

Commission Review
Log of Permanent Rule Filings
October 21, 2022 through November 21, 2022

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).

Nutrition and Food Service
Readopt with Changes

10A NCAC 13F .0904

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)..

Nutrition and Food Service
Readopt with Changes

10A NCAC 13G .0904

HHS - HEALTH SERVICE REGULATION, DIVISION OF

The rules in Subchapter 14C are Certificate of Need regulations including general provisions (.0100); applications and review process (.0200); exemptions (.0300); appeal process (.0400); enforcement and sanctions (.0500); and criteria and standards for nursing facility or adult care home services (.1100), intensive care services (.1200), pediatric intensive care services (.1300), neonatal services (.1400), hospices, hospice inpatient facilities, and hospice residential care facilities (.1500), cardiac catheterization equipment and cardiac angioplasty equipment (.1600), open heart surgery services and heart-lung bypass machines (.1700), diagnostic centers (.1800), radiation therapy equipment (.1900), home health services (.2000), surgical services and operating rooms (.2100), end stage renal disease services (.2200), computed tomography equipment (.2300), immediate care facility/mentally retarded (ICF/MR) (.2400), substance abuse/chemical dependency treatment beds (.2500), psychiatric beds (.2600), magnetic resonance imaging scanner (.2700), rehabilitation services (.2800), bone marrow transplantation services (.2900), solid organ transplantation services (.3000), major medical equipment (.3100), lithotripter equipment (.3200), air ambulance (.3300), burn intensive care services (.3400), oncology treatment centers (.3500), gamma knife (.3600), positron emission tomography scanner (.3700), acute care beds (.3800), gastrointestinal endoscopy procedure rooms in licensed health service facilities (.3900), and hospice inpatient facilities and hospice residential care facilities (.4000).

Performance Standards
Readopt with Changes

10A NCAC 14C .1102

Definitions
Readopt with Changes

10A NCAC 14C .2001

Performance Standards
Readopt with Changes

10A NCAC 14C .2003

<u>Definitions</u>	10A NCAC 14C .2801
Readopt with Changes	
<u>Performance Standards</u>	10A NCAC 14C .2803
Readopt with Changes	
<u>Definitions</u>	10A NCAC 14C .3801
Readopt with Changes	
<u>Performance Standards</u>	10A NCAC 14C .3803
Readopt with Changes	
<u>Definitions</u>	10A NCAC 14C .4001
Readopt with Changes	
<u>Performance Standards</u>	10A NCAC 14C .4003
Readopt with Changes	

INDUSTRIAL COMMISSION

The rules in Subchapter 23G concern the North Carolina Industrial Commission rules for mediated settlement and neutral evaluation conferences.

<u>Duties of Parties, Representatives, and Attorneys</u>	11 NCAC 23G .0104
Amend	

SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Subchapter 10B govern the commission organization and procedure (.0100); enforcement rules (.0200); minimum standards for employment as a justice officer (deputy or jailer) (.0300); certification of justice officers (.0400); standards and accreditation for justice officers schools, training programs, and the instructors (.0500-.0900); certificate and awards programs for sheriffs, deputies, justice officers, jailers, reserve officers, and telecommunicators (.1000-.1700); in-service training (.2000); and firearms in-service training and re-qualification (.2100).

<u>Telecommunicator Certification Course</u>	12 NCAC 10B .1302
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>Definitions</u>	14B NCAC 16 .0103
Amend	
<u>Training Requirements for Armed Security Guards</u>	14B NCAC 16 .0807
Amend	

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2E concern water use registration and allocation including general provisions (.0100); capacity use area No. 1 (.0200); registration of water withdrawals and transfers (.0300); regulation of surface water transfers (.0400); central coastal plain capacity use area (.0500); and water use during drought and water supply emergencies (.0600).

