

**RULES REVIEW COMMISSION MEETING
MINUTES
January 25, 2018**

The Rules Review Commission met on Thursday, January 25, 2018, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Andrew Atkins, Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeanette Doran, Garth Dunklin, Jay Hemphill, Jeff Hyde, and Paul Powell.

Staff members present were Commission Counsels Abigail Hammond, Amber Cronk May, and Jason Thomas; and Julie Brincefield, Alex Burgos, and Dana McGhee.

Chairman Dunklin introduced OAH extern Alexandra Johnson.

The meeting was called to order at 10:02 a.m. with Chairman Dunklin presiding.

Chairman Dunklin read the notice required by G.S. 138A-15(e) and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts of interest.

APPROVAL OF MINUTES

Chairman Dunklin asked for any discussion, comments, or corrections concerning the minutes of the December 14, 2017 meeting. There were none and the minutes were approved as distributed.

FOLLOW UP MATTERS

Environmental Management Commission

15A NCAC 02D .2203 was unanimously approved.

LOG OF FILINGS (PERMANENT RULES)

Pre-Reviewed Rules

Department of Commerce - Credit Union Division

All rules were unanimously approved.

Prior to the review of the rules from the Department of Commerce - Credit Union Division, Commissioner Doran recused herself and did not participate in any discussion or vote concerning the rules because she is employed by the Department of Commerce, DES.

Prior to the review of the rules from the Department of Commerce - Credit Union Division, Commissioner Hemphill recused himself and did not participate in any discussion or vote concerning the rules because of any potential for the appearance of a professional conflict of interest.

Department of Natural and Cultural Resources

All rules were unanimously approved.

Wildlife Resources Commission

All rules were unanimously approved.

Department of Transportation

All rules were unanimously approved.

Non Pre-Reviewed Rules

Well Contractors Certification Commission

15A NCAC 27 .0702 was unanimously approved.

Board of Certified Public Accountant Examiners

All rules were unanimously approved.

Prior to the review of the rules from the Board of Certified Public Accountant Examiners, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the rules because of a conflict of interest.

Veterinary Medical Board

21 NCAC 66 .0206 was unanimously approved.

LOG OF RULES (TEMPORARY RULES)

DHHS/Division of Health Service Regulation

All rules were unanimously approved.

EXISTING RULES REVIEW

Medical Care Commission

10A NCAC 13F – The Commission unanimously approved the report as submitted by the agency.

Prior to the review of the report from the Medical Care Commission, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the report because of a conflict.

Commission for MH/DD/SAS

10A NCAC 28B – The Commission unanimously approved the report as submitted by the agency.

10A NCAC 28C – The Commission unanimously approved the report as submitted by the agency.

Coastal Resources Commission

15A NCAC 07A – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07H - The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07I - The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07J – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07K – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07L – The Commission unanimously approved the report as submitted by the agency.

15A NCAC 07M - The Commission unanimously approved the report as submitted by the agency.

Staff presented a summary of the readoption process to the Commission.

Banking Commission

04 NCAC 03 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than January 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

Department of Health and Human Services

10A NCAC 01 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than January 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

Medical Care Commission

10A NCAC 13C – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than June 30, 2021 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption dates from the Medical Care Commission, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the proposed readoption dates because of a conflict.

DHHS/Medical Care Commission

10A NCAC 14A – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than August 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption dates from DHHS/Medical Care Commission, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the proposed readoption dates because of a conflict.

DHHS/Division of Health Service Regulation

10A NCAC 14G – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than August 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption dates from the DHHS/Division of Health Service Regulation, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the proposed readoption dates because of a conflict.

Social Services Commission

10A NCAC 71 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than August 31, 2021 pursuant to G.S. 150B-21.3A(d)(2).

Department of Insurance

11 NCAC 08 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than September 30, 2019 pursuant to G.S. 150B-21.3A(d)(2).

Code Officials Qualification Board

11 NCAC 08 .0600, .0700 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than September 30, 2019 pursuant to G.S. 150B-21.3A(d)(2).

