REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Occupational Therapy

RULE CITATION: 21 NCAC 38 .0301

DEADLINE FOR RECEIPT: Friday, December 13, 2013

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Amend Item 6 of the Submission for Permanent Rule form, since the Rule was published October 15, 2012.*

*In (a), who will be inspecting the license and renewal card? Is it the Board? If so, is the authority you are relying on to do this G.S. 90-270.69(2)?*

*In (b), italicize “et seq.” However, I think you could replace that language and just state, “Persons licensed under this Chapter” or “Persons licensed under Chapter 90, Article 18D of the General Statutes”*

*As written, Paragraph (c) is not clear. First, who is a “registered” person? I do not see that the Board has the authority to register anyone. So, doesn’t this only apply to your licensees? In addition, are you going to allow an exemption from this statute from displaying level of licensure? Do you have licensees or patients who feel that their safety is compromised by displaying that? Also, the Board will allow an employer to make this request? And are you saying the Board will absolutely grant the exemption if it is requested?*

*Add G.S. 90-640 to your History Note.*

*Please note, while your History Note says the effective date is April 1, 2013, the earliest this Rule can become effective is January 1, 2014.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Occupational Therapy

RULE CITATION: 21 NCAC 38 .0802

DEADLINE FOR RECEIPT: Friday, December 13, 2013

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Amend Item 6 of the Submission for Permanent Rule form, since the Rule was published October 15, 2012.*

*Also on the form, please confirm that the Board submitted the consultation request in November 2013.*

*I believe you can delete the language in Paragraph (a) on line 4 and begin the sentence with “Licensed occupational therapists…” The current language is unnecessary since this Rule has been in effect since 2007.*

*In (b), line 11, change the language to “For each renewal period, each licensee…”*

*In (b) on lines 13 and 14, the reference should be “Rule .0308 of this Chapter.”*

*Also in that sentence, Rule .0308 is the incorporation by reference of the Occupational Therapy Association Board of Ethics. Are the areas listed on lines 13 and 14 covered in that?*

*In (e), line 19, I think you need a verb. Is it that licensees shall not receive credit for completing or attending the same activity?*

*In (f), should it be “continuing competence activities” in order to be consistent with the rest of the Rule?*

*Please note, while your History Note says the effective date is April 1, 2013, the earliest this Rule can become effective is January 1, 2014.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.