

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R – ALL RULES SUBMITTED

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please resubmit all rules with the proper rule citation preceding the rule name. Note that many of the rules will also require further technical changes as set out below.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .0103

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) change the periods following items (1) – (11) to semicolons. In (a)(11) add “and” following the semicolon.*

*In (a)(7) line 18 delete the comma following “adulteration,”.*

*In (a)(10) line 25 I think that “may be” would be better expressed as “is.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Commission Counsel

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .0303

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please correct your Submission for Permanent Rule form and delete "(minimal to no impact)" since it's unclear what that means. If there is no impact then state funds would not be affected. Even a "minimal" impact requires OSBM approval.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .0304

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please correct your Submission for Permanent Rule form and delete "(minimal to no impact)" since it's unclear what that means. If there is no impact then state funds would not be affected. Even a "minimal" impact requires OSBM approval.*

*In line 8, the first text line of the rule, please delete or define "attempt to."*

*Please provide an explanation of how the "actual cost" of the data processing services" that the person must pay can be determined in advance.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .0603

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*If the RRC objects to Rule 2R .0103, then you will need to change "aggrieved party" to "person aggrieved" wherever it occurs in this rule. It does occur in at least lines 6, 8, 10, 13, and 18.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .0907

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) line 4 change "as soon as possible after" to a specific time or deadline or delete the language. The time or deadline in this line may not be necessary since there is a deadline in lines 6 and 7 for filing the report.*

*In line 5 delete or define "directly."*

*In line 6 change "of a" to "on a" and delete "standard."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .1405

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (1) add "according to the rules in this section [or 'chapter,' or 'subchapter' or 'this rule' or a reference to the general statutes along with applicable rules]" or any language indicating where the approval standards are found.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .1502

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*The notice of text indicated this rule had a fiscal impact. Please correct the Submission for Permanent Rule form to reflect the fiscal impact on state and local funds and remove the parenthetical "(maybe in the future)."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Commission Counsel



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .1701

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a)(3) line 8 please correct the reference to non-existent 2R .1302(e).*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .1710

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Out of curiosity are there any rule or statute(s) that now control credit card sales?*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .1803

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) the formatting of the change in the reference to 04NCAC 02S .0502(b) in lines 11 and 12 is not properly shown.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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AGENCY: N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 4 NCAC 2R .1902

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In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*What rule(s) now cover the designation of a local store for sale to mixed beverages permittees or is this rule no longer necessary?*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 14C .1202

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) line 6 please delete “also” and “additional.”*

*In (b)(6) line 28 delete “but not limited to.”*

*In (b)(9) line 37 delete or define “detailed.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 14C .1402

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*In (b) line 8 delete “additional.”*

*In (b)(11) page 2 line 17 delete or define “detailed.”*

*In (b)(12) line 18 delete or define “or indirect.”*

*In (c)(1) page 2 line 26 delete or define “very.”*

*In (c)(6) page 3 line 2 delete “but not limited to.”*

*In (c)(6)(C) line 5 delete or define “pertinent.”*

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

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RULE CITATION: 10A NCAC 14C .1403

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*In (a)(1) and (2) lines 7 and 12 it does not seem to me that adding the words “combined [and] all” adds anything to that portion of the rule and are redundant.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 14C .1701

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*In (2) line 10 delete or define "distinct."*

*In (6)(a) lines 20 and 21 delete "to perform ... during surgery" since that is the definition of the "pump."*

*In (6)(b) it seems to me that "congenital and" should be "congenital or."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 14C .1703

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*I presume that you arrive at the "annual rate" for (1) by taking the twelfth quarter rate and multiplying it by four. If that is not correct the rate is unclear.*

*I am not sure how the annual rate in (3) is arrived at. Is it measured the same way as in (1); is it measured over the last year; is it the average of all three years? Is there another measurement? Please explain, and if it is not in the rule, please add it to the rule.*

*In (5) may a bypass machine acquired for non-surgical use or for non-heart surgical use and that is NOT dedicated for services that are not related to open heart surgery be utilized for open heart surgical procedures?*

*In (5) lines 17 and 18 the commas before and after "or for non-heart surgical procedure use," are not necessary and should be deleted.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 14C .1902

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (b) line 6 please delete “also” and “additional.”*

*In (b)(2) lines 3 and 4 it seems to me that “intensity modulated” are adjectives and require a noun to modify unless “stereotactic radiosurgery” is that noun in which case the comma after “...(IMRT)” should be deleted and there should be a semicolon that follows “radiosurgery,” rather than a comma. If “intensity modulated [noun] ... [and] stereotactic radiosurgery” are each separate therapies or treatments then a semicolon should follow each of them.*