Home Inspector Licensure Board

11 NCAC 08 .1100 and .1300 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than September 30, 2019 pursuant to G.S. 150B-21.3A(d)(2).

Midwifery Joint Committee

21 NCAC 33 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than December 31, 2018 pursuant to G.S. 150B-21.3A(d)(2).

Board of Nursing

21 NCAC 36 – As reflected in the attached letter, the Commission voted to schedule readoption of these Rules no later than December 31, 2018 pursuant to G.S. 150B-21.3A(d)(2).

Prior to the review of the proposed readoption date from the Board of Nursing, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the proposed readoption date because her law firm provides legal services to the Board.

2018 STATE MEDICAL FACILITIES PLAN

The Commission found that the Department of Health and Human Services and the State Health Coordinating Council complied with G.S. 131E-176(25) in the adoption of the 2018 Plan.

COMMISSION BUSINESS

The Commission amended Rule 26 NCAC 05 .0211 to reflect a change in the periodic review schedule.

The Commission voted on the rescheduling of the December 2018 meeting date. The December meeting will be held on December 13, 2018.

The Commission's Bylaws require that elections be held at the January meeting. The following members were elected as officers:

Garth Dunklin was re-elected Chairman.

Jeff Hyde was re-elected 1st Vice-Chairman.

Jeanette Doran re-elected 2nd Vice-Chairman.

At 10:53 a.m., Chairman Dunklin ended the public meeting of the Rules Review Commission and called the meeting into closed session pursuant to G.S. 143-318.11(a)(3) to discuss the lawsuit filed by the State Board of Education against the Rules Review Commission.

The Commission came out of closed session and reconvened at 11:39 a.m.

The meeting adjourned at 11:39 a.m.

The next regularly scheduled meeting of the Commission is Thursday, February 15th at 10:00 a.m.

There is a digital recording of the entire meeting available from the Office of Administrative Hearings /Rules Division.

Respectfully Submitted,

Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:

Garth Dunklin, Chair

January 25, 2018

Rules Review Commission
Meeting
Please Print Legibly

Name	Agency
Nadine Pfeiffer	DHHS- DHR
Martha Frisone	DHHS-DHR
Rose Bonner	NCCUD
Tony Knox	NCCUD
Lonnie Christopher	NCCOB
Evelyn Huntmore	CCUL
Joanne Rutkofske	NC DHHS
Bob Brooks	NC CPA Board
Frank Tramer	NC CPA Board
Jennifer Everett	DEQ
George Heam	NCVMB
Daran Barnes	NCWRC
Angela Ellis	NCBON
Alan Vardi	DOT
Steve Hall	DEQ
Nancy Quinn	DOT
Aldon Douglas	DOT
Lena Puro	OAH
Mike Puro	OAH
Rana Badwan	Credit Union
Phil Flagan	DNER



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 25, 2018

Lonnie Christopher, Rulemaking Coordinator
Banking Commission
4309 Mail Service Center
Raleigh, North Carolina 27699-4309

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **04 NCAC 03**

Dear Mr. Christopher:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
September 21, 2017
APO Review: November 25, 2017
Banking Commission
Total: 89**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>04 NCAC 03E .0101</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0102</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0201</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0204</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0302</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0401</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0402</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0601</u>	Necessary with substantive public interest
<u>04 NCAC 03E .0602</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0201</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0301</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0402</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0501</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0504</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0505</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0506</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0507</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0508</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0509</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0601</u>	Necessary with substantive public interest
<u>04 NCAC 03F .0602</u>	Necessary with substantive public interest
<u>04 NCAC 03H .0102</u>	Necessary with substantive public interest
<u>04 NCAC 03H .0103</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0101</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0201</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0202</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0203</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0204</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0205</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0301</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0302</u>	Necessary with substantive public interest
<u>04 NCAC 03J .0303</u>	Necessary with substantive public interest

<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0203</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0204</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0205</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0206</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0401</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0402</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0403</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0501</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0502</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0602</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0701</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0702</u>	Necessary with substantive public interest
<u>04</u>	<u>NCAC</u>	<u>03M</u>	<u>.0703</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 25, 2018

