

Commission Review
Log of Permanent Rule Filings
July 21, 2022 through August 22, 2022

AGRICULTURE, BOARD OF

The rules in Chapter 52 concern the veterinary division.

The rules in Subchapter 52B cover animal diseases, treatment, and protection including quarantine (.0100), admission of livestock to North Carolina (.0200), brucellosis regulations (.0300), equine infectious anemia (.0400), poultry diseases (.0500), poultry hatcheries (.0600); and scrapie disease (.0700).

<u>Importation Requirements: Wild Animals</u> Amend*	02	NCAC 52B	.0212
<u>Importation Requirements: Rabbits, or Any Species in the ...</u> Adopt*	02	NCAC 52B	.0214

The rules in Chapter 61 concern sanitation of bedding.

<u>Definitions</u> Amend*	02	NCAC 61	.0101
<u>Authorized Sanitizing Processes</u> Amend*	02	NCAC 61	.0102
<u>Recordkeeping for Sanitization</u> Adopt*	02	NCAC 61	.0104
<u>Storage of Secondhand or Previously-Used Materials</u> Amend*	02	NCAC 61	.0106
<u>License Fees and Applications</u> Amend*	02	NCAC 61	.0109
<u>Durable Materials for Tags</u> Adopt*	02	NCAC 61	.0111

ELECTIONS, STATE BOARD OF

The rules in Chapter 4 concern voting equipment including use of mechanical voting machines (.0100); use of punch-card voting equipment (.0200); and approval and operation of voting systems (.0300).

<u>Authorized Access to Voting System Information in Escrow</u> Adopt*	08	NCAC 04	.0308
<u>Nondisclosure Agreement for Review of Information in Escrow</u> Adopt*	08	NCAC 04	.0309

MEDICAL CARE COMMISSION

The rules in Subchapter 13F concern licensing of homes for the aged and infirm and include definitions (.0100); licensing (.0200); physical plant (.0300); staff qualification (.0400); staff orientation training, competency and continuing education (.0500); staffing (.0600); admission and discharge (.0700); resident assessment and care plan (.0800); resident care and services (.0900); medication (.1000); Resident's funds and refunds (.1100); policies; records and reports (.1200); special care units for alzheimer and related disorders (.1300); special care units for mental health disorders (.1400); use of

physical restraints and alternatives (.1500); rated certificates (.1600); administrator certification and renewal (.1700); and infection prevention and control (.1800).

<u>Qualifications of Activity Director</u> Readopt with Changes*	10A NCAC 13F .0404
<u>Other Staff Qualifications</u> Readopt with Changes*	10A NCAC 13F .0407
<u>Personal Care Training and Competency</u> Readopt with Changes*	10A NCAC 13F .0501
<u>Personal Care Training Content and Instructors</u> Repeal*	10A NCAC 13F .0502
<u>Medication Administration Competency</u> Readopt without Changes*	10A NCAC 13F .0503
<u>Competency Validation for Licensed Health Professional Su...</u> Amend*	10A NCAC 13F .0504
<u>Assessment Training</u> Amend*	10A NCAC 13F .0508
<u>Activities Program</u> Amend*	10A NCAC 13F .0905
<u>Medication Storage</u> Readopt without Changes*	10A NCAC 13F .1006
<u>Controlled Substances</u> Readopt without Changes*	10A NCAC 13F .1008
<u>Pharmaceutical Services</u> Readopt without Changes*	10A NCAC 13F .1010
<u>Facilities to Report Resident Deaths</u> Amend*	10A NCAC 13F .1207

The rules in Subchapter 13G concern licensing of family care homes including definitions (.0100); licensing (.0200); the building (.0300); staff qualifications (.0400); staffing orientation, training, competency and continuing education (.0500); staffing of the home (.0600); admission and discharge (.0700); resident assessment and care plan (.0800); resident care and services (.0900); medications (.1000); management and resident's funds and refunds (.1100); policies, records and reports (.1200); use of physical restraints and alternatives (.1300); rated certificates (.1600); and infection prevention and control (.1700)..