*In (b)(7) line 24 move “by county” forward in the line to “after patients.”*

*In (c) line 33 delete “additional.”*

*For (c)(8) and (9) page 2 please provide specific authority allowing the agency to forbid discrimination based on ability to pay for providing non-emergency medical services.*

*It appears that (c) of this rule might be based on some specific portion of a statute, session law or budget bill. If this is the case, please cite that specific authority.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

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Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 14C .2102

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a) lines 5 and 6 what is the difference between converting “a specialty ambulatory surgical program to a multispecialty ambulatory surgical program” and adding “a specialty to a specialty ambulatory surgical program”? They sound quite similar to me.*

*The same question would apply in (b) lines 18 and 19.*

*Please verify that the first three applicants in (a), since they are not specifically referred to in (b) as are the remaining applicants in (a), are not required to comply with (b). At the same time it would seem that each of those applicants in (a) would “increase the number of operating rooms in a service area and therefore be subject to (b). If so, please rewrite (a) and (b) as necessary to make clear the scope of each paragraph.*

*In (b)(5) page 2 line 1 delete or define “detailed.”*

*In (c)(1) page 2 line 14 please verify that it is “existing and approved” and not “... or ...” since you used “or” in line 12.*

*In at least (d)(6) page 3 line 20 and (d)(8) line 27 “self-pay” is hyphenated; elsewhere including the previous and succeeding lines it is “self pay.” Please be consistent. Personally I believe the hyphenated form is correct.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC DHHS – DIVISION OF HEALTH SERVICES REGULATION

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 14C .2103

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*In (b)(1) lines 11 and 12 the commas following "facility, ... [and] expanded," do not appear to be necessary.*

*It seems that the material in (b)(1)(A) – (C) beginning with the preceding line 20 should actually be a separate paragraph, probably within (b) after (b)(2). Perhaps an even better approach would be to rewrite the beginning of (b) to indicate that there are two components. I would suggest something along the lines: "A proposal to establish a new ambulatory surgical facility ... surgical program: shall (1) demonstrate the need [and use the current (1) and (2) and then] (2) determine the number of beds [current (a)(1)(A) – (C)]."*

*The same approach should be used in (c) to address the bed need determination.*

*It seems to me that the applicants in (e) and (f) are the same applicant who must meet two different standards: the hours used set out in (e) and the need for conversion set out in (f). This should be rewritten as one paragraph with sub-paragraphs as necessary.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

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Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. STATE REGISTRAR

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 41H .0701

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*The rule is not properly formatted to show the proposed amendments or any changes. Please correct.*

*Please change "searching" in (a) line 3 to "a routine search" or "a non-expedited search" or some other similar term.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. STATE REGISTRAR

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 10A NCAC 41H .0702

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

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*The rule is not properly formatted to show the proposed amendments or any changes. Please correct.*

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Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. ALARM SYSTEMS LICENSING BOARD

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 12 NCAC 11 .0106

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

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*It seems to me that for the sake of parallel construction you should add "or registration" after the second "license" in (b) line 6.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14A and B ALL RULES

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*After the Apprenticeship Council has taken action to adopt these rules, correct your forms to show the Council as the rulemaking agency. On rules with provisions requiring Commissioner adoption pursuant to G.S. 94-12, include the Commissioner as well.*

*Update your adoption date when the Council formally adopts the rules.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0101

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On your form, change the name of the rulemaking agency to "Apprenticeship Council." Because this rule can be amended without notice and hearing pursuant to G.S. 150B-21.5(a)(4), change your information in 6 on your form and in your introductory sentence.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0104

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correctly underline and strikethrough. Language should never be both underlined and struck through.*

*In (7), delete or define "appropriate."*

*In (17), delete or define "sufficient."*

*In (23), tell equivalent to what. Cite the standards for self-study approval.*

*Add a definition for "OJT."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0201

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (2), delete or define "clearly."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0202

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(2)(B), delete or define "appropriate."*

*End (a)(2)(D) with a semicolon.*

*In (a)(4), cite the approval standards.*

*In (a)(4)(A), you have more levels than allowed by the OAH rules. Have you obtained a waiver? It would appear that you could make the sentence beginning on line 16 a separate rule to avoid the level problem.*

