

**Commission Review
Log of Permanent Rule Filings
April 21, 2011 through May 20, 2011**

* Approval Recommended, ** Objection Recommended, *** Other

MEDICAL CARE COMMISSION

The rules in Chapter 13 are from the Medical Care Commission.

The rules in Subchapter 13P concern emergency medical services and trauma including definitions (.0100); EMS systems (.0200); specialty care transport programs (.0300); medical oversight and requirements for EMS systems, programs, and protocols (.0400); EMS personnel (.0500); EMS educational institutions (.0600); EMS licensure enforcement (.0700); trauma system definitions (.0800); trauma center standards and approval (.0900); trauma center designation enforcement (.1000); trauma system design (.1100); and recovery and rehabilitation of chemically dependent EMS personnel (.1400).

<u>Medical Ambulance/Evacuation Bus: Vehicle and Equipment R...</u> Adopt/*	10A NCAC	13P	.0217
<u>Pediatric Specialty Care Ground Ambulance: Vehicle a...</u> Adopt/*	10A NCAC	13P	.0218
<u>Staffing for Medical Ambulance/Evacuation Bus Vehicles</u> Adopt/*	10A NCAC	13P	.0219
<u>Staffing for Pediatric Specialty Care Ground Ambulances</u> Adopt/*	10A NCAC	13P	.0220

MENTAL HEALTH, COMMISSION FOR

The rules in Chapter 26 are from the Mental Health, Developmental Disabilities and Substance Abuse Services Commission.

The rules in Subchapter 26F concern controlled substances including schedules of controlled substances (.0100).

<u>Schedule III</u> Amend/*	10A NCAC	26F	.0104
<u>Schedule IV</u> Amend/*	10A NCAC	26F	.0105

INSURANCE, DEPARTMENT OF

The rules in Chapter 16 are from the Actuarial Division and relate to fire and casualty statistical data (.0100); individual accident and health insurance (.0200); credit life, accident, and health rate deviation (.0400); credit unemployment minimum loss ratio standard (.0500); health maintenance organization filings and standards (.0600); health maintenance organization claim reserve data requirements (.0700); and small employer group health insurance actuarial certification (.0800).

<u>Applicability</u> Amend/*	11 NCAC	16	.0101
<u>Loss Reserves</u> Repeal/*	11 NCAC	16	.0102
<u>Professional Liability Insurance</u> Repeal/*	11 NCAC	16	.0104

<u>Minimum Incurred Loss Ratio; Alternate Maximum Rate Amend/*</u>	11	NCAC	16	.0501
<u>General Submission Requirements Amend*</u>	11	NCAC	16	.0503

PRIVATE PROTECTIVE SERVICES BOARD

The rules in Subchapter 7D cover organization and general provisions (.0100); licenses and trainee permits (.0200); security guard patrol and guard dog services (.0300); private investigator and counterintelligence (.0400); polygraph (.0500); psychological stress evaluator (PSE) (.0600); unarmed security guard registration (.0700); armed security guard firearm registration permit (.0800); trainer certificate (.0900); recovery fund (.1000); training and supervision for private investigator associates (.1100); courier licensing requirements (.1200); and continuing education (.1300).

<u>Application for Licenses and Trainee Permits Amend/*</u>	12	NCAC	07D	.0201
<u>Application for Unarmed Security Guard Registration Amend/*</u>	12	NCAC	07D	.0701
<u>Experience Requirements for Courier License Repeal/*</u>	12	NCAC	07D	.1201

LABOR, DEPARTMENT OF

The rules in Chapter 13 are boiler and pressure vessel regulations including definitions (.0100); administration (.0200); enforcement of standards (.0300); general requirements (.0400); non-standard boilers and pressure vessels (.0500); hot water vessels used for heating or for storage of hot water (.0600); nuclear energy systems (.0700); and forms (.0800).

<u>Definitions Amend/*</u>	13	NCAC	13	.0101
<u>Incorporated - Standards Amend/*</u>	13	NCAC	13	.0103
<u>Inspector Qualifications Amend/*</u>	13	NCAC	13	.0202
<u>North Carolina Commission Amend/*</u>	13	NCAC	13	.0203
<u>Conflict of Interest Amend/*</u>	13	NCAC	13	.0204
<u>Insurance Companies to Notify Chief Inspector Amend/*</u>	13	NCAC	13	.0208
<u>Installers to Notify Chief Inspectors Amend/*</u>	13	NCAC	13	.0209
<u>Certificate Inspections Amend/**</u>	13	NCAC	13	.0211
<u>Preparation for Inspection Amend/*</u>	13	NCAC	13	.0212
<u>Extended Pressure Equipment Operating Adopt/*</u>	13	NCAC	13	.0214
<u>Inspection Documentation Amend/*</u>	13	NCAC	13	.0301
<u>Design and Construction Standards Amend/*</u>	13	NCAC	13	.0401