<u>Applicability</u>	15A NCAC 02E .0401
Readopt with Changes	
<u>Definitions</u>	15A NCAC 02E .0402
Readopt with Changes	
<u>Applicability</u>	15A NCAC 02E .0403
Adopt	
<u>Notifications</u>	15A NCAC 02E .0404
Adopt	
<u>Environmental Documents</u>	15A NCAC 02E .0405
Adopt	
<u>Petition</u>	15A NCAC 02E .0406
Adopt	
<u>Settlement Mediation</u>	15A NCAC 02E .0407
Adopt	
<u>Final Determination</u>	15A NCAC 02E .0408
Adopt	
<u>Emergency Transfers</u>	15A NCAC 02E .0409
Adopt	

WILDLIFE RESOURCES COMMISSION

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>Safety Equipment</u>	15A NCAC 10F .0201
Amend	

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES/LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Chapter 2 concern retirements systems.

The rules in Subchapter 2A are divisional rules including organizational rules (.0100); rule-making procedures (.0200); declaratory rulings (.0300); contested case procedures (.0400); and general procedures (.0500).

<u>Organization: Authority</u>	20 NCAC 02A .0101
Amend	
<u>Exercise of Authority</u>	20 NCAC 02A .0102
Amend	
<u>Delegation of Authority to Director</u>	20 NCAC 02A .0103
Readopt without Changes	
<u>Exercise of Employer Options</u>	20 NCAC 02A .0104
Readopt without Changes	

<u>Establishment of Procedural Rights</u> Amend	20	NCAC 02A .0201
<u>Definitions</u> Amend	20	NCAC 02A .0202
<u>Establishment of Procedural Rights</u> Readopt with Changes	20	NCAC 02A .0301
<u>Definitions</u> Amend	20	NCAC 02A .0302
<u>Reconsideration of Declaratory Rulings</u> Readopt/Repeal	20	NCAC 02A .0303
<u>Establishment of Procedural Rights</u> Readopt with Changes	20	NCAC 02A .0401
<u>Dual Membership - Computation of Service and Benefits</u> Amend	20	NCAC 02A .0503
<u>Direct Deposit of Monthly Benefit Payments</u> Readopt without Changes	20	NCAC 02A .0504
<u>Administrative Fees for Service Purchasers</u> Adopt	20	NCAC 02A .0505

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Subchapter 2B concern the teachers' and state employees' retirement system including general provisions (.0100); administration (.0200); beneficiaries (.0300) employer contributions (.0400); types of retirement (.0500); leaves of absence (.0700); military service (inchoate rights only) (.0800); out-of-state service (inchoate rights only) (.0900) prior service (.1000); voluntary withdrawn contributions (.1100); and delayed purchase of service credits (.1200).

<u>General Information</u> Amend	20	NCAC 02B .0101
<u>Actuarial Tables: Rates and Assumptions</u> Readopt with Changes	20	NCAC 02B .0202
<u>Medical Board</u> Readopt with Changes	20	NCAC 02B .0210
<u>Optional Retirement Program</u> Readopt without Changes	20	NCAC 02B .0211
<u>Disability Retirement Allowance Defined</u> Repeal	20	NCAC 02B .0213
<u>Designation</u> Readopt without Changes	20	NCAC 02B .0301
<u>Principal Beneficiary</u> Readopt with Changes	20	NCAC 02B .0302
<u>Contingent Beneficiary</u> Readopt with Changes	20	NCAC 02B .0303
<u>No Living Beneficiary</u> Readopt with Changes	20	NCAC 02B .0304
<u>Beneficiary Who I Minor</u> Readopt with Changes	20	NCAC 02B .0305
<u>Change in Beneficiary</u> Readopt with Changes	20	NCAC 02B .0307
<u>Special Rule: Beneficiary Before July 1, 1967</u>	20	NCAC 02B .0308