*In (a)(4)(A)(i), tell by whom accredited. Do you mean an accrediting agency recognized by the U.S. Department of Education?*

*End (a)(4)(B) with a semicolon.*

*Tell what the list is in (a)(5).*

*End (a)(5)(A) with "and" or "or" as appropriate.*

*In (a)(5)(B), delete or define each "normally."*

*In (a)(7), delete or define "qualified" and "adequate."*

*End (a)(8)(A) with "and."*

*End (a)(9) with a semicolon.*

*In (a)(12), cite the standards for division approval.*

*End (a)(12)(C) with a semicolon.*

*In (a)(17), delete or define "if appropriate."*

Robert A. Bryan, Jr.  
Commission Counsel

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0204

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), delete "the forms required by the director, including but not limited to." If anything else is required, you must list it in your rules.*

*In (b)(2), cite where the exemption standards are found.*

*Delete "or" from the end of (b)(4)(A).*

*In (b)(4)(B), change "this Part preceding" to "Part (A) of this Subparagraph" or whatever you mean.*

*In (c), delete or define "in proper form." It seems unnecessary.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0205

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b)(2), change "regulation" to "rules." Actually (b)(2) apparently is unnecessary. Rewrite (b) without a list, deleting (2).*

*In (c)(2), cite the standards for the granting of prior approval.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0208

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (1) and (5), delete "if appropriate" or tell where it is appropriate.*

*Delete (2) as partly repeating, and not totally consistent with G.S. 94-7 and G.S. 94-8.*

*In (8), change "these Rules" to "the Rules in this Subchapter" or whatever you mean.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0209

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete (d) as merely repeating the contents of G.S. 94-12.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0212

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), delete or define "fully."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0301

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete the last comma on page 1, line 13.*

*End (a)(8)(A) with "and."*

*In (a)(8)(B), delete or define "expressly."*

*In (a)(9), since (a)(2) sets a two year maximum on the training, it would appear that the probationary period could never exceed six months. If this is the situation, please change "one year" to some period less than six months or delete that option as unnecessary. End the subparagraph with a semicolon.*

*End (a)(12)(C) with a semicolon.*

*In (a)(17), delete or define "if appropriate."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0302

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), change "forms required by the director, including the following" to "following forms." Include in the rules everything that is required.*

*In (c), delete or define "in proper form." Write the last sentence in active voice, telling who must notify.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0303

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*End (2)(e) with "and."*

*End (2)(f) with a period, deleting "and."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0305

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (1), delete "if appropriate" or tell when appropriate.*

*End (7) with a semicolon.*

*In (8), delete or define "if appropriate," "appropriate," and "in accordance with established procedure."*

*In (11), change "these Rules" to "the Rules in this Section" or whatever you mean.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0309

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b) and (c), delete or define "fully."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0401

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), delete "but not limited to."*

*In (c)(4), delete "The policy of" and "that."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0404

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(5), change "may" to "will" or someplace state the standards the director will use in deciding whether or not to de-register.*

*In (c), change "may" to "shall" or set out the standards for making the decision.*

*In (d), delete "at his discretion" as unnecessary.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0405

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), change "may" to "shall" or set out standards for where the notice will be sent.*

*In (a)(3), change "may" to "will" or set out the standards someplace.*

*In (e), change "may" to "shall" or set out standards.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0406

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a) and (b), delete "at his discretion" and "adequate."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0407

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Delete "or" from the end of (a)(2)(C).*

*In (c) and (d), delete "due."*

*In (d), change "shall have" to "has."*

*In (a)(2)(C), (c) and (d), the terms "good and sufficient reason," "reasons," and "good cause" all appear to mean the same thing. Pick one term and use it exclusively or make a clear distinction in the meanings.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0503

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(2), delete or define "authorized."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0610

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b)(6), put a colon after "including" and then put the items in (A)(B)(C) list form. Change "these regulations" to "the Rules in this Section" or whatever you mean.*

*In (d), delete or define "for the prompt achievement of full and equal opportunity in apprenticeship."*

*In (e), change "State Apprenticeship Council" to "The Apprenticeship Council." Delete or define "adequate."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0611

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), delete or define "special."*

*On line 9, change "will" to "shall."*

*In (b), change "shall be" to "are."*

*In (c), change "shall be" to "are." Change "will" to "shall." Delete "appropriate."*

*In (d), change "may" to "shall" or set out the factors to be used in making the finding.*

*In (e)(4), delete "policy of the" and "that it."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0612