<u>Controls and Safety Devices</u> Amend/*	13	NCAC	13	.0404
<u>High Pressure or Temperature Limit Control</u> Amend/*	13	NCAC	13	.0406
<u>Gauge Glasses and Water Columns</u> Amend/*	13	NCAC	13	.0408
<u>Automatic Low-Water Fuel Cutoff Controls and Water-Feedin...</u> Amend/*	13	NCAC	13	.0409
<u>Temperature Gauges/Thermometers/Temperature Sensors</u> Amend/*	13	NCAC	13	.0410
<u>Valves, Drains and Bottom Blowoffs</u> Amend/*	13	NCAC	13	.0411
<u>Expansion Tanks</u> Amend/*	13	NCAC	13	.0412

WILDLIFE RESOURCES COMMISSION

The rules in Chapter 10 concern wildlife resources and water safety.

The rules in Subchapter 10C cover inland fishing including jurisdictional issues involving the Marine Fisheries Commission (.0100); general rules (.0200); game fish (.0300); non-game fish (.0400); primary nursery areas (.0500); and anadromous fish spawning areas (.0600).

<u>Open Seasons: Creel and Size Limits</u> Amend/*	15A	NCAC	10C	.0305
<u>Manner of Taking Non-game Fishes: Purchase and Sale</u> Amend/*	15A	NCAC	10C	.0401

The rules in Subchapter 10F cover motorboats and water safety including boat registration (.0100); safety equipment and accident reports (.0200); and local water safety regulations covering speed limits, no-wake restrictions, restrictions on swimming and other activities, and placement of markers for designated counties or municipalities (.0300).

<u>Town of Emerald Isle</u> Amend/*	15A	NCAC	10F	.0376
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CHIROPRACTIC EXAMINERS, BOARD OF

The rules in Chapter 10 include organization of the Board (.0100); the practice of chiropractic (.0200); rules of unethical conduct (.0300); rule-making procedures (.0400); investigation of complaints (.0500); contested cases and hearings in contested cases (.0600-.0700); and miscellaneous provisions (.0800).

<u>Escrow Account</u> Adopt/*	21	NCAC	10	.0105
<u>Renewal of License</u> Amend/*	21	NCAC	10	.0205
<u>Agreements to Provide Financing or Management Services</u> Adopt/**	21	NCAC	10	.0211
<u>Medical College Transfer Credits</u> Adopt/*	21	NCAC	10	.0212

ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS FOR

The rules in Chapter 18 are from the State Board of Examiners of Electrical Contractors.

The rules in Chapter 18B are from the Board of Electrical Contractors including general provisions (.0100); examinations and qualifications (.0200); terms and definitions applicable to licensing (.0300); licensing requirements (.0400); reciprocal licensing agreements with other states (.0700); special restricted licenses (.0800); violations and contested case hearings (.0900); forms, certificates, and publications of the board (.1000); and continuing education courses and requirements (.1100).

<u>Reference to State Building and Elevator Codes</u>	21	NCAC	18B	.0102
Amend/*				
<u>Organization</u>	21	NCAC	18B	.0103
Amend/*				
<u>Joint Resolution and Agreements</u>	21	NCAC	18B	.0106
Repeal/*				
<u>Examinations</u>	21	NCAC	18B	.0204
Amend/*				
<u>Minimum Passing Grade</u>	21	NCAC	18B	.0205
Repeal/*				
<u>Regular Examinations</u>	21	NCAC	18B	.0206
Repeal/*				
<u>Application for Regular Examinations</u>	21	NCAC	18B	.0207
Repeal/*				
<u>Specially Arranged Examinations</u>	21	NCAC	18B	.0208
Repeal/*				
<u>Fees</u>	21	NCAC	18B	.0209
Amend/*				
<u>Applications Duly Filed</u>	21	NCAC	18B	.0210
Amend/*				
<u>Waiting Period Between Examinations</u>	21	NCAC	18B	.0211
Amend/*				
<u>License Name Requirements</u>	21	NCAC	18B	.0402
Amend/*				
<u>Licenses Expiring and Individuals Qualified/July 1, 1970</u>	21	NCAC	18B	.0601
Repeal/*				
<u>Qualified Individuals Listed Prior to July 1, 1970</u>	21	NCAC	18B	.0602
Repeal/*				
<u>Scope of SP-SFD License</u>	21	NCAC	18B	.0803
Amend/*				
<u>Scope of SP-FA/LV License</u>	21	NCAC	18B	.0804
Amend/*				
<u>Malpractice Further Defined</u>	21	NCAC	18B	.0909
Adopt/*				
<u>Minimum Requirements for Course Sponsor Approval</u>	21	NCAC	18B	.1102
Amend/*				
<u>Minimum Requirements for Course Approval</u>	21	NCAC	18B	.1103
Amend/**				

