

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency -Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|--------------------|--|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| SUBCHAPTER 14J – JAILS, LOCAL CONFINEMENT | SECTION .0100 - DEFINITIONS AND APPLICABILITY FOR | 10A NCAC 14J .0101 | DEFINITIONS | Eff. June 1, 1990 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0102 | APPLICABILITY - OPERATIONS AND ENFORCEMENT | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0103 | APPLICABILITY - CONSTRUCTION | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | SECTION .0200 - OPERATIONS MANUAL FOR JAILS | 10A NCAC 14J .0201 | REQUIREMENT FOR OPERATIONS MANUAL | Amended Eff. June 1, 1991 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0202 | PURPOSE OF OPERATIONS MANUAL | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0203 | CONTENTS OF OPERATIONS MANUAL | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0204 | REVIEW OF MANUAL | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | SECTION .0300 - CLASSIFICATION AND HOUSING | 10A NCAC 14J .0301 | CLASSIFICATION SYSTEM | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0302 | FEMALE INMATES | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0303 | CONFINEMENT OF MALES UNDER 18 YEARS OF AGE | Eff. June 1, 1990 | Necessary with substantive public interest | Yes If yes, include the citation to the federal law | 28 CFR Part 115.14 | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0304 | CONFINEMENT OF JUVENILES UNDER AGE 16 | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0305 | DISCRIMINATION IN HOUSING ASSIGNMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .0400 - FIRE SAFETY | 10A NCAC 14J .0401 | EXITS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0402 | FIRE EQUIPMENT | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0403 | FIRE PLAN | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0404 | MATTRESSES | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0405 | KEYS | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | SECTION .0500 - SECURITY | 10A NCAC 14J .0501 | GENERAL SECURITY REQUIREMENTS | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | SECTION .0600 - SUPERVISION | 10A NCAC 14J .0601 | SUPERVISION | Amended Eff. June 1, 1992 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | SECTION .0700 - SANITATION AND PERSONAL HYGIENE | 10A NCAC 14J .0701 | SANITATION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0702 | MATTRESSES AND BEDDING | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0703 | SHAVING | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency - Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|---|--------------------|---------------------------------------|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | | 10A NCAC 14J .0704 | SHOWERS AND TOILETS | Amended Eff. March 1, 1992 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0705 | PERSONAL HYGIENE ITEMS | Amended Eff. January 1, 1992 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | SECTION .0800 - COMMISSARY OR CANTEEN SERVICES | 10A NCAC 14J .0801 | AVAILABILITY OF SERVICES | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .0900 - FOOD | 10A NCAC 14J .0901 | FOOD SERVICE | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0902 | MEAL SERVICE | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0903 | FOOD AND NUTRIENT REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .0904 | MENUS | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .0905 | MODIFIED DIETS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .1000 - HEALTH CARE OF INMATES AND EXERCISE | 10A NCAC 14J .1001 | MEDICAL PLAN | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1002 | HEALTH SCREENING FORM | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1003 | MEDICAL ISOLATION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1004 | EXERCISE | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .1100 - REPORTS | 10A NCAC 14J .1101 | MONTHLY REPORT FOR JAILS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1102 | REPORT OF DEATH | Amended Eff. June 1, 1993 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .1200 - STANDARDS FOR NEW JAIL DESIGN AND CONSTRUCTION | 10A NCAC 14J .1201 | APPLICABILITY - CONSTRUCTION | Amended Eff. June 1, 1992 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1202 | CONSULTATION AND TECHNICAL ASSISTANCE | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1203 | COMPLIANCE REVIEW AND APPROVAL | Amended Eff. June 1, 1992 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1204 | SPECIFIC CONSTRUCTION REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1206 | ELEVATORS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency -Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|--------------|--------------------|---|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | | 10A NCAC 14J .1207 | INMATE PROCESSING AREA | Eff. June 1, 1990 | Necessary without substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1208 | VISITATION AREAS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1209 | MEDICAL AREA | Eff. June 1, 1990 | Necessary without substantive public interest | No | | Yes | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1210 | OTHER AREAS | Eff. June 1, 1990 