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (d)(3), delete "at his discretion."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: APPRENTICESHIP COUNCIL

RULE CITATION: 13 NCAC 14B .0616

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change "may be" to "is."*

*Change "and/or" to "or."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 ALL RULES

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In your introductory sentences, delete "proposed for" and change "amendment" and "adoption" to "amended" and "adopted" as appropriate. Add a reference to the Volume, Issue, and page number of the Register where the rules were published as required by the OAH rules.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0108

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On line 7, delete "\$50.00" since it no longer applies to anything.*

*Change each "Firm" back to "Corporate" to be consistent with the statute.*

*On line 18, change "Fee" back to "Penalty" to be consistent with the statute.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0109

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Use numbers rather than letters in your list (e.g. (1), (2), (3)).*

*In a., change "shall be" to "is." Change "firms" to "corporations" to be consistent with your statute.*

*Change each "shall mean" to "means."*

*On line 8, add "Chapter" before "83A." Change "shall have" to "has."*

*In c., change "names" to "name" and delete "A fictitious name." Change "examples of such are, but not limited to" to "such as."*

*In d., change "shall have" to "has."*

*In e., change "Firm" to "Corporation" to be consistent with the statute. Also, change "entity" to "corporation." It does not appear, or at least you have not cited, any authority to approve any other type "entity."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0201

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*The name on the form should be the same as the rule. Please correct one or the other.*

*In (a), change "has the continuing responsibility of keeping" to "shall keep." Delete "but not limited to." Change "firm" to "corporation."*

*In (b), change each "firm" to "corporation." Delete or define "promptly." Change "these Rules" to "the Rules in this Chapter" or whatever you mean.*

*If by "firm" you also mean "partnership" in this Rule, you need to make that clear. Since you do not have authority to "approve" them, your earlier definition would not include them.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0204

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*End (a)(3) with "and" or "or."*

*In (b), add "(a)" before "(1)."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0205

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), delete "but are not limited to " as unnecessary.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0206

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(3), tell what your list is. Use uppercase letters for each part in the list.*

*Underline and strikethrough in accordance with the OAH rules. Only complete words can be underlined or struck through.*

*In (a)(3)(E), change "shall not be" to "is not." Change "section" to "Subparagraph" and "rule" to "paragraph."*

*In (a)(5)(A), change "said" to "the."*

*On page 2, line 25, change "shall be" to "is."*

*Subparagraph (a)(7) is not appropriately part of this list. Move it to the end of the rule as a new paragraph (f). Begin the paragraph "For purposes of this Rule" and delete "shall."*

*In (a)(8), delete or define "clearly."*

*In (a)(10), change "shall not be" to "are not."*

*In (a)(12), change each "Firm" back to "Corporate."*

*In (b)(3), delete or define "clearly."*

*In (d), delete "but not limited to." Move "and" from the end of (5) to the end of (6).*

*In (e), (3) and (4) are not appropriately part of the list. Delete the "(3)" and the "(4)" and move the language to the left margin in paragraph form.*

*In current (e)(3), change "shall be" to "is."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Robert A. Bryan, Jr.  
Commission Counsel



Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0208

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correctly underline and strikethrough in accordance with the OAH rules. Punctuation attaches to a word.*

*In (b), delete "for example" as redundant. Delete "exclusive of" if that is what you mean. If that is not what you mean, rewrite the entire paragraph clarifying what you mean.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0209

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change each "shall be deemed" to "is."*

*In (6), delete "shall be as follows."*

*In (6)(a), change "firm" back to "corporate."*

*In (7), change "Rule" to "Item."*

*Begin (8)(a): "Each architect shall state his or her." Delete or define "clearly." Change "and/or" to "and" or "or."*

*In (8)(d), change "Subparagraph" to "Item."*

*In (10), delete "but is not limited to."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0213

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Change each "these Rules" to "the Rules in this Chapter."*

*On line 22, "revoked" is an incorrect term. Revocation occurred on the 30<sup>th</sup> day after expiration (July 31). On lines 21 and 22, change "shall be deemed automatically revoked. Reinstatement shall occur "to something like "must seek reinstatement."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0214

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Make the name on your form and rule consistent.*

*Change each "firm" to "corporation" to be consistent with your statute.*

*In (c), change "renal" to "renewal."*

*In (d), change "shall be automatically revoked. The Board may reinstate the firms' certificate of registration" to "may seek reinstatement."*

*In (f), correctly underline and strikethrough. Delete "duly."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0215

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Make the name on the form match the name of the rule.*