IRRIGATION CONTRACTORS' LICENSING BOARD

The rules in Chapter 23 are from the Irrigation Contractors' Licensing Board and concern licensing (.0100); hearings (0200); irrigation record drawing minimum standards (.0300); irrigation design

minimum standards (.0400); irrigation system installation minimum standards (.0500); irrigation system management for water efficiency minimum standards (.0600); and fees (.0700).

<u>Direct Supervision</u> Adopt/*	21	NCAC	23	.0101
<u>Surety Bonds and Legal Status</u> Adopt/**	21	NCAC	23	.0102
<u>Licensing</u> Adopt/*	21	NCAC	23	.0103
<u>Continuing Education</u> Adopt/*	21	NCAC	23	.0104
<u>Licensing Renewals and Reinstatement</u> Adopt/**	21	NCAC	23	.0105
<u>Notice of Hearing: Answer</u> Adopt/*	21	NCAC	23	.0201
<u>Right to Hearing</u> Adopt/*	21	NCAC	23	.0202
<u>Location of Hearing</u> Adopt/*	21	NCAC	23	.0203
<u>Intervention; Discovery</u> Adopt/*	21	NCAC	23	.0204
<u>Subpoenas</u> Adopt/*	21	NCAC	23	.0205
<u>Conduct of Hearing</u> Adopt/*	21	NCAC	23	.0206
<u>Decision of Board</u> Adopt/*	21	NCAC	23	.0207
<u>Irrigation Record Drawing</u> Adopt/*	21	NCAC	23	.0301
<u>System Design Objectives and Requirements</u> Adopt/**	21	NCAC	23	.0401
<u>Piping</u> Adopt/*	21	NCAC	23	.0402
<u>Water Source</u> Adopt/*	21	NCAC	23	.0403
<u>Water Pressure</u> Adopt/**	21	NCAC	23	.0404
<u>Drip/Microirrigation</u> Adopt/*	21	NCAC	23	.0405
<u>Components and Zone Designs</u> Adopt/**	21	NCAC	23	.0406
<u>Irrigation System Disclosure Checklist</u> Adopt/*	21	NCAC	23	.0407
<u>General Requirements</u> Adopt/*	21	NCAC	23	.0501
<u>Site Considerations</u> Adopt/*	21	NCAC	23	.0502
<u>Water Supply</u> Adopt/*	21	NCAC	23	.0503

<u>System Layout</u> Adopt/*	21	NCAC	23	.0504
<u>Trenching and Piping</u> Adopt/*	21	NCAC	23	.0505
<u>Electrical</u> Adopt/*	21	NCAC	23	.0506
<u>Grounding</u> Adopt/*	21	NCAC	23	.0507
<u>Sprinklers</u> Adopt/*	21	NCAC	23	.0508
<u>Controller</u> Adopt/*	21	NCAC	23	.0509
<u>Initial System Start Up</u> Adopt/*	21	NCAC	23	.0510
<u>Owner's Manual</u> Adopt/*	21	NCAC	23	.0511
<u>Purpose</u> Adopt/*	21	NCAC	23	.0601
<u>Basic System Maintenance Practices</u> Adopt/*	21	NCAC	23	.0602
<u>Scheduling</u> Adopt/*	21	NCAC	23	.0603
<u>Fee Schedule</u> Adopt/*	21	NCAC	23	.0701

MARRIAGE AND FAMILY THERAPY LICENSURE BOARD

The rules in Chapter 31 are from the Marriage and Family Therapy Board and concern application for certification (.0200); examination (.0300); renewal (.0400); definitions (.0500); code of ethical principles (.0600); continuing education (.0700); associate status (.0800); reciprocity (.0900); and fees (.1000).