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1211 | ADMINISTRATIVE FACILITIES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1212 | FLOORS, CEILINGS, AND WALLS | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | No | Necessary with substantive public interest | No comments with merit | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1213 | SHOWERS AND PLUMBING FIXTURES | Eff. June 1, 1990 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1214 | WINDOWS AND GLAZING | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1215 | DOORS, BUNKS AND LOCKS | Eff. June 1, 1990 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1216 | SAFETY EQUIPMENT | Amended Eff. June 1, 1992 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1217 | MECHANICAL SYSTEMS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | Yes | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1218 | PLUMBING SYSTEMS | Amended Eff. June 1, 1992 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1219 | ELECTRICAL SYSTEMS | Eff. June 1, 1990 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1220 | ADDITIONAL SECURITY REQ/ "INSTITUTIONAL OCCUPANCY-RESTRAINED" JAILS | Amended Eff. June 1, 1993 | Necessary without substantive public interest | No | | Yes | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1221 | CONFINEMENT UNITS | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1222 | STANDARDS FOR SINGLE SEGREGATION CELLS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | Yes | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10a NCAC 14J .1223 | STANDARDS FOR SINGLE CELLS | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1224 | STANDARDS FOR MULTIPLE OCCUPANCY CELLS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1225 | STANDARDS FOR DAYROOMS | Amended Eff. June 1, 1993 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |
| | | 10A NCAC 14J .1226 | STANDARDS FOR DORMITORIES | Amended Eff. December 1, 1991 | Necessary with substantive public interest | No | | Yes | Necessary with substantive public interest | RRC not required to review comment(s) | Necessary with substantive public interest and must be readopted | Agency must readopt |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency - Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|--|--------------------|--|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | SECTION .1300 - INSPECTION AND ENFORCEMENT OF MINIMUM STANDARDS | 10A NCAC 14J .1301 | INSPECTIONS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1302 | REPORT OF INSPECTION | Amended Eff. October 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1303 | DETERMINATION THAT CONDITIONS JEOPARDIZE INMATES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1304 | AGREEMENT OF CORRECTION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1305 | ORDER OF CORRECTIVE ACTION OR ORDER OF CLOSURE | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1306 | DESIGNATION BY SECRETARY | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .1400 - SATELLITE JAIL/WORK RELEASE UNITS | 10A NCAC 14J .1401 | APPLICABILITY | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .1500 - CONSTRUCTION STANDARDS FOR EXISTING FACILITIES | 10A NCAC 14J .1501 | DEFINITIONS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1502 | BUILDING MATERIALS AND CONSTRUCTION REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1503 | DOORS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1504 | WINDOWS AND SECURITY SCREENING | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1505 | SINGLE ROOM REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1506 | MULTIPLE ROOM REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1507 | DORMITORY AREA REQUIREMENTS IN JAILS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1508 | DORMITORY AREA REQUIREMENTS IN COUNTY JAIL ANNEXES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1509 | DAYROOM AND SAFETY VESTIBULE REQUIREMENTS: COUNTY JAIL | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1510 | HOLDING AREAS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1511 | OTHER AREAS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency - Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|--------------|--------------------|--|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | | 10A NCAC 14J .1512 | LIGHTING AND VENTILATION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1513 | WALLS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1514 | SLIDING DOORS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1515 | SWINGING DOORS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1516 | ACCESS DOORS AND PANELS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1517 | PRISON KEY-OPERATED LOCKS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1518 | HINGES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1519 | OBSERVATION AND SPEAKING PANELS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1520 | FOOD PASSES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1521 | MIRRORS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1522 | BUNKS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1523 | TABLES, BENCHES AND SEATS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1524 | SHOWER STALLS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1525 | REMOTE CONTROL LOCKING MECHANISMS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1526 | MATERIAL TESTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1527 | PROTECTION EQUIPMENT FOR ELECTRICAL LIGHTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1528 | DOOR PULLS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1529 | WIRE WINDOW GUARDS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency - Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|--|--------------------|--|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | | 10A NCAC 14J .1530 | SECURITY SCREENS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1531 | INSECT SCREENS AND DOORS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1532 | KEY CABINET | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1533 | PLUMBING | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1534 | PLUMBING FIXTURES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1535 | FLOOR DRAINS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1536 | GENERAL PROVISIONS REGARDING EQUIPMENT INSTALLATION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .1600 - CONSTRUCTION STANDARDS FOR EXISTING STATE-FUNDED SATELLITE JAIL/WORK RELEASE UNITS | 10A NCAC 14J .1601 | APPLICABILITY | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1602 | CONFINEMENT UNIT | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1603 | PROGRAMMING AREAS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1604 | ADMINISTRATION AREA | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1605 | CONSTRUCTION MATERIALS FOR SATELLITE JAIL/WORK RELEASE UNITS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1606 | MECHANICAL SYSTEMS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1607 | GENERAL REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | SECTION .1700 - MUNICIPAL LOCKUPS | 10A NCAC 14J .1701 | DEFINITIONS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1702 | APPLICABILITY - CONSTRUCTION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1703 | REQUIREMENT FOR OPERATIONS MANUAL | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency - Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|--------------|--------------------|--|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | | 10A NCAC 14J .1704 | PURPOSE OF OPERATIONS MANUAL | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1705 | CONTENTS OF OPERATIONS MANUAL | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1706 | REVIEW OF MANUAL | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1707 | CLASSIFICATION SYSTEM | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1708 | FEMALE INMATES | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1709 | CONFINEMENT OF MALES UNDER 18 YEARS OF AGE | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1710 | DISCRIMINATION IN HOUSING ASSIGNMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1711 | EXITS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1712 | FIRE EQUIPMENT | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1713 | FIRE PLAN | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1714 | MATTRESSES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1715 | KEYS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1716 | GENERAL SECURITY REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1717 | SUPERVISION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1718 | SANITATION AND TOILETS | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1719 | MATTRESSES AND BEDDING | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1720 | FOOD SERVICE | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1721 | MEAL SERVICE | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency - Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|--------------|--------------------|---------------------------------------|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | | 10A NCAC 14J .1722 | FOOD AND NUTRIENT REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1723 | MENUS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1724 | MODIFIED DIETS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1725 | MEDICAL PLAN | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1726 | HEALTH SCREENING FORM | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1727 | LOGS OF ADMISSIONS AND RELEASES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1728 | MONTHLY REPORT OF MUNICIPAL LOCKUPS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1729 | REPORT OF DEATH | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1730 | CONSULTATION AND TECHNICAL ASSISTANCE | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1731 | COMPLIANCE REVIEW AND APPROVAL | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1732 | SPECIFIC CONSTRUCTION REQUIREMENTS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1733 | CENTRAL CONTROL STATION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1734 | ELEVATORS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1735 | INMATE PROCESSING AREA | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1736 | VISITATION AREAS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1737 | OTHER AREAS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1738 | FLOORS, CEILINGS, AND WALLS | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1739 | SHOWERS AND PLUMBING FIXTURES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

