REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Board of Recreational Therapy Licensure

RULE CITATION: 21 NCAC 65 .0601

**DEADLINE FOR RECEIPT: FRIDAY, MARCH 15, 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.

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

*The submission form indicates that the reason for amending this rule is to change the license expiration date to match the birth month of the licensee. There is no such provision in this rule. Please correct the submission form to reflect the reason for the changes*

*The introductory statement indicates changes were made after publication. Highlight those changes in the text of the rule.*

*In (a), is the “renewal cycle [of] two years” (line 9) different from “the two-year licensing period” in line 6? If not, then we are not sure you need references to “renewal cycles.” At any rate you should be consistent in the term that is used to refer to the same item.*

*On line 8, should it be “contact hours”, as used in (b)? Why do you use both hours and units? It makes the rule more confusing than it needs to be. At any rate you need to define how much time constitutes a contact hour. Some agencies consider it to be 50 minutes while others consider it an actual 60 minute hour.*

*On line 9, replace the underlined language with “A licensee must complete 20 hours or 2.0 Continuing Education Units (CEU) within the renewal cycle. Renewal cycles last two years” or similar language. Typically rules do not refer to the licensee as “you.”*

*Rewrite (b) by labeling the indented language in current lines 15 - 19 as subparagraphs (1), (2), (3). There is no need to state that the renewal cycle is two years twice within the rule. [This information is also in (a)] It also seems to us that “the” in line 14 is unnecessary and out of place.*

*In (c), what is the Board doing to approve providers of continuing education? What are the standards for the Board to do so? If the approval standards are within these rules, then change the language in line 21 to “other continuing education providers approved by the Board as set out in these rules” or similar language. If the standards are not in these rules then the rule is ambiguous as to who or what would constitute an “approved” provider.*

*In (d), delete the second colon. Do not capitalize “hours” on line 26. Also specify whether these hours are contact hours. If they are not, then there is a discrepancy with the preceding portions of this rule referring to contact hours.*

*In (e), insert “CEU” (or whatever you mean to say) in place of “CEP” on line 27. Move the sentence “Repeat presentations are limited to the current renewal cycle and does not apply to their use in subsequent cycles” to (f). You also need to combine the two thoughts in the two sentences and rewrite it / them to clarify the meaning; it’s not clear what “repeat presentations … apply” and when they do or do not apply.*

*Throughout lines 30 through 43, any numbers under 10 must be spelled out. Further, only a few of those items, such as “editing a textbook” or “authoring a textbook article,” actually specifies what activity gets credit. You need to specify the activity that gets credit. Those items also need to be labeled in the same manner as the labels we asked you to apply in (b).*

*What is the “Submission of Clinical Appraisal and Reference Summary Form” on line 48? Where can it be found?*

*In (h), line 49 and 50, delete or define “directed”. Do not capitalize “renewal” on line 50.*

*Paragraph (i) needs to be written more clearly and in active voice. For example, “If a licensee uses online training, he can apply for continuing education credit by submitting the following information to the Board. The Board may award a maximum of ten credit hours per cycle for online training.”*

*In paragraph (j), please specify who, the Board itself or the licensee, will document the service to the Professional Recreational Therapy Board?*

*Amend your History Note. G.S. 90-2 was repealed in 2002. Further, since*

*90C-24(a)(13) specifically speaks to continuing education standards, why not just refer to 90C-24?*

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: North Carolina Board of Recreational Therapy Licensure

RULE CITATION: 21 NCAC 65 .0602

**DEADLINE FOR RECEIPT: FRIDAY, MARCH 15, 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.

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

*The introduction to this amendment states that it is “with changes.” Please be sure to highlight the changes, including the ones requested here, from the original published notice of text.*

*In Paragraph (b), change “defined” to “set forth”*

*Paragraph (b) could be read to mean that the license does not need to be renewed until the licensee has completed continuing education. While this is obviously not the meaning and not intended, the sentence should be rewritten to express the current requirements and law.*

*The second sentence in (c), lines 9-11, is awkward. We recommend re-writing it entirely to something along the lines of, “All materials must be postmarked by the 15th of the licensee’s birth month prior to the expiration date of the license” or similar language.*

*In (c) line 12 delete or define “updated.” Please add a period at the end of the sentence and make sure you use proper formatting to add this change.*

*In paragraph (d), did you mean to strike “home” address, so that the renewal will be sent to the email address only as stated in (a)? If so, strike this. Actually the contents of (d) seem to repeat the contents of (a). Assuming you intend to send the renewal notice only through email, paragraph (d) basically repeats the information in (a). Therefore, there is no need to have (d). Instead, we suggest you combine (a) and (d) to state in (a), “The Board staff shall send a renewal notice to the licensee 60 days prior to the expiration date at his or her last known email address, unless the licensee has notified the Board that he or she will not renew the license.” [Again, this is assuming you intended to fully delete “home” in (d)]*

*Rule 21 NCAC 65 .0603 requires licensees to update their mailing address. There is no such requirement for email addresses, so do you have any concerns that your licensees will not update their email addresses?*

*Please delete repealed G.S. 90C-2 as authority in the history note.*

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

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REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Board of Recreational Therapy Licensure

RULE CITATION: 21 NCAC 65 .0901

**DEADLINE FOR RECEIPT: FRIDAY, MARCH 15, 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.

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

*On your Submission for Permanent Rule Form, change the form to reflect this is an amendment, not an adoption.*

*In (a), change “to” on line 5 to “with” instead. Include a reference to “as set forth in Section .0400 of this Chapter” (or whatever requirements for licensure that you mean) at the end of the sentence on line 5.*

*In (b)(1) line 7 delete or define “current.”*

*On Lines 12 and 34, amend the reference of “Rule .0500” to “Rule .0501 of this Chapter” or “Section .0500 of this Chapter”.*

*In (d) line 22, change “The applicant for licensure by endorsement, to a military-trained applicant,” to “The military-trained applicant for licensure” with no comma after “licensure.”*

*In line 23 change “to the” to “with these.” Also put a colon after “procedures” and delete “outlined in the requirements for licensure who:” or similar language and construction.*

*In (d) line 24, you state that the applicant must have done “all of the following” at a level substantially similar to your competency rules. We believe you mean to include the language in the statute, so you may wish to do so. Or you might rewrite (1) and (2) as follows: “Has been awarded a military occupational specialty, and completed educational requirements substantially equivalent to these rules and has engaged … under this section;” or similar language. If you do combine (1) and (2) the remaining numbered subparagraphs will have to be renumbered and repunctuated as set out below.*

*In (d) and (e), end 1-4 with semicolons; end current (5) with a semicolon and “and” or “or”, depending on what you mean.*

*As it is new language, underline the language in lines 31-34.*

*In current (d)(4) page 2 line 31 and (e)(4) line 44 delete or define “current.”*

*Please reconstruct (e) in the same manner as requested above for (d). In current (e)(1) note that a military spouse is not going to have a military occupational specialty, and that is not required by law. [See G.S. 93B-15.1(b)]*

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.