<u>Credentials Required</u> Amend/**	21	NCAC	31	.0201
<u>Review Procedure</u> Amend/*	21	NCAC	31	.0202
<u>Written Examination</u> Amend/*	21	NCAC	31	.0301
<u>Reporting of Scores</u> Repeal/*	21	NCAC	31	.0302
<u>First Examination</u> Repeal/*	21	NCAC	31	.0303
<u>Licensure Renewal Form</u> Amend/*	21	NCAC	31	.0401
<u>Appropriate Course of Study</u> Amend/**	21	NCAC	31	.0501
<u>Ongoing Supervision</u> Amend/*	21	NCAC	31	.0502
<u>Equivalency</u> Amend/*	21	NCAC	31	.0503
<u>Alternative to Clinical Practicum</u> Amend/*	21	NCAC	31	.0504

<u>Direct Client Contact</u> Amend/*	21	NCAC	31	.0506
<u>Ethical Principles</u> Amend/*	21	NCAC	31	.0609
<u>Requirements for Continuing Education</u> Amend/*	21	NCAC	31	.0701
<u>Licensed Marriage and Family Therapy Associate Credential...</u> Amend/**	21	NCAC	31	.0801
<u>Licensed Marriage and Family Therapy Associate</u> Adopt/*	21	NCAC	31	.0802
<u>Reciprocal License</u> Repeal*	21	NCAC	31	.0901
<u>Fees</u> Adopt/*	21	NCAC	31	.1001
<u>Fund Suspension</u> Adopt/*	21	NCAC	31	.1002

PHARMACY, BOARD OF

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); sterile parenteral pharmaceuticals (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

<u>Return of Outdated Drugs</u> Amend/*	21	NCAC	46	.2901
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SOCIAL WORK CERTIFICATION AND LICENSURE BOARD

The rules in Chapter 63 deal with Social Work Certification including general rules (.0100); certification (.0200); examinations (.0300); renewal of certification (.0400); ethical guidelines (.0500); disciplinary procedures (.0600); adoption of rules (.0700); and professional corporations and limited liability companies.

<u>Definitions</u> Amend/*	21	NCAC	63	.0102
<u>General</u> Adopt/*	21	NCAC	63	.0106
<u>Renewal of Certification</u> Adopt/*	21	NCAC	63	.0406
<u>Reporting of Disciplinary Actions</u> Amend/*	21	NCAC	63	.0609

SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BOARD OF EXAMINERS FOR

The rules in Chapter 64 are from the Board of Examiners for Speech and Language Pathologists and Audiologists and include general provisions (.0100); interpretative rules (.0200); code of ethics (.0300); rulemaking petitions (.0400); notice of rulemaking (.0500); conduct of rulemaking hearings (.0600);

declaratory rulings (.0700); contested case hearings (.0800); other matters relating to administrative hearings (.0900); and use of speech/language pathology assistants (.1000).

Other Misconduct 21 NCAC 64 .0307
 Adopt/**

BUILDING CODE COUNCIL

<u>2009 NC Building Code - Fire Door and Fire Shutter Fire P...</u> Amend/*	Table 715.4
<u>2012 NC Building Code - Fire Door and Fire Shutter Protec...</u> Amend/*	Table 715.4
<u>2011 NC Electrical Code</u> Adopt/*	Amendments to 2011 NEC
<u>2012 NC Fire Code - Appendices</u> Amend/*	101.2.1
<u>2012 NC Mechanical Code - Minimum Ventilation Rates</u> Amend/*	Table 403.3
<u>2012 NC Mechanical Code - Zone Outdoor Airflow</u> Amend/*	403.3.1.3
<u>2012 NC Mechanical Code - Outdoor Air Intake Flow Rate</u> Amend/*	403.3.2.3.4
<u>2012 NC Plumbing Code - Rainwater Collection and Distribu...</u> Amend/*	Appendix C-1
<u>2012 NC Residential Code - Egress Door</u> Amend/*	R311.2
<u>2009 NC Residential Code - Smoke Alarm Location</u> Amend/*	R313.2
<u>2012 NC Residential Code - Smoke Alarm Location</u> Amend/*	R314.3
<u>2012 NC Residential Code - Minimum Width of Footings</u> Amend/*	Table R403.1
<u>2012 NC Residential Code - Concrete Masonry Foundation De...</u> Amend/*	Figure R 403.3(1)
<u>2012 NC Residential Code - Foundation Vent Sizing</u> Amend/*	R408.1.1
<u>2012 NC Residential Code - Ground Vapor Retarder</u> Amend/*	R408.2
<u>2012 NC Residential Code - Framing Details</u> Amend/*	R802.3
<u>2012 NC Residential Code - Attic Access</u> Amend/*	R807.1
<u>2012 NC Residential Code - Attic Hatches and Doors</u> Amend/*	Appendix N1102.2.3