G.S. 150B-21.3A Report for 10A NCAC SUBCHAPTER 14J, JAILS, LOCAL CONFINEMENT FACILITIES

Agency - Department of Health and Human Services/Health Service Regulation

Comment Period - 03/16/15 thru 05/15/15

Date Submitted to APO - November 23, 2015

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|------------|--------------|--------------------|--|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
| | | 10A NCAC 14J .1740 | WINDOWS AND GLAZING | Amended Eff. December 1, 1991 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1741 | DOORS, BUNKS AND LOCKS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1742 | SAFETY EQUIPMENT | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1743 | MECHANICAL SYSTEMS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1744 | PLUMBING SYSTEMS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1745 | ELECTRICAL SYSTEMS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1746 | CLOTHING AND TOWEL HOOKS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1747 | CONFINEMENT UNITS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1748 | STANDARDS FOR SINGLE CELLS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1749 | STANDARDS FOR MULTIPLE OCCUPANCY CELLS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1750 | INSPECTIONS | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1751 | REPORT OF INSPECTION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1752 | DETERMINATION THAT CONDITIONS JEOPARDIZE INMATES | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1753 | AGREEMENT OF CORRECTION | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1754 | ORDER OF CORRECTIVE ACTION OR ORDER OF CLOSURE | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| | | 10A NCAC 14J .1755 | DESIGNATION BY SECRETARY | Eff. June 1, 1990 | Necessary without substantive public interest | No | | No | Necessary without substantive public interest | No comments with merit | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |

Comments for Subchapter 10A NCAC 14J - Jails, Local Confinement Facilities

| Rule Title | Rule Citation | Date | First Name | Last Name | Company | Email Address | Zip | Comment |
|--|--------------------|--------|------------|------------|-------------------------------------|-----------------------------|-----|--|
| DEFINITIONS | 10A NCAC 14J .0101 | 3/4/15 | Erin | Glendening | DHSR | erin.glendening@dhhs.nc.gov | | This is a test comment to make sure the system is working. |
| CONFINEMENT OF MALES UNDER 18 YEARS OF AGE | 10A NCAC 14J .0303 | 5/4/15 | Frank | Randel | Hemphill - Randel Assoc. | fr-hra@carolina.rr.com | | Revise to comply with PREA. PREA also doesn't make a distinction on male or female inmates under 18 years of age. The subheading should be changed to read 'CONFINEMENT OF INMATES UNDER 18 YEARS OF AGE'. The sentence under .0303 should be deleted and replaced with the wording in PREA 28 CFR 115.14. Alternatively 28 CFR 115.14 could be included by reference in case the federal standards change over time this article will always be current. |
| SUPERVISION | 10A NCAC 14J .0601 | 5/4/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | | <p>Add the following requirements from PREA:</p> <p>(a) A youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.</p> <p>(b) In areas outside of housing units, agencies shall either:</p> <ol style="list-style-type: none"> (1) Maintain sight and sound separation between youthful inmates and adult inmates, or (2) Provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact. |

| | | | | | | | |
|------------------------|--------------------|--------|-------|--------|-------------------------------------|------------------------|--|
| INMATE PROCESSING AREA | 10A NCAC 14J .1207 | 5/4/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>In recent interpretations of 10A NCAC 14J .1214 (d) regarding natural light, inmates in holding cells may be kept overnight which was interpreted to mean that natural light requirements per .1214 must be provided. The definition for confinement units under 10A NCAC 14J .0101 does not specifically include inmate processing area holding cells which results in a gray area open for interpretation sometimes after construction has begun or nearly completed. Natural light for inmate processing area holding cells may at times, due to site restrictions, be difficult to achieve. Simply adding 'inmate processing area holding cells' under the definition of 'confinement units' would be a little convoluted and could be missed. It also does not take into consideration the challenges of a difficult site. Suggest the following be added to .1207: Provide access to natural light. This requirement can be suspended if it is written in the jail operations manual that detainees will either be processed into a confinement unit within 48 hours where natural light is available or be released.</p> |
| INMATE PROCESSING AREA | 10A NCAC 14J .1207 | 5/4/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>Due to increasing drug and alcohol abuse perhaps it is time to require at least one holding cell in the inmate processing area be a padded cell. Currently it does not appear to be a requirement. Suggest the following be added to .1207: Provide at least one padded cell for every ten holding cells. Padding shall be abuse resistant and be provided on floor, walls, and door to 8'-0" minimum above the finish floor. Provide padded cell with blow-out type flushing floor drain operated from outside the cell. Provide a hose faucet connection with hot and cold water outside the cell for cleaning. (Possibly add the following) For jail facilities with a rated capacity of less than 100? a mobile chair with restraints may be used in lieu of a padded cell. Provide electronic video surveillance recording of each padded cell.</p> |