*Change each "firm" to "corporation."*

*In (a), delete "full" as unnecessary.*

*In (b), change "entities" to "corporation." Also change "entity" to "corporation."*

*Correctly underline and strikethrough.*

*In (c), (d) and (e), delete "be permitted to." Change "section" to "paragraph."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0216

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Remove all the language in the body. There should only be the introductory sentence, rule citation number and name, and the history note.*

*Remove all highlighting.*

*Be sure to add a reference to the Volume, Issue and page number of the Register where the repeal was published as required by the OAH rules.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0219

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Remove all the language in the body. There should only be the introductory sentence, rule citation number and name, and the history note.*

*Remove all highlighting.*

*Be sure to add a reference to the Volume, Issue and page number of the Register where the repeal was published as required by the OAH rules.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0301

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Make the form name match the rule name.*

*On line 10, change "proper form" to "complete" or define "proper form."*

*Correctly underline and strikethrough.*

*In (b), change "shall be established" to "are those set." Change "will" to "shall."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0302

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correctly underline and strikethrough.*

*In (a)(4), change "shall be" to "are." Change "an equivalent program approved" to "a program approved as equivalent."*

*In (a)(5), change "may, in its discretion" to "shall" or set out the standards for making the determination.*

*In (b)(1), delete "shall."*

*In (b)(2) and (3), change "shall be" to "are."*

*In (c), change "reserves the right to" to "may."*

*In (d), change "subsection" to "subparagraph."*

*In (e), change the second "shall" to "must."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0303

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Subparagraph (b)(3) is not appropriately part of the list. Delete "and" at the end of (2). Delete the "(3)" and move the language to the left margin. Delete "in its discretion" as unnecessary.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0701

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), change "will" to "shall."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0703

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b), put the information after the colon in (1)(2)(3) list form.*

*Delete the first sentence in (c) as outside your authority to require. Delete or define "properly."*

*In (i), delete or define "promptly." Change each "will" to "shall."*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

Additional  
**REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0216

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Remove all the language in the body. There should only be the introductory sentence, rule citation number and name, and the history note.*

*Remove all highlighting.*

*Be sure to add a reference to the Volume, Issue and page number of the Register where the repeal was published as required by the OAH rules.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: BOARD OF ARCHITECTURE

RULE CITATION: 21 NCAC 02 .0219

DEADLINE FOR RECEIPT: Tuesday, October 19, 2010

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Remove all the language in the body. There should only be the introductory sentence, rule citation number and name, and the history note.*

*Remove all highlighting.*

*Be sure to add a reference to the Volume, Issue and page number of the Register where the repeal was published as required by the OAH rules.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Robert A. Bryan, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. BOARD OF MASSAGE AND BODYWORK THERAPY

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 21 NCAC 30 .0629

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*If the agreement contents set out in (a)(1) – (13) shall not contain any other provisions please add “only” after “contain.” (Personally I think “must contain” sounds better than “shall contain.”)*

*In (a)(4) line 11 I do not believe the comma after “fees,” is necessary.*

*In (a)(6) line 15 I believe that “interest charged;” should have the word “and” after the semicolon.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. MEDICAL BOARD

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 21 NCAC 32S .0216

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*Please provide specific statutory authority concerning continuing medical education requirements.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. MEDICAL BOARD

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 21 NCAC 32S .0219

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*In (a)(1) have you considered substituting "a condition set out in G.S. 90-12.5 exists" (or similar language) for the language in (a)(1) that simply repeats the statute?*

*In (b) line 30 it seems to me that there should be either an "and" before "supervision" or a semicolon after "supervision."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: N.C. MEDICAL BOARD

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 19, 2010

RULE CITATION: 21 NCAC 32S .0220

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.1.

*It seems to me that in (a) line 5 "experienced" is unnecessary and should be deleted. If it is not deleted then it needs to be defined since the rule goes on to state what would presumably constitute the "experience" the board is seeking.*

*The issue in (b)(4) has recently come up before the RRC staff. If the applicant has a valid and unexpired US passport that would indicate he or she is a US citizen and there would not be any questions about a US citizen's "immigration and work status." Also if an applicant had a valid passport, what difference would the birthplace make? Please check with Nancy and see if she recalls the precise rule and language that we ended up using.*

*In (b)(5) line 23 I believe that "on other" should be "one other."*

*Further on in that same sentence I believe that "at least the last" is unnecessary and should be deleted or changed to "the."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.  
Commission Counsel