<u>Qualifications of Activity Coordinator</u> Readopt with Changes*	10A NCAC 13G .0404
<u>Other Staff Qualifications</u> Readopt with Changes*	10A NCAC 13G .0406
<u>Personal Care Training and Competency</u> Readopt with Changes*	10A NCAC 13G .0501
<u>Personal Care Training and Competency Program Approval</u> Readopt/Repeal*	10A NCAC 13G .0502
<u>Medication Administration Competency Evaluation</u> Readopt without Changes*	10A NCAC 13G .0503
<u>Competency Validation for Licensed Health Professional Su...</u> Readopt with Changes*	10A NCAC 13G .0504
<u>Training on Cardio-Pulmonary Resuscitation</u> Readopt with Changes*	10A NCAC 13G .0507
<u>Assessment Training</u>	10A NCAC 13G .0508

Readopt without Changes*	
<u>Licensed Health Professional Support</u>	10A NCAC 13G .0903
Readopt without Changes*	
<u>Activities Program</u>	10A NCAC 13G .0905
Readopt with Changes*	
<u>Self-Administration of Medications</u>	10A NCAC 13G .1005
Readopt without Changes*	
<u>Medication Storage</u>	10A NCAC 13G .1006
Readopt without Changes*	
<u>Facilities to Report Resident Deaths</u>	10A NCAC 13G .1208
Readopt without Changes*	

RADIATION PROTECTION COMMISSION

The rules in Chapter 15 are from the Radiation Protection Commission and include general provisions (.0100); registration of radiation machines, facilities and services (.0200); licensing of radioactive material (.0300); safety requirements for industrial radiography operations (.0500); x-rays in the healing arts (.0600); use of radioactive sources in the healing arts (.0700); requirements for analytical x-ray equipment (.0800); requirements for particle accelerators (.0900); notices, instructions, reports and inspections (.1000); fees (.1100); land disposal of radioactive waste (.1200); requirements for wire-line service operators and subsurface-tracer studies (.1300); tanning facilities (.1400); licenses for disposal site access (.1500); and standards for protections against radiation (.1600).

<u>Well Logging, Wireline-Service Operations, and Subsurface...</u>	10A NCAC 15 .1301
Readopt with Changes*	
<u>Definitions</u>	10A NCAC 15 .1302
Readopt/Repeal*	
<u>Written Agreements Required</u>	10A NCAC 15 .1303
Readopt/Repeal*	
<u>Limits on Levels of Radiation</u>	10A NCAC 15 .1304
Readopt/Repeal*	
<u>Storage Precautions</u>	10A NCAC 15 .1305
Readopt/Repeal*	
<u>Transport Precautions</u>	10A NCAC 15 .1306
Readopt/Repeal*	
<u>Radiation Survey Instruments</u>	10A NCAC 15 .1307
Readopt/Repeal*	
<u>Leak Testing of Sealed Sources</u>	10A NCAC 15 .1308
Readopt/Repeal*	
<u>Quarterly Inventory</u>	10A NCAC 15 .1309
Readopt/Repeal*	
<u>Utilization Records</u>	10A NCAC 15 .1310
Readopt/Repeal*	
<u>Design: Performance: and Certification Criteria</u>	10A NCAC 15 .1311
Readopt/Repeal*	
<u>Labeling</u>	10A NCAC 15 .1312
Readopt/Repeal*	
<u>Inspection and Maintenance</u>	10A NCAC 15 .1313
Readopt/Repeal*	
<u>Training Requirements</u>	10A NCAC 15 .1314

Readopt/Repeal*	
<u>Operating and Emergency Procedures</u>	10A NCAC 15 .1315
Readopt/Repeal*	
<u>Personnel Monitoring</u>	10A NCAC 15 .1316
Readopt/Repeal*	
<u>Security</u>	10A NCAC 15 .1317
Readopt/Repeal*	
<u>Handling Tools</u>	10A NCAC 15 .1318
Readopt/Repeal*	
<u>Subsurface-Tracer Studies</u>	10A NCAC 15 .1319
Readopt/Repeal*	
<u>Particle Accelerators</u>	10A NCAC 15 .1320
Readopt/Repeal*	
<u>Radiation Surveys</u>	10A NCAC 15 .1321
Readopt/Repeal*	
<u>Documents and Records Required at Field Stations</u>	10A NCAC 15 .1322
Readopt/Repeal*	
<u>Documents and Records Required at Temporary Jobsites</u>	10A NCAC 15 .1323
Readopt/Repeal*	
<u>Notification of Incidents: Abandonment: and Lost Sources</u>	10A NCAC 15 .1324
Readopt/Repeal*	
<u>Subjects in Training Courses for Logging Supervisors</u>	10A NCAC 15 .1325
Readopt/Repeal*	
<u>Energy Compensation Sources</u>	10A NCAC 15 .1326
Readopt/Repeal*	
<u>Tritium Neutron Generator Target Sources</u>	10A NCAC 15 .1327
Readopt/Repeal*	

PUBLIC HEALTH, COMMISSION FOR

The rules in Chapter 41 concern epidemiology health.