| | | | | | | | |
|-------------------------------------|--------------------|---------|-------|--------|---|--|--|
| MEDICAL AREA | 10A NCAC 14J .1209 | 5/4/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>cross referenced with .1003 MEDICAL ISOLATION</p> <p>Inmates with communicable diseases are becoming more of a concern. Most counties elect to transfer highly contagious inmates, such as those who have TB, to another facility that is more properly equipped and better trained to handle such a patient. Only very large facilities such as Charlotte may have the doctors, nurses, facilities, and other resources needed to house contagious inmates. Jails may have a detainee come in that is either unaware that they are infected or may conceal the fact that they are infected from staff. For most counties a jail will only have a very limited interaction with an infected detainee before transferring them out. Jails will not have all the elaborate filtration systems, controls, and isolation areas that a hospital can have. Jail architects and engineers can use some simple specific guidelines to address medical isolation / prevention as a first line of defense. Something that states for example a number of air changes per hour and cfm/pressure differential guidelines that can be used based off of CDC recommendations. Discharging 100% of the medical area / medical isolation cells air directly to the outside 100% of the time on the off-chance an inmate would conceal his infection would be a heavy utility cost burden. I would suggest the mechanical systems be isolated so air from these areas can't be recirculated to other areas of the facility. Perhaps through the use of mechanical system & controls allow a doctor or nurse to decide when to switch to 100% air discharge to the outside.18</p> |
| SHOWERS AND PLUMBING FIXTURES | 10A NCAC 14J .1213 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>ADA guidelines have certain requirements that can be in conflict with a jail setting due to the high abuse that can be experienced. Wall mounted folding seats have a very short lifespan in a jail. Suggest adding the following for clarifications:</p> <p>Showers for the handicapped shall be provided per the current ADA guidelines with the following modifications: Showers may be provided with a portable seat in lieu of a folding wall mounted seat furnished by staff as needed and stored away when not in use; Accessible showers shall be provided with a quick disconnect for the hand-held unit provided by staff as needed and stored away when not in use; Showers shall be ligature resistant with no handles.</p> <p>Accessible showers and toilets in inmate areas shall be provided with ligature resistant grab bars with closure plates.</p> |

| | | | | | | | |
|-------------------------------|--------------------|---------|-------|--------|-------------------------------------|------------------------|---|
| SHOWERS AND PLUMBING FIXTURES | 10A NCAC 14J .1213 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | .1213 SHOWERS AND PLUMBING FIXTURES (d) Suggest adding an exception to the requirement for mouth guards on drinking fountains in single segregation cells designed specifically for suicide prevention. It provides an opportunity for an inmate to hang himself. Health department input? |
| WINDOWS AND GLAZING | 10A NCAC 14J .1214 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | .1214 WINDOWS AND GLAZING (d) No guidelines are given on the amount of natural light that needs to be made available in terms of area of skylights or windows. The energy code does strictly control the permissible area of skylights as a percentage of the roof area. Not all facilities will be able to use skylights and not all facilities will be able to use windows. ACA guidelines specify that each dayroom have a minimum of 12 square feet of transparent glazing with a view to the outside, plus two additional square feet of glazing per inmate whose cell does not contain a window with a view to the outside. The U values for skylights required by the energy code dictates that a skylight have insulation in the glazing making the daylight diffused rather than direct through a clear glazing. Providing natural light should not be construed to mean that you have to see the sun directly through the skylight. Also a past interpretation of this requirement eliminated the possibility of using reflective tube skylights. Suggest adding the following: For each dayroom provide a minimum of 12 square feet of glazing to the outside plus 2 additional square feet of glazing per inmate whose cell does not contain a window with a view to the outside. Use of reflective tube skylights to fulfill this requirement is prohibited. |