Joel Johnson, Rulemaking Coordinator
Department of Health and Human Services
2001 Mail Service Center
Raleigh, North Carolina 27699-2001

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **10A NCAC 01**

Dear Mr. Johnson:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
February 16, 2017
APO Review: April 23, 2017**

**Health and Human Services, Department of
Total: 21**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 01E .0101</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0102</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0103</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0104</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0105</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0106</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0107</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0108</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0201</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0202</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0203</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0204</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0205</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0206</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0207</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0208</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0301</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0302</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0303</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0304</u>	Necessary with substantive public interest
<u>10A NCAC 01E .0305</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
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Raleigh, NC 27609-6285

January 25, 2018

Nadine Pfeiffer, Rulemaking Coordinator
Department of Health and Human Services
Medical Care Commission
2701 Mail Service Center
Raleigh, North Carolina 27699-2701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **10A NCAC 13C**

Dear Ms. Pfeiffer:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than June 30, 2021.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
October 19, 2017
APO Review: December 23, 2017
Medical Care Commission
Total: 9**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 13C .0202</u>	Necessary with substantive public interest
<u>10A NCAC 13C .0301</u>	Necessary with substantive public interest
<u>10A NCAC 13C .0501</u>	Necessary with substantive public interest
<u>10A NCAC 13C .0902</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1404</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1405</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1406</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1407</u>	Necessary with substantive public interest
<u>10A NCAC 13C .1410</u>	Necessary with substantive public interest



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Raleigh, NC 27609-6285

January 25, 2018

Nadine Pfeiffer, Rulemaking Coordinator
Joel Johnson, Rulemaking Coordinator
Department of Health and Human Services
Medical Care Commission
2701 Mail Service Center
Raleigh, North Carolina 27699-2701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 10A NCAC 14A

Dear Ms. Pfeiffer and Mr. Johnson:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than August 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW**

November 16, 2017

APO Review: January 09, 2018

**Health and Human Services, Department of
Total: 3**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 14A .0101</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0102</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0103</u>	Necessary with substantive public interest

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 16, 2017
APO Review: January 09, 2018
Medical Care Commission
Total: 3**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 14A .0301</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0302</u>	Necessary with substantive public interest
<u>10A NCAC 14A .0303</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
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Street address:
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Raleigh, NC 27609-6285

January 25, 2018

Nadine Pfeiffer, Rulemaking Coordinator
Department of Health and Human Services
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, North Carolina 27699-2701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **10A NCAC 14G**

Dear Ms. Pfeiffer:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than August 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW**

November 16, 2017

APO Review: January 09, 2018

HHS - Health Service Regulation, Division of

Total: 4

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 14G .0101</u>	Necessary with substantive public interest
<u>10A NCAC 14G .0102</u>	Necessary with substantive public interest
<u>10A NCAC 14G .0103</u>	Necessary with substantive public interest
<u>10A NCAC 14G .0104</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 25, 2018

Belivia Spaulding, Rulemaking Coordinator
Social Services Commission
2402 Mail Service Center
Raleigh, North Carolina 27699-2420

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **10A NCAC 71**

Dear Ms. Spaulding:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than August 31, 2021.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
March 16, 2017
APO Review: May 20, 2017
Social Services Commission
Total: 64**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>10A NCAC 71K .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71K .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0103</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0104</u>	Necessary with substantive public interest
<u>10A NCAC 71L .0105</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0103</u>	Necessary with substantive public interest
<u>10A NCAC 71O .0104</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0201</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0203</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0204</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0205</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0206</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0207</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0209</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0210</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0211</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0212</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0213</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0214</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0215</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0216</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0302</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0303</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0401</u>	Necessary with substantive public interest
<u>10A NCAC 71U .0402</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0102</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0103</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0104</u>	Necessary with substantive public interest

<u>10A NCAC 71V .0105</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0106</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0107</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0108</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0201</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0202</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0203</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0204</u>	Necessary with substantive public interest
<u>10A NCAC 71V .0205</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0101</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0302</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0303</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0304</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0403</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0404</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0405</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0407</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0408</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0410</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0412</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0413</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0502</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0503</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0601</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0602</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0603</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0604</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0605</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0606</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0607</u>	Necessary with substantive public interest
<u>10A NCAC 71W .0704</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6700

