantive public interest	August 22, 2015
10A NCAC 22F .0604	Necessary with substantive public interest	August 22, 2015
10A NCAC 22F .0605	Necessary with substantive public interest	August 22, 2015
10A NCAC 22F .0606	Necessary with substantive public interest	August 22, 2015
10A NCAC 22F .0704	Necessary with substantive public interest	August 22, 2015
10A NCAC 22F .0706	Necessary with substantive public interest	August 22, 2015
10A NCAC 22G .0108	Necessary with substantive public interest	August 22, 2015
10A NCAC 22G .0109	Necessary with substantive public interest	August 22, 2015
10A NCAC 22G .0208	Necessary with substantive public interest	August 22, 2015
10A NCAC 22G .0502	Necessary with substantive public interest	August 22, 2015
10A NCAC 22G .0504	Necessary with substantive public interest	August 22, 2015
10A NCAC 22G .0509	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0101	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0102	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0103	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0104	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0105	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0202	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0203	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0204	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0205	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0302	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0303	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0304	Necessary with substantive public interest	August 22, 2015
10A NCAC 22H .0305	Necessary with substantive public interest	August 22, 2015
10A NCAC 22I .0102	Necessary with substantive public interest	August 22, 2015
10A NCAC 22I .0104	Necessary with substantive public interest	August 22, 2015
10A NCAC 22J .0102	Necessary with substantive public interest	August 22, 2015
10A NCAC 22J .0103	Necessary with substantive public interest	August 22, 2015
10A NCAC 22J .0104	Necessary with substantive public interest	August 22, 2015
10A NCAC 22J .0105	Necessary with substantive public interest	August 22, 2015
10A NCAC 22J .0106	Necessary with substantive public interest	August 22, 2015
10A NCAC 22K .0101	Necessary with substantive public interest	August 22, 2015
10A NCAC 22K .0102	Necessary with substantive public interest	August 22, 2015
10A NCAC 22K .0103	Necessary with substantive public interest	August 22, 2015
10A NCAC 22L .0102	Necessary with substantive public interest	August 22, 2015
10A NCAC 22L .0103	Necessary with substantive public interest	August 22, 2015
10A NCAC 22L .0104	Necessary with substantive public interest	August 22, 2015
10A NCAC 22L .0203	Necessary with substantive public interest	August 22, 2015
10A NCAC 22N .0102	Necessary with substantive public interest	August 22, 2015
10A NCAC 22N .0202	Necessary with substantive public interest	August 22, 2015
10A NCAC 22N .0203	Necessary with substantive public interest	August 22, 2015
10A NCAC 22N .0302	Necessary with substantive public interest	August 22, 2015
10A NCAC 22N .0303	Necessary with substantive public interest	August 22, 2015
10A NCAC 22O .0112	Necessary with substantive public interest	August 22, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
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Raleigh, NC 27609-6285

March 17, 2016

Carlotta Dixon, Rulemaking Coordinator
Department of Health and Human Services
Social Services Commission
2501 Mail Service Center
Raleigh, North Carolina 27699-2501

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **10A NCAC 97**

Dear Ms. Dixon:

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 March 17, 2016 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, 2017.

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

Sincerely,

Abigail M. Hammond
Commission Counsel

Administration
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fax: 919/431-3104

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Assistants
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Rules Review
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Civil Rights
Division
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fax: 919/431-3103

An Equal Employment Opportunity Employer

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**RRC DETERMINATION
PERIODIC RULE REVIEW
July 01, 2014 through June 30, 2015
Social Services Commission
Total: 8**

RRC Determination: Necessary with substantive public interest

Rule	Determination	APO Review Date
<u>10A NCAC 97B .0401</u>	Necessary with substantive public interest	April 25, 2015
<u>10A NCAC 97B .0402</u>	Necessary with substantive public interest	April 25, 2015
<u>10A NCAC 97B .0403</u>	Necessary with substantive public interest	April 25, 2015
<u>10A NCAC 97C .0104</u>	Necessary with substantive public interest	April 25, 2015
<u>10A NCAC 97C .0106</u>	Necessary with substantive public interest	April 25, 2015
<u>10A NCAC 97C .0108</u>	Necessary with substantive public interest	April 25, 2015
<u>10A NCAC 97C .0109</u>	Necessary with substantive public interest	April 25, 2015
<u>10A NCAC 97C .0111</u>	Necessary with substantive public interest	April 25, 2015



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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March 17, 2016

Joshua Davis, Rulemaking Coordinator
Department of Cultural and Natural Resources
4605 Mail Service Center
Raleigh, North Carolina 27699-4605

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 12H**

Dear Mr. Davis:

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 March 17, 2016 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, 2016.

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

Sincerely,

Abigail M. Hammond
Commission Counsel

cc: Shawn Middlebrooks

Administration
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 19, 2015
APO Review: January 05, 2016**

**Natural and Cultural Resources, Department of
Total: 22**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>15A NCAC 12H .0103</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0104</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0105</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0201</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0202</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0203</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0204</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0205</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0206</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0207</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0208</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0301</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0302</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0303</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0304</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0305</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0306</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0307</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0308</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0401</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0402</u>	Necessary with substantive public interest
<u>15A NCAC 12H .0403</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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March 17, 2016

Jennifer Everett, Rulemaking Coordinator
Department of Environment Quality
Commission for Public Health
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 18C**

Dear Ms. Everett:

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 March 17, 2016 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 July 31, 2019.

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

Sincerely,

Abigail M. Hammond
Commission Counsel

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919/431-3000
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Division
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
September 17, 2015
APO Review: November 23, 2015**

**Public Health, Commission for
Total: 33**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>15A NCAC 18C .0102</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0202</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0203</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0305</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0307</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0402</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0403</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0404</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0405</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0406</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0408</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0409</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0601</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0706</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0707</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0708</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0711</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0713</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0714</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0803</u>	Necessary with substantive public interest
<u>15A NCAC 18C .0906</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1002</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1003</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1004</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1406</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1507</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1515</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1516</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1523</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1524</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1527</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1528</u>	Necessary with substantive public interest
<u>15A NCAC 18C .1529</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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March 17, 2016

Barden Culbreth, Rulemaking Coordinator
Locksmith Licensing Board
Randolph E. Cloud & Assoc
Post Office Box 10972
Raleigh, North Carolina 27605

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **21 NCAC 29**

Dear Mr. Culbreth:

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 March 17, 2016 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 February 28, 2017.

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

Sincerely,

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
January 21, 2016
APO Review: February 02, 2016**

**Locksmith Licensing Board
Total: 18**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>21 NCAC 29 .0102</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0204</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0205</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0206</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0401</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0402</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0404</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0502</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0503</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0504</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0601</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0702</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0703</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0802</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0803</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0804</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0805</u>	Necessary with substantive public interest
<u>21 NCAC 29 .0806</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
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March 17, 2016

Margaret Duke, Rulemaking Coordinator
State Human Resources Commission
Office of State Human Resources
1331 Mail Service Center
Raleigh, North Carolina 27699-1331

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **25 NCAC 01D**

Dear Ms. Duke:

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 March 17, 2016 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 February 28, 2017.

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

Sincerely,

Abigail M. Hammond
Commission Counsel

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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
October 15, 2015
APO Review: December 20, 2015**

**State Human Resources Commission
Total: 2**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>25 NCAC 01D .0201</u>	Necessary with substantive public interest
<u>25 NCAC 01D .2701</u>	Necessary with substantive public interest