| | | | | | | | |
|------------------------|--------------------|---------|-------|--------|---|------------------------|---|
| DOORS, BUNKS AND LOCKS | 10A NCAC 14J .1215 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>.1215 DOORS, BUNKS, LOCKS (g) This sentence can be interpreted that all cells should be designed for suicide prevention. What is the intent? Regular detention grade plumbing fixtures can be used for suicide as can mouth guards, desks, mechanical grilles, stools, and some sprinkler heads. Should all these items be added as well? Making all items in all cells ligature resistant will likely be cost prohibitive. Mouth guards in particular will be controversial. Suggest replacing this sentence with the following:</p> <p>Doors, locks, detention hardware, bunks, desks, mechanical grilles, sprinkler heads, mouth guards, and all other items inside a segregation cell specifically designed for suicide prevention shall be ligature resistant. Bunks, stools, and desks for cells designed specifically for suicide prevention shall not have legs. Door pulls inside all cells shall be flush pulls.</p> |
| MECHANICAL SYSTEMS | 10A NCAC 14J .1217 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>By code each toilet is required to have an exhaust fan. Toilets located out in the large open dayroom area are also required to have an exhaust fan provided. Providing a dedicated toilet exhaust fan in a large open dayroom area is all but useless and adds another unnecessary opening into security envelope. The mechanical code already requires that a certain amount of fresh air be provided for each inmate. Suggest adding something similar to the following:</p> <p>Where toilets are located in a large open dayroom area designed for more than 16 inmates with a ceiling height greater than 12' a dedicated toilet exhaust fan is not required if acceptable to the local AHJ.</p> |
| PLUMBING SYSTEMS | 10A NCAC 14J .1218 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>.1218 PLUMBING SYSTEMS (a) NCSBC Plumbing code is readily available for free on NCDOT OSFM web site.</p> |
| PLUMBING SYSTEMS | 10A NCAC 14J .1218 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>Suggest adding the requirement that sewage grinders be provided for every jail. A few county's elect not to put one in which later clogs up the jail main line or even public lines as inmates try to flush anything and everything.</p> |

| | | | | | | | |
|---|--------------------|---------|-------|--------|-------------------------------------|------------------------|--|
| ELECTRICAL SYSTEMS | 10A NCAC 14J .1219 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>.1219 ELECTRICAL SYSTEMS (f) This sentence is vague and serves almost no purpose. Suggest clarifying what systems as a minimum shall be provided on emergency power. Also the jail rules are silent on the size of the fuel tank that should be provided for a generator. A 24 hour supply will suffice for most emergencies. Anything longer than that would require an excessively large tank that is difficult to justify. Perhaps the following:</p> <p>An auxiliary emergency generator shall be provided for each jail. The emergency generator may provide emergency power for the entire facility or as a minimum for the following electrical systems and equipment: Emergency egress lighting interior and exterior, smoke control system, fire alarm system, building heat and ventilation system, fire pump where provided, sewer lift station where provided, vehicular sallyport vehicle gates / doors, all security electronics systems with the exception of video visitation, medical area lighting and power, medical isolation ventilation system, communications systems, kitchen refrigerators and freezers where provided, heat for domestic and fire line backflow preventer enclosures where not installed in a below-grade vault, security fence motor operated gates where provided. When a generator is provided with liquid fuel the fuel tank shall be sized to run the generator continuously for 24 hours minimum.</p> |
| ADDITIONAL SECURITY REQ/ "INSTITUTIONAL OCCUPANCY-RESTRAINED" JAILS | 10A NCAC 14J .1220 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>.1220 ADDITIONAL SECURITY REQ/ 'INSTITUTIONAL OCCUPANCY RESTRAINED' JAILS (3) Suggest revising as follows: Clothing or towel hooks with a projecting arm whether fixed or collapsing shall not be used. Security towel hooks utilizing a stainless steel ball and spring encased inside a stainless steel housing may be used except in single segregation cells, padded cells, inmate processing area holding cells.</p> |

