

G.S. 150B-21.3A Report for 21 NCAC 62, STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS

Agency - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS/ STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS

Comment Period - July 28, 2014 through September 26, 2014

Date Submitted to APO - December 22, 2014

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms 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 .0100 - RULES OF ORGANIZATION	21 NCAC 62 .0102	MEETINGS	Amended Eff. April 1, 1989	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
	21 NCAC 62 .0103	CHAIR AND VICE-CHAIR	Amended Eff. November 1, 1994	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 .0200 - RULEMAKING PROCEDURES	21 NCAC 62 .0201	PETITION FOR RULEMAKING	Amended Eff. July 1, 2010	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 - RULES OF OPERATION	21 NCAC 62 .0401	STATUTORY AUTHORITY AND DEFINITIONS	Amended Eff. July 1, 2010	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
	21 NCAC 62 .0402	APPLICATIONS	Amended Eff. July 1, 2010	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
	21 NCAC 62 .0403	EXAMINATION	Amended Eff. July 1, 2010	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
	21 NCAC 62 .0404	INVESTIGATION OF COMPLAINTS DISCIPLINARY ACTION	Amended Eff. August 1, 2010	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
	21 NCAC 62 .0405	AUTHORIZED EXPENDITURES AND FEES	Amended Eff. July 1, 2010	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
	21 NCAC 62 .0406	OUT-OF-STATE APPLICANTS	Amended Eff. April 1, 1989	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
	21 NCAC 62 .0407	RENEWAL	Amended Eff. July 1, 2010	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
21 NCAC 62 .0411	SPECIALIZED TRAINING	Amended Eff. July 1, 2010	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	
21 NCAC 62 .0414	ENVIRONMENTAL HEALTH SPECIALIST INTERN EXPERIENCE	Amended Eff. July 1, 2010	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	
21 NCAC 62 .0415	CODE OF ETHICS	Eff. July 1, 2010	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	

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1. Copy the header row and the first 2 rows below the header and then paste it into a new tab for each rule that gets a comment from the public.
2. Update the Rule and Name for each tab created.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Copy all columns in this row to the right of this yellow cell and paste in new rows			Select One		
Environmental Management Commission	Update This	Update This	Select One		

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Copy all columns in this row to the right of this yellow cell and paste in new rows			Other Statement		
STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS			Public Comment as defined in G.S. 150B-21.3A(a)(5)	<p>Good morning,</p> <p>I am not sure when the Tattoo Rules .3200 will be reviewed but I have some comments/suggestions to consider regarding the regulation of tattooing in NC in general.</p> <p>I would like to see the following changes for tattooing regulation in NC and would love to participate in dialogue as needed to this end.</p> <p>First, I feel that tattooing should be regulated by a board, similar to the State of Virginia http://www.dpor.virginia.gov/uploadedFiles/MainSite/Content/Boards/BarberCosmo/A425REGS_Tattooing.pdf</p> <p>Secondly, there needs to be an established apprenticeship requirement for this profession. As of now as you may know, anyone that can meet the rule requirements can tattoo and may not have a clue what they are doing. This leads to complaints from either infection or poor quality tattooing that scars with ink loss. Since currently EHS have to investigate those complaints, an apprenticeship program would help to ensure that artists are competent. The public thinks that since an artist is "permitted" that there is some implied guarantee that they are "competent". Due to the permanence of a tattoo, we should ensure that there exists some level of training for an artist.</p> <p>Thirdly, education and continuing ed requirements for artists especially in blood borne pathogens and infection control. More and more pathogens are becoming resistant to antibiotics as we all know.</p> <p>Fourth, body piercing.</p> <p>As you know often times tattooing and body piercing are co-located, one regulated, one not. For protection of public health, using the same logic as applied in tattooing, if we regulate one, we should regulate both as the same dangers exist to public health in both. Virginia regulates this by a board as well :http://www.dpor.virginia.gov/uploadedFiles/MainSite/Content/Boards/BarberCosmo/A425REGS_BodyPiercing.pdf</p> <p>I will stop for now, there are several more points as I am sure you are aware, but tattooing is becoming increasingly popular and our current rules just do not address many of the concerns that the public may have about their safety in these establishments.</p> <p>I am open to comment/critique/criticism or debate on this issue as I am not an advocate for tattooing or body piercing in general. Just a</p>	<p>Dear Mr. Stott,</p> <p>Thank you for taking the time to express your views on the Tattoo rules. We always appreciate any public comment to the board.</p> <p>The rule review process that is currently underway, however, is strictly associated with Environmental Health Specialist Registration rules that are found in 21 NCAC 62 .0100 -.0400.</p> <p>The rules governing Tattoo's, 15 NCAC 18A .3200, will be up for review in 2017 or 2018. I have forwarded your concerns to the Environmental Health section of DHHS.</p> <p>Thank you again,</p>
NA		Edwin Stott			