Readopt without Changes			
<u>Refunds</u>	20	NCAC 02B	.0401
Readopt with Changes			
<u>Forwarding Of Employer Contributions</u>	20	NCAC 02B	.0402
Readopt without Changes			
<u>Due Date Of Contributions</u>	20	NCAC 02B	.0404
Readopt without Changes			
<u>Anti-Pension Spiking Contribution-Based Benefit Cap Facto...</u>	20	NCAC 02B	.0405
Repeal			
<u>Disability Retirement Examination</u>	20	NCAC 02B	.0501
Readopt without Changes			
<u>Disability Retirement Reports</u>	20	NCAC 02B	.0502
Readopt without Changes			
<u>Fees: Independent Medical Exam-Disability Retirements</u>	20	NCAC 02B	.0503
Readopt/Repeal			
<u>Interest Credits</u>	20	NCAC 02B	.0504
Readopt without Changes			
<u>Pensions</u>	20	NCAC 02B	.0510
Readopt without Changes			
<u>Educational Leaves of Absence</u>	20	NCAC 02B	.0701
Readopt with Changes			
<u>Workers' Compensation Leaves of Absence</u>	20	NCAC 02B	.0706
Readopt with Changes			
<u>Fee</u>	20	NCAC 02B	.0801
Readopt/Repeal			
<u>Qualifying for Credit</u>	20	NCAC 02B	.0802
Readopt without Changes			
<u>Computation of Cost</u>	20	NCAC 02B	.0803
Amend			
<u>Civil Service Participation</u>	20	NCAC 02B	.0804
Readopt without Changes			
<u>Service Connected Disability</u>	20	NCAC 02B	.0805
Readopt without Changes			
<u>Recalculation of Benefits</u>	20	NCAC 02B	.0806
Readopt with Changes			
<u>Change in Benefits</u>	20	NCAC 02B	.0807
Readopt without Changes			
<u>Restoring Membership</u>	20	NCAC 02B	.0810
Readopt without Changes			
<u>Fee</u>	20	NCAC 02B	.0901
Readopt/Repeal			
<u>Qualifying for Credit</u>	20	NCAC 02B	.0902
Readopt without Changes			
<u>Definition</u>	20	NCAC 02B	.0903
Readopt without Changes			
<u>Computation of Cost</u>	20	NCAC 02B	.0904
Readopt without Changes			
<u>Recalculation of Benefits</u>	20	NCAC 02B	.0905
Readopt with Changes			

<u>Change in Benefits</u> Readopt without Changes	20	NCAC 02B .0906
<u>Prior Service with General Assembly</u> Readopt/Repeal	20	NCAC 02B .1003
<u>Temporary Service Purchase (Inchoate Rights Only)</u> Readopt with Changes	20	NCAC 02B .1004
<u>Temporary Service Purchase: Full Actuarial Liability</u> Readopt/Repeal	20	NCAC 02B .1005
<u>Part-Time Service Purchase: Full Actuarial Liability</u> Readopt with Changes	20	NCAC 02B .1006
<u>Local Government Service Purchase: Full Actuarial Liability</u> Readopt/Repeal	20	NCAC 02B .1007
<u>Fee</u> Readopt/Repeal	20	NCAC 02B .1101
<u>Qualification</u> Readopt/Repeal	20	NCAC 02B .1102
<u>Recalculation of Benefits</u> Readopt/Repeal	20	NCAC 02B .1104
<u>Definitions</u> Readopt/Repeal	20	NCAC 02B .1204
<u>Computation of Cost</u> Readopt/Repeal	20	NCAC 02B .1205
<u>Special Rule for Retired Applicants</u> Readopt/Repeal	20	NCAC 02B .1207

LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Subchapter 2C concern the local government employees' retirement system including general provisions (.0100); administration (.0200); beneficiaries (.0300); contributions (.0400); disability retirement (.0500); leaves of absence (.0700); military service (inchoate rights only) (.0900); out-of-state service (inchoate rights only) (.1000); retirement allowances (.1200); voluntary withdrawn contributions (.1300); and delayed purchase of service credits (.1500).