| | | | | | | | |
|--|--------------------|---------|-------|--------|-------------------------------------|------------------------|---|
| STANDARDS FOR SINGLE SEGREGATION CELLS | 10A NCAC 14J .1222 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>.1222 STANDARDS FOR SINGLE SEGREGATION CELLS Should all single segregation cells be designed for suicide prevention? Suggest adding the following as a minimum:</p> <p>(5) Drinking fountains may be supplied without mouthguards for cells designed for suicide prevention. (6) When a table and stool are not provided in a cell include in the jail operations manual procedures on how inmates will be served food. (7) Bunks in cells designed for suicide prevention shall be either wall mounted without vertical legs or a solid 15" high concrete base provided sized to accommodate a standard detention mattress. Metal bunks shall be provided without any holes.</p> <p>With all the items listed under this subheading no mention is made of providing a bunk. There is a listing for the dimensions of a bunk under .1215 (f), which implies if you provide a bunk those are the dimensions. I couldn't find anywhere where a bunk is required in any type of cell / confinement unit. It's assumed through common practice / common sense one would be provided for each inmate.</p> |
| STANDARDS FOR DAYROOMS | 10A NCAC 14J .1225 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>.1225 STANDARDS FOR DAYROOMS (cross reference with .1004 EXERCISE) Many facilities provide their exercise area within the dayrooms instead of an outdoor space. There are no real guidelines on space requirements for a dayroom that doubles as the exercise area. ACA indicates a minimum of 500 square feet of unencumbered space for exercise areas used by less than 100 inmates. Suggest revising paragraph (2) as follows:</p> <p>(2) a minimum floor space of 105 square feet or 35 square feet per inmate (exclusive of lavatories, showers, and toilets), whichever is greater. If a separate exercise area is not provided and the dayroom serves as the exercise area to fulfill the requirements of 10A NCAC 14J .1004 the minimum floor space shall be 500 square feet (exclusive of lavatories, showers, and toilets) or 35 square feet per inmate plus 200 square feet (exclusive of lavatories, showers, and toilets), whichever is greater.</p> <p>ACA also requires a minimum ceiling height of 18 feet for interior exercise areas. Should that be included in dayrooms that also serve as the exercise area? Would that be an undue burden on smaller facilities? Perhaps make the ceiling height 10 feet or 12 feet minimum?</p> |

| | | | | | | | |
|---------------------------|--------------------|---------|-------|--------|---|------------------------|--|
| STANDARDS FOR DORMITORIES | 10A NCAC 14J .1226 | 5/11/15 | Frank | Randel | Hemphill - Randel Assoc. Architects | fr-hra@carolina.rr.com | <p>.1226 STANDARDS FOR DORMITORIES Many facilities provide their exercise area within the dormitory instead of an outdoor space. There are no real guidelines on space requirements for a dormitory that doubles as the exercise area. ACA indicates a minimum of 500 square feet of unencumbered space for exercise areas used by less than 100 inmates. Suggest revising paragraph (1) as follows:</p> <p>(1) a minimum floor space of 70 square feet per inmate including both the sleeping and dayroom area (exclusive of lavatories, showers, and toilets). If a separate exercise area is not provided and the dormitory serves as the exercise area to fulfill the requirements of 10A NCAC 14J .1004 the minimum floor space shall be 500 square feet (exclusive of lavatories, showers, and toilets) or 70 square feet per inmate (exclusive of lavatories, showers, and toilets) plus 200 square feet, whichever is greater.</p> <p>ACA also requires a minimum ceiling height of 18 feet for interior exercise areas. Should that be included in dayrooms that also serve as the exercise area? Would that be an undue burden on smaller facilities? Perhaps make the ceiling height 10 feet or 12 feet minimum?</p> |
|---------------------------|--------------------|---------|-------|--------|---|------------------------|--|