REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 43D and 48B – ALL RULES FILED

**DEADLINE FOR RECEIPT: FRIDAY, JANUARY 11, 2013**

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

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*While it is not necessary to comply with this request you may wish to submit new submission for filing forms. The current ones have the typed name of the person signing the form as “Chris Hole.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 43D .0202

**DEADLINE FOR RECEIPT: FRIDAY, JANUARY 11, 2013**

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*It seems to me that the first paragraph in this rule, the introduction to the items in this rule at lines 4 and 5 should be (a) and the last paragraph on the second page at lines 25 – 29 should be (b).*

*In (10) line 34 it seems to me that the single quotes surrounding ‘above-50-percent vendor’ should be double quote marks.*

*Please put a more specific web site address in the last line, page 2 line 29. The address should take someone to the specific CFR citation.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 43D .0706

**DEADLINE FOR RECEIPT: FRIDAY, JANUARY 11, 2013**

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*In item (3) line 34 please verify that it is Peer Group IV here as well as in item (2) line 28.*

*In items (6) and (9) page 2 lines 13 and 26 respectively please make “Agreement” lowercase.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 43D .0707

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*In (10) page 2 line 35 please delete or define “close” in “close facsimiles.”*

*Please provide the citation to the authority for the provisions in (12), (13) and (15) limiting who may be a vendor based on the applicant’s or applicant’s close relative’s employment. If there is no specific authority I will have to recommend an objection to the rule for this reason.*

*In (13) lines 17 – 19 please change the commas to semicolons as follows: “... includes a plea of guilty; ... civilian or military; ....”*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 43D .0708

**DEADLINE FOR RECEIPT: FRIDAY, JANUARY 11, 2013**

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*In (30), page 4 line 8, make “Agreement” lowercase.*

*In line 9 make “Program” lowercase.*

*In lines 10 – 13 change the commas to semicolons as follows: “...at the store; ... proofs of purchase; ... to these returns; ... transactions.”*

*In (32), page 4 line 30, make “Agreement” lowercase.*

*In (36), page 5 line 14, if “of more than three miles from the vendor’s previous location” applies to all the other “change of location[s]” referred to in this item, please move that phrase to after the first occurrence rather than the second.*

*In (40) line 32 make “Agreement” lowercase.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 43D .0709

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*Please make “Agreement” lowercase in (2) line 6 and (4) line 14.*

*In (2) please indicate that “monitor” in (2) is “monitor and inspect as set out in rule .0708(30)” or similar language. If that is not the case then “monitor” is unclear.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 43D .0710

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*Please make “Program” lowercase in (b)(5) page 2 line 12, (c)(2)(D) page 3 line 27.*

*In (e) page 4 line 18 there is a double negative in “lack of inadequate” in “lack of participant access” and thus the meaning is not clear. Please clarify.*

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Joseph J. DeLuca, Jr.

Commission Counsel