<u>General Information</u> Amend	20	NCAC 02C .0101
<u>Actuarial Tables: Rates and Assumptions</u> Readopt with Changes	20	NCAC 02C .0201
<u>Facility of Payment</u> Readopt without Changes	20	NCAC 02C .0204
<u>Medical Board</u> Readopt with Changes	20	NCAC 02C .0205
<u>Designation</u> Readopt without Changes	20	NCAC 02C .0301
<u>Principal Beneficiary</u> Readopt with Changes	20	NCAC 02C .0302
<u>No Living Beneficiary</u> Readopt without Changes	20	NCAC 02C .0303
<u>Payment to Beneficiaries</u> Readopt with Changes	20	NCAC 02C .0304
<u>Beneficiary Change</u>	20	NCAC 02C .0306

Readopt with Changes				
<u>Contingent Beneficiary</u>	20	NCAC	02C	.0307
Adopt				
<u>Employer's Contributions</u>	20	NCAC	02C	.0402
Readopt without Changes				
<u>Refunds</u>	20	NCAC	02C	.0403
Readopt with Changes				
<u>Due Date of Contributions</u>	20	NCAC	02C	.0404
Readopt without Changes				
<u>Anti-Pension Spiking Contribution-Based Benefit Cap Facto...</u>	20	NCAC	02C	.0405
Repeal				
<u>Disability Examination</u>	20	NCAC	02C	.0501
Readopt without Changes				
<u>Disability Retirement Reports</u>	20	NCAC	02C	.0502
Readopt without Changes				
<u>Fees: Independent Medical Exam-Disability Retirements</u>	20	NCAC	02C	.0503
Readopt/Repeal				
<u>Reinstatement to Active Service</u>	20	NCAC	02C	.0504
Readopt without Changes				
<u>Workers' Compensation Leaves of Absence</u>	20	NCAC	02C	.0704
Readopt with Changes				
<u>Leave</u>	20	NCAC	02C	.0901
Readopt without Changes				
<u>Fee</u>	20	NCAC	02C	.0902
Readopt/Repeal				
<u>Computation of Cost</u>	20	NCAC	02C	.0904
Amend				
<u>Civil Service Program</u>	20	NCAC	02C	.0906
Readopt without Changes				
<u>Exclusion</u>	20	NCAC	02C	.0907
Readopt without Changes				
<u>Recalculation of Benefits</u>	20	NCAC	02C	.0908
Readopt without Changes				
<u>Change in Benefits</u>	20	NCAC	02C	.0909
Readopt without Changes				
<u>Fee</u>	20	NCAC	02C	.1001
Readopt/Repeal				
<u>Qualifying for Credit</u>	20	NCAC	02C	.1002
Readopt without Changes				
<u>Other Governmental Subdivision</u>	20	NCAC	02C	.1003
Readopt without Changes				
<u>Computation of Cost</u>	20	NCAC	02C	.1004
Readopt without Changes				
<u>Recalculation of Benefits</u>	20	NCAC	02C	.1006
Readopt with Changes				
<u>Change in Benefits</u>	20	NCAC	02C	.1007
Readopt without Changes				
<u>Service Retirement</u>	20	NCAC	02C	.1201
Readopt/Repeal				

<u>Fee</u> Readopt/Repeal	20	NCAC 02C	.1301
<u>Qualifying for Credit</u> Readopt/Repeal	20	NCAC 02C	.1302
<u>Application of Section</u> Readopt/Repeal	20	NCAC 02C	.1501
<u>Definitions</u> Readopt/Repeal	20	NCAC 02C	.1503
<u>Computation of Cost</u> Readopt/Repeal	20	NCAC 02C	.1504
<u>Extent of Service to be Purchased</u> Readopt/Repeal	20	NCAC 02C	.1505
<u>Special Rule for Retired Applicants</u> Readopt/Repeal	20	NCAC 02C	.1506

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Subchapter 2F concern the consolidated judicial retirement system.

<u>General Information</u> Readopt without Changes	20	NCAC 02F	.0101
<u>Actuarial Tables: Rates and Assumptions</u> Readopt with Changes	20	NCAC 02F	.0104
<u>Final Compensation for Three-Fourths Limitation</u> Readopt without Changes	20	NCAC 02F	.0107
<u>Full Actuarial Cost</u> Readopt/Repeal	20	NCAC 02F	.0108

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES/LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Subchapter 2L concern separate insurance benefit plan for state and local governmental law enforcement officers including general provisions (.0100); participation (.0200); and benefits (.0300).

