

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH  
SERVICE REGULATION

RULE CITATION: 10A NCAC 14B – ALL REPEALS

DEADLINE FOR RECEIPT: Wednesday, March 7, 2012

**NOTE WELL:** *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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 7 on your forms, also check "No fiscal note required." The Administrative Procedure Act does not require a fiscal note if there is no fiscal impact.*

*In your introductory statements, include the information required by 26 NCAC 02C .0404(b).*

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: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH  
SERVICE REGULATION

RULE CITATION: 10A NCAC 14B .0201 – .0207

DEADLINE FOR RECEIPT: Wednesday, March 7, 2012

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:

*Correct your history note. May 1, 2001 was a temporary amendment date.*

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: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH  
SERVICE REGULATION

RULE CITATION: 10A NCAC 14B .0251 – .0285

DEADLINE FOR RECEIPT: Wednesday, March 7, 2012

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:

*Correct your history note. Your March and April, 2002 dates should be temporary amendments.*

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: COMMISSION FOR PUBLIC HEALTH

RULE CITATION: 10A NCAC 41A .0214

DEADLINE FOR RECEIPT: Wednesday, March 7, 2012

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 page 1, end line 4 with a colon.*

*Add "not" to the end of line 5 on page 1 and delete "not" in (1)(a) and (b).*

*End (1)(a) with "or."*

*In (2), delete or define "acute." Put a colon after shall and put the remainder of the sentence in (a)(b) list form.*

*Add "and" to the end of (3)(c).*

*In (3)(d), define "chronic."*

*In (4), delete "shall."*

*In the last sentence in (4)(a), tell who is to notify.*

*In (4)(b), define "baseline." Change the dash to "to."*

*In (4)(b), in the last sentence, change the language after "shall" to something like "inform the exposed person of the control measures required in Item (1) of this Rule."*

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: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14B .0307

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

**NOTE WELL:** *This request when viewed on computer may extend several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*In (b) line 5 please delete or define "complete."*

*In (c) line 10 either define "fair" or change "a fair" to "an."*

*In (d) and (e) lines 12 and 14 please change "hearing" to "hearings."*

*In (h) if you "postpone" a hearing that is actually rescheduling the hearing. This will require publication of the new hearing date in the NC Register with sufficient notice. I would suggest changing "postponed" to "continued." We can explain to you the difference and the mechanics for doing so; this would not necessarily disrupt the rulemaking schedule you were on. I would suggest changing "postponed" to "continued" in (h) line 34 and "postponement" in (h)(3), page 2 line 39 to "continuing the hearing."*

*In (i) page 2 line 40 I would suggest changing "shall" to "may" to give the agency more flexibility. This also removes the somewhat contradictory nature of the rule in (j)(2) lines 45 and 46 that suggests a hearing might still be held in a location even though "the room ... does not accommodate the number of people who wish to attend the hearing."*

*The formatting of subparagraph (j)(2) is not correct.*

*In (l) it seems to me the reference to paragraph (a) should be a reference to (k) or some paragraph(s) other than (a).*

*In (n) line 53 please delete the comma after "comments," and change "may" to "shall" or "must."*

*Please add the agency's Chapter 88B rulemaking authority to the history note.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14B .0607

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*I am not sure whether it happened here for the first time, but it does appear in subsequent rules. (Sometimes I point it out and sometimes I haven't because it seems the explanation for the rule does have some basis in the rule. However, the reasons for your action in adopting or amending these rules appear to have gotten out of sync. Please review your submission forms and correct this, for this and all subsequent affected rules.*

*In (a) line 4 I would suggest deleting "administrative" and changing "an" to "a." I think more people are familiar with the term "rule" than "administrative rule."*

*Also in that same line please delete the comma after "Board,".*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0201

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*In (b), (c) and (d) lines 8, 10 and 12 delete "initially." You should also change "the effective date ... this Subchapter" to "March 1, 2012" in those rules. In later years and after any rule amendments it will be clear what the date you are referring to is. (If the rule was not approved as anticipated, you can change the date to the new effective date.)*

*In (d) line 20 I believe you should change "make structural" to "make any structural." You might also choose to express whatever structural changes are contemplated linked to a percentage of the shop's value at the time of the change or some other more specific measurement. This would help to avoid arguments over whether a change is "structural" or whether it is a "change" in the event of a major structural repair. I would be happy to offer suggested language if you desire.*

*In (e) line 14 it seems to me that "as" should be "a."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0202

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*In (a) line 6 please verify whether "business" is correct or whether you mean "purpose" or some other more non-restrictive term.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0203

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*It seems this rule and the previous rule repeat, at least in part, the contents of each other. The explanation given for each rule is almost the same. If there is something different about the application of each rule, that is not clear from the contents of the rule. Remember, the title of the rule is not part of the rule.*

*You should either combine these two rules into one rule or make the distinction between the two rules clear.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0204

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*While the title of the rule is not part of the contents of the rule, I do believe the title would more accurately describe the contents of the rule if it were "Dimensions Within Cosmetic Arts Shops."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0301

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*In (a) line 5 "clinicarea" should be two words. Since it was published correctly in the NCR no formatting is necessary to show this correction.*

*In (b) I presume, based on the requirement in (a), that the sink is in the same room that is the clinic area and closed off by a door. If that is not correct then the rule is not clear.*