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 25, 2018

Loretta Peace-Bunch, Rulemaking Coordinator
Department of Insurance
1201 Mail Service Center
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **11 NCAC 08**

Dear Ms. Peace-Bunch:

Attached to this letter is the rule subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this rule was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of this rule for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rule identified on the attached printout shall be readopted by the agency no later than September 30, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 16, 2017
APO Review: January 09, 2018
Insurance, Department of
Total: 1**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>11 NCAC 08 .0203</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 25, 2018

Loretta Peace-Bunch, Rulemaking Coordinator
Mike Hejduk, Rulemaking Coordinator
Code Officials Qualification Board
1201 Mail Service Center
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 11 NCAC 08 .0600 and .0700

Dear Ms. Peace-Bunch and Mr. Hejduk:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than September 30, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 16, 2017
APO Review: January 09, 2018
Code Officials Qualification Board
Total: 4**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>11 NCAC 08 .0602</u>	Necessary with substantive public interest
<u>11 NCAC 08 .0707</u>	Necessary with substantive public interest
<u>11 NCAC 08 .0708</u>	Necessary with substantive public interest
<u>11 NCAC 08 .0714</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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Raleigh, NC 27609-6285

January 25, 2018

Loretta Peace-Bunch, Rulemaking Coordinator
Mike Hejduk, Rulemaking Coordinator
Home Inspector Licensure Board
1201 Mail Service Center
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of 11 NCAC 08 .1100 and .1300

Dear Ms. Peace-Bunch and Mr. Hejduk:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than September 30, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 16, 2017
APO Review: January 09, 2018
Home Inspector Licensure Board
Total: 17**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>11 NCAC 08 .1101</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1102</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1103</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1104</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1105</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1106</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1107</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1108</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1109</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1110</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1111</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1112</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1113</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1114</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1115</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1116</u>	Necessary with substantive public interest
<u>11 NCAC 08 .1302</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
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1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 25, 2018

Angela Ellis, Rulemaking Coordinator
Midwifery Joint Committee
4516 Lake Boone Trail
Raleigh, North Carolina 27607

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **21 NCAC 33**

Dear Ms. Ellis:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2018.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 16, 2017
APO Review: January 09, 2018
Midwifery Joint Committee
Total: 7**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>21 NCAC 33 .0101</u>	Necessary with substantive public interest
<u>21 NCAC 33 .0102</u>	Necessary with substantive public interest
<u>21 NCAC 33 .0103</u>	Necessary with substantive public interest
<u>21 NCAC 33 .0104</u>	Necessary with substantive public interest
<u>21 NCAC 33 .0105</u>	Necessary with substantive public interest
<u>21 NCAC 33 .0110</u>	Necessary with substantive public interest
<u>21 NCAC 33 .0111</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
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Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 25, 2018

Angela Ellis, Rulemaking Coordinator
Board of Nursing
4516 Lake Boone Trail
Raleigh, North Carolina 27607

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **21 NCAC 36**

Dear Ms. Ellis:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the January 25, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2018.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Abigail M. Hammond".

Abigail M. Hammond
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION
PERIODIC RULE REVIEW
November 16, 2017
APO Review: January 09, 2018
Nursing, Board of
Total: 46**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>21 NCAC 36 .0109</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0112</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0113</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0202</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0203</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0211</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0213</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0218</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0219</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0220</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0221</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0223</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0224</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0225</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0226</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0228</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0232</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0233</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0302</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0303</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0309</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0317</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0318</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0320</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0321</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0322</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0323</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0403</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0404</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0405</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0406</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0801</u>	Necessary with substantive public interest
<u>21 NCAC 36 .0802</u>	Necessary with substantive public interest

<u>21</u>	<u>NCAC 36</u>	<u>.0803</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0804</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0805</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0806</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0807</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0808</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0809</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0810</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0811</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0812</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0813</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0814</u>	Necessary with substantive public interest
<u>21</u>	<u>NCAC 36</u>	<u>.0815</u>	Necessary with substantive public interest