<u>General Information</u> Readopt without Changes	20	NCAC 02L	.0101
<u>Definitions</u> Readopt with Changes	20	NCAC 02L	.0103
<u>Retired Members</u> Readopt/Repeal	20	NCAC 02L	.0202
<u>Accident and Hospital Benefits</u> Readopt/Repeal	20	NCAC 02L	.0302

The rules in Subchapter 2M concern contributory death benefit for retired members including definitions and general provisions (.0100); election and cancellation of coverage (.0200); and contributions and benefits.

<u>Definitions</u> Readopt with Changes	20	NCAC 02M	.0101
<u>Agency and Authority of Director</u> Amend	20	NCAC 02M	.0102

<u>Time and Date</u>	20	NCAC	02M	.0104
Repeal				
<u>Eligibility to Elect Coverage</u>	20	NCAC	02M	.0201
Amend				
<u>When First Eligible</u>	20	NCAC	02M	.0202
Amend				
<u>Reinstatement</u>	20	NCAC	02M	.0206
Amend				
<u>Contribution Rates</u>	20	NCAC	02M	.0301
Amend				
<u>Member Contribution</u>	20	NCAC	02M	.0302
Amend				
<u>Payment of Contribution</u>	20	NCAC	02M	.0303
Amend				
<u>Amount of Benefit Payable</u>	20	NCAC	02M	.0304
Repeal				
<u>Payment of Interest on Benefit</u>	20	NCAC	02M	.0305
Amend				
<u>Benefits Payable after Cancellation</u>	20	NCAC	02M	.0307
Amend				

LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

The rules in Subchapter 2N concern the organization (.0100) and general provisions (.0200) of the firemen's and rescue squad workers' pension fund.

<u>Office of The Director</u>	20	NCAC	02N	.0106
Amend				
<u>Divisional Rules</u>	20	NCAC	02N	.0108
Readopt without Changes				
<u>Applying for Membership</u>	20	NCAC	02N	.0208
Readopt with Changes				
<u>Military Service</u>	20	NCAC	02N	.0215
Readopt with Changes				
<u>Retirement Benefits</u>	20	NCAC	02N	.0218
Readopt/Repeal				
<u>Refunds of Deceased Members' Payments</u>	20	NCAC	02N	.0219
Readopt without Changes				

FUNERAL SERVICE, BOARD OF

The rules in Subchapter 34B are funeral service rules including rules relating to resident trainees (.0100); examinations (.0200); licensing (.0300); continuing education (.0400); out-of-state licensees (.0500); funeral establishments (.0600); and preparation of dead bodies (.0700).

<u>Continuing Education Program</u>	21	NCAC	34B	.0408
Amend				

The rules in Subchapter 34D are preneed funeral contract rules including general provisions (.0100); licensing (.0200); operations (.0300); and preneed recovery fund (.0400).

Preneed Sales License 21 NCAC 34D .0202
Amend

OPTOMETRY, BOARD OF EXAMINERS IN

The rules in Subchapter 42A concern the organization of the board.

Contacting the Board 21 NCAC 42A .0101
Amend

ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR

The rules in Chapter 56 concern the organization of the board (.0100); instructional programs (.0300); records and reports of the board, retention and dispositions (.0400); professional engineer (.0500); professional land surveyor (.0600); rules of professional conduct (.0700); firm registration (.0800); general business entities (.0900); temporary permit (.1000); seal (.1100); rulemaking proceedings (.1200); board disciplinary procedures (.1300); contested cases (.1400); fees (.1500); standards of practice for land surveying in North Carolina (.1600); and continuing professional competency (.1700).

Disbursement of Funds 21 NCAC 56 .0303
Amend

Requirements for Licensing 21 NCAC 56 .0601
Amend

Surveyor Intern Certificate 21 NCAC 56 .0608
Adopt

Definitions 21 NCAC 56 .1702
Amend

Requirements 21 NCAC 56 .1703
Amend

Units 21 NCAC 56 .1704
Amend

Determination of Credit 21 NCAC 56 .1705
Amend

Exemptions 21 NCAC 56 .1707
Amend

Sponsors 21 NCAC 56 .1713
Amend