*Does it matter in (b) which distance standard the operator complies with? Or must it be the "lesser [or 'greater'] of the two distances?"*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0302

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*The explanation for the reason for this rule states that it “establishes minimum equipment standards for bathroom facilities.” The rule does not do this; it appears the submission form is incorrect and needs to be corrected.*

*In (a) line 5 delete or define “necessary.” At the end of that same line change the comma to the word “and.”*

*In (b) line 7 add “must [or ‘shall’] be” before “effectively screened.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0303

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*Please change in (b) line 7 "the effective date of this Rule" to "March 1, 2012."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0304

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*The explanation for this rule is that it "establishes criteria under which the Board can review circumstances for waiver of regulations." It does not appear to do any such thing. Please explain or correct the explanation.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0401

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*In (d)(7) is it necessary to have any descriptive adjective, such as "FDA rated" used in (c)(3) line 14 before "Class II"?*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0402

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

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In reviewing these 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-21.10.

*In (d) line 9 "andin" should be two words. Since it was published correctly in the NCR no formatting is necessary to show this correction.*

*In (f) line 12 delete the word "be" in "shall be designate."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0403

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

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In reviewing these 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-21.10.

*In (a)(1) line 6 please insert a comma in "drapes linens" (after "drapes").*

*In (f)(3) line 31 please change "spraying" to "sprayed."*

*In (f)(4)(C), page 2 line 40 please verify that you understand your licensees know how to make a 10 percent bleach solution. Otherwise you need to spell out proportions of bleach to water as you do in the other rules.*

*In (k), page 2 line 47 "implementor" should be two words. Since it was published correctly in the NCR no formatting is necessary to show this correction.*

*In (n) line 57 you need to end the sentence with a period. Since it was published correctly in the NCR no formatting is necessary to show this correction.*

*In (r) page 3 line 91 please change "staff member that" to "staff member who."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0404

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

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In reviewing these 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-21.10.

*The explanation for the rulemaking does not appear to match the rule.*

*Please verify that it is Subchapter 14H and only 14H that covers cosmetic art shops' inspections.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0501

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

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In reviewing these 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-21.10.

*The explanation for the rulemaking does not appear to match the rule.*

*In (b) this rule implies that a cosmetic art shop can, and perhaps will be inspected more than one time per year. However in Rule .0503(b) that rule provides that "a cosmetic art shop shall be graded once a year." To remove any latent ambiguity between the two rules I would suggest removing "at least" in the last line of this rule.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0502

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

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In reviewing these 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-21.10.

*The explanation for the rulemaking does not appear to match the rule.*

*In order to make it abundantly clear that it is not two inspections that are required but two attempts to inspect I would rephrase the rule "If an inspector is twice unable to inspect a salon after making an appointment to inspect the salon, the Board may ..." or some similar construction.*

*In this rule please verify that it is simply the revocation, suspension or renewal of a license that is at issue, and not the issuance of a new license.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0503

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*The explanation for the rulemaking does not appear to match the rule.*

*In (a)(1) line 7 "gradeA" should be two words. Since it was published in the NCR correctly no formatting is necessary to show this correction. The same situation and request also applies to "willbe" in (d) line 18.*

*In (c) line 16 delete or define "conspicuous."*

*If the technical change to Rule .0501(b) is not made, then you need to add language to (b) of this rule providing that a cosmetic art shop may be inspected more than once per year and the basis for making that discretionary inspection.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0504

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

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In reviewing these 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-21.10.

*The explanation for the rulemaking does not appear to match the rule.*

*In the third box from the bottom of page 1 of the rule, please change "in contact patron's" to "in contract with patron's."*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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 BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14H .0505

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*In (c)(1) line 20 please change "use" to "use of" or "using. It should also begin with an uppercase "u" to match the other items in (c)(1) – (7).*

*In (c)(1) line 21 it appears that the portion of the rule beginning with "Diagnosis of ..." should be a separate numbered subparagraph. If it is not separately numbered then there needs to be a conjunction, probably "or," before "Diagnosis" and "Diagnosis" should be lowercase.*

*In the next line 22 change "treat" to "treating" or "treatment of."*

*In (c)(2) line 23 change "use" to "use of" or "using" to match the term used in (c)(1).*

*In (c)(4)(A) line 26 there are the words "an inflamed" that look as if they should be the beginning part of the next portion of the rule in (c)(4)(B).*

*In (c)(7) change "use" to "use of" or "using" and add what type of "class II" device you are prohibiting.*

*In (d) lines 33 and 34 the exemption for animals accompanying disabled persons is repeated and one of them needs to be deleted.*

*If there are any changes in Rule .0301 that require a change in (i), please make the corresponding change here.*

*In (j) the use of "there must be a continuous exchange of air" is awkward and actually states that the continuous exchange "shall result in civil penalty." I would correct this by deleting that phrase (along with the comma following "shops," preceding it in line 48). If you feel it helpful or necessary you could add a reference to the appropriate rule that requires "necessary ventilation" after those words in line 47.*

*There is also the same issue with "necessary" in "necessary ventilation" as there was in Rule 14H .0302.*

*In (k) line 50 delete the comma following "windows,".*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14R .0105

DEADLINE FOR RECEIPT: TEN DAYS