

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE
PATHOLOGISTS AND AUDIOLOGISTS

RULE CITATION: 21 NCAC 64 .0206

DEADLINE FOR RECEIPT: FRIDAY, JANUARY 10, 2014

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.

In (a) line 4 it appears that "meant" should be "mean."

I would also be tempted to make the rule go from the board's interpretation to more of a definition for "supervised" or "supervised experience." Here is my stab at the beginning of (a):

As used in N.C.G.S. Chapter 90, Article 22, Licensure Act for Speech and Language Pathologists and Audiologists, "supervised" or "supervised experience" means and requires four hours each month"

In the history note please put the statutory authority citations in numerical order.

In the history note the effective date is missing.

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: N.C. BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE
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RULE CITATION: 21 NCAC 64 .0219

DEADLINE FOR RECEIPT: FRIDAY, JANUARY 10, 2014

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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.

In (a) line 8 please verify that the definitions in this rule are restricted to “this rule” and not “these rules (or ‘this chapter’)” or “this section.” Incidentally, whether it is “rule,” “rules,” “chapter,” or “section” the term used should be capitalized.

In (f) line 27 it seems to me that “patient or guardian” should be “patient and guardian (or ‘legally responsible person,’ a term I prefer as possibly being broader, but that is your choice).” I suspect it’s the guardian you especially want to receive it. But under this rule the provider has to give notification to only one of them. You could also rewrite it to “If the patient is a minor, then the provider shall give notification of telepractice service to the patient’s guardian” or something similar.

In that same paragraph, line 28, delete “but not be limited to.”

In (g) lines 30 and 31 I would change “whether in the patient site or provider site” to “in both the patient and provider sites” or something similar in order to avoid any confusion as whether there might be a choice, or necessity to choose, where the practice actually occurs. However, in a later reading it seems acceptable to me as it is; I’ll leave the choice up to you – although I do believe “. . . in both . . .” sounds better.

In the history note the effective date should begin on a new line under the authority.

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Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE
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RULE CITATION: 21 NCAC 64 .0307

DEADLINE FOR RECEIPT: FRIDAY, JANUARY 10, 2014

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.

In line 4 change "enumerated above" to the specific rule or rules where they are "enumerated." If it is the rules in section .0300, you could say, "In addition to the . . . Proscriptions in this Section, licensees"

In line 4 make "licensees" lowercase.

In line 6 should there be a "the" in "Code of Ethics of [the] American Speech and Hearing Association"?

In line 7 the rule refers to provisions of a code of ethics that may be "inconsistent and in conflict" with the provisions of this article. Something could easily be "inconsistent" and "in conflict" with something else. But in that case being "in conflict" would probably be sufficient. However I could also envision the possibility that a provision of that code could be "inconsistent" with your rules without necessarily being "in conflict" with it. But if that were the case, then you should change the phrase to "inconsistent or in conflict." [I am making a recommendation to object based on ambiguity for this reason.]

In line 8 you twice make reference to "this Article." By "article" I presume you mean either this "section" or "chapter." If I am correct in my presumption please change it to the appropriate NCAC reference. If I am not correct, then you need to be more precise as to what "Article" refers to.

Please indicate that the history note is the "History note:".

Also arrange the authority in the history note in numerical order.

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