The rules in Subchapter 41A concern communicable disease control and include reporting of communicable diseases (.0100); control measures for communicable diseases including special control measures (.0200-.0300); immunization (.0400); purchase and distribution of vaccine (.0500); special program/project funding (.0600); licensed nursing home services (.0700); communicable disease grants and contracts (.0800); and biological agent registry (.0900).

<u>Reporting of COVID-19 Diagnostic Test Results</u>	10A NCAC 41A .0107
Amend*	

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Chapter 9 are from the Criminal Justice Education and Training Standards Commission. This Commission has primary responsibility for setting statewide education, training, employment, and retention standards for criminal justice personnel (not including sheriffs).

The rules in Subchapter 9A cover the Commission organization and procedure (.0100) and enforcement of the rules (.0200).

<u>Definitions</u>	12 NCAC 09A .0103
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Amend*

The rules in Subchapter 9B cover minimum standards for: employment (.0100); schools and training programs (.0200); criminal justice instructors (.0300); completion of training (.0400); school directors (.0500); and certification of post-secondary criminal justice education programs (.0600).

<u>Background Investigations</u>	12	NCAC	09B	.0102
Amend*				
<u>Medical Examination</u>	12	NCAC	09B	.0104
Amend*				
<u>Employment Interview</u>	12	NCAC	09B	.0105
Amend*				
<u>Documentation of Educational Requirements</u>	12	NCAC	09B	.0106
Amend*				
<u>Criminal History Record</u>	12	NCAC	09B	.0111
Amend*				
<u>Minimum Standards for Local Confinement Personnel</u>	12	NCAC	09B	.0114
Amend*				
<u>Minimum Standards for Juvenile Court Counselors and Chief...</u>	12	NCAC	09B	.0116
Amend*				
<u>Minimum Standards for Juvenile Justice Officers</u>	12	NCAC	09B	.0117
Amend*				
<u>Certification of Diversion Investigator and Supervisors</u>	12	NCAC	09B	.0314
Amend*				
<u>Military Transferees</u>	12	NCAC	09B	.0701
Amend*				

The rules in Subchapter 9C concern the administration of criminal justice education and training standards including responsibilities of the criminal justice standards division (.0100); forms (.0200); certification of criminal justice officers (.0300); accreditation of criminal justice schools and training courses (.0400); minimum standards for accreditation of associate of applied science degree programs incorporating basic law enforcement training (.0500); and equipment and procedures (.0600).

<u>Agency Reporting of Drug Screening Results</u>	12	NCAC	09C	.0310
Amend*				

PRIVATE PROTECTIVE SERVICES BOARD

The rules in Chapter 16 are from the Private Protective Services Board and cover organization and general provisions (.0100); licenses and trainee permits (.0200); security guard patrol and guard dog service (.0300); private investigator: electronic countermeasures (.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); continuing education (.1300); and armed armored car service guards firearm registration permit (.1400).

<u>Renewal of Armed Security Guard Firearm Registration Permit</u>	14B	NCAC	16	.0806
Amend*				
<u>Renewal of a Firearms Trainer Certificate</u>	14B	NCAC	16	.0904
Amend*				
<u>Renewal of an Unarmed Trainer Certificate</u>	14B	NCAC	16	.0911
Amend*				

WILDLIFE RESOURCES COMMISSION

The rules in Chapter 10 are promulgated by the Wildlife Resources Commission and concern wildlife resources and water safety.

The rules in Subchapter 10A cover general WRC practices and procedures including petitions for rulemaking (.0400); declaratory rulemaking (.0500); warning tickets (.1000); waivers (.1100); emergency powers (.1200); wildlife poacher reward fund (.1300); interstate wildlife violator compact (wcv) (.1400); and evidence (.1500).

Replacement Costs of Wildlife 15A NCAC 10A .1502
Adopt*

The rules in Subchapter 10B are hunting and trapping rules and cover general hunting and wildlife provisions (.0100), hunting specific animals (.0200), trapping (.0300), tagging furs (.0400), chronic wasting disease management (.0500).

Importation of Wild Animals, Birds, and Native Reptiles a... 15A NCAC 10B .0101
Amend*

Wildlife Taken for Depredations 15A NCAC 10B .0106
Readopt with Changes*

Black Bear 15A NCAC 10B .0107
Readopt with Changes*

Chasing Deer with Dogs in Certain Counties 15A NCAC 10B .0109
Readopt with Changes*

Replacement Costs of Wildlife Resources 15A NCAC 10B .0117
Readopt/Repeal*

Sale of Wildlife 15A NCAC 10B .0118
Readopt with Changes*

Taking Deer and Bear with Handguns 15A NCAC 10B .0120
Readopt with Changes*

State Hunting License Exemptions 15A NCAC 10B .0126
Readopt with Changes*

Possession of Wildlife Killed Accidentally or Found Dead 15A NCAC 10B .0127
Readopt with Changes*

Foxes (Gray and Red) 15A NCAC 10B .0212
Readopt with Changes*

Falconry 15A NCAC 10B .0216
Readopt with Changes*

Pistol Seasons 15A NCAC 10B .0217
Readopt/Repeal*

Feral Swine 15A NCAC 10B .0223
Readopt with Changes*

Prohibited Taking 15A NCAC 10B .0302
Readopt with Changes*

Bag Limits 15A NCAC 10B .0304
Readopt with Changes*

Traps 15A NCAC 10B .0305
Readopt with Changes*

Definitions 15A NCAC 10B .0401
Readopt with Changes*

<u>Trappers and Hunters</u> Readopt with Changes*	15A NCAC 10B .0404
<u>Fur Dealers</u> Readopt with Changes*	15A NCAC 10B .0405
<u>Misuse of Tags</u> Readopt with Changes*	15A NCAC 10B .0406

The rules in Subchapter 10C cover inland fishing including jurisdictional issues involving the Marine Fisheries Commission (.0100); general rules (.0200); game fish in inland fishing waters (.0300); nongame fish in inland fishing waters (.0400); primary nursery areas (.0500); and anadromous fish spawning areas (.0600); game fish in coastal fishing waters (.0700)..

<u>Reciprocal License Agreement</u> Readopt with Changes*	15A NCAC 10C .0203
<u>Trotlines, Jug Hooks, and Set Hooks</u> Readopt with Changes*	15A NCAC 10C .0206
<u>Spawning Areas</u> Readopt with Changes*	15A NCAC 10C .0208
<u>Fish Collectors</u> Readopt with Changes*	15A NCAC 10C .0214
<u>Replacement Costs of Wildlife Resources - Fish</u> Readopt/Repeal*	15A NCAC 10C .0215
<u>State Inland Fishing License Exemptions</u> Readopt with Changes*	15A NCAC 10C .0216

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>Dare County</u> Amend*	15A NCAC 10F .0310
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The rules in Subchapter 10H concern activities regulated by the Commission including controlled hunting preserves for domestically raised game birds (.0100), holding wildlife in captivity (.0300), commercial trout ponds (.0400), fish propagation (.0700), falconry (.0800), game bird propagators (.0900), taxidermy (.1000), furbearer propagation (.1100), controlled fox hunting preserves (.1200), reptiles and amphibians (.1300), wildlife captivity and rehabilitation (.1400), wildlife and alligator control agents (.1500).

<u>Wildlife Control Technician</u> Adopt*	15A NCAC 10H .1510
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PUBLIC HEALTH, COMMISSION FOR

The rules in Chapter 18 cover environmental aspects of health such as sanitation (18A), mosquito control (18B), water supplies (18C), and water treatment facility operators (18D).

The rules in Subchapter 18A deal with sanitation and include handling, packing and shipping of crustacean meat (.0100) and shellfish (.0300 and .0400); operation of shellstock plants and reshippers (.0500); shucking and packing plants (.0600); depuration mechanical purification facilities (.0700); wet storage of shellstock (.0800); shellfish growing waters (.0900); summer camps (.1000); grade A milk (.1200); hospitals, nursing homes, rest homes, etc. (.1300); mass gatherings (.1400); local confinement facilities (.1500); residential care facilities (.1600); protection of water supplies (.1700); lodging places

(.1800); sewage treatment and disposal systems (.1900); migrant housing (.2100); bed and breakfast homes (.2200); delegation of authority to enforce rules (.2300); public, private and religious schools (.2400); public swimming pools (.2500); restaurants, meat markets, and other food handling establishments (.2600); child day care facilities (.2800); restaurant and lodging fee collection program (.2900); bed and breakfast inns (.3000); lead poisoning prevention (.3100); tattooing (.3200); adult day service facilities (.3300); primitive camps (.3500); rules governing the sanitation of resident camps (.3600); and private drinking water well sampling (.3800).

<u>Definitions</u>	15A NCAC 18A .1301
Readopt with Changes*	
<u>Approval of Plans</u>	15A NCAC 18A .1302
Readopt with Changes*	
<u>Inspections</u>	15A NCAC 18A .1304
Readopt with Changes*	
<u>Grading Residential Care Facilities in Institutions</u>	15A NCAC 18A .1305
Readopt with Changes*	
<u>Public Display of Grade Card</u>	15A NCAC 18A .1306
Readopt with Changes*	
<u>Reinspections</u>	15A NCAC 18A .1307
Readopt with Changes*	
<u>Scoring System</u>	15A NCAC 18A .1308
Readopt with Changes*	
<u>Floors</u>	15A NCAC 18A .1309
Readopt with Changes*	
<u>Walls and Ceilings</u>	15A NCAC 18A .1310
Readopt with Changes*	
<u>Lighting and Ventilation</u>	15A NCAC 18A .1311
Readopt with Changes*	
<u>Toilet: Handwashing: and Bathing Facilities</u>	15A NCAC 18A .1312
Readopt with Changes*	
<u>Water Supply</u>	15A NCAC 18A .1313
Readopt with Changes*	
<u>Drinking Water Facilities: Ice Handling</u>	15A NCAC 18A .1314
Readopt with Changes*	
<u>Liquid Wastes</u>	15A NCAC 18A .1315
Readopt with Changes*	
<u>Solid Wastes: Premises Medical Wastes</u>	15A NCAC 18A .1316
Readopt with Changes*	
<u>Pest Control: Pesticides</u>	15A NCAC 18A .1317
Readopt with Changes*	
<u>Medical Supplies</u>	15A NCAC 18A .1318
Readopt with Changes*	
<u>Furnishings and Laundry</u>	15A NCAC 18A .1319
Readopt with Changes*	
<u>Activity Kitchens, Rehabilitation Kitchens, and Nourishme...</u>	15A NCAC 18A .1320
Readopt with Changes*	
<u>Food Supplies</u>	15A NCAC 18A .1321
Readopt with Changes*	
<u>Food Protection in Activity Kitchens, Rehabilitation Kitc...</u>	15A NCAC 18A .1323
Readopt with Changes*	

<u>Employees</u>	15A NCAC 18A .1324
Readopt with Changes*	
<u>Incorporated Rules</u>	15A NCAC 18A .1327
Readopt with Changes*	

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>North Carolina Examination</u>	21 NCAC 10 .0203
Amend*	
<u>Determination of Probable Cause</u>	21 NCAC 10 .0503
Amend*	
<u>Fee Schedule</u>	21 NCAC 10 .0803
Adopt*	

DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16I concern the annual renewal and continuing education requirements of the dental hygienist license.

<u>Continuing Education on Substance Abuse and Mental Health</u>	21 NCAC 16I .0206
Adopt*	

The rules in Subchapter 16R concern annual renewal of license and continuing education requirements of dentists (.0100 and .0200).

<u>Continuing Education on Substance Abuse and Mental Health</u>	21 NCAC 16R .0206
Adopt*	

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); compounding (.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>Definitions</u>	21 NCAC 46 .1317
Amend*	
<u>Drugs and Devices to be Dispensed</u>	21 NCAC 46 .2403
Repeal*	

STATE HUMAN RESOURCES COMMISSION

The rules in Subchapter 1C concern personnel administration including general employment policies (.0200); appointment (.0400); work schedule (.0500); secondary employment (.0700); requirements for teleworking programs (.0800); employee recognition programs (.0900); and separation (.1000).

Separation
Amend*

25 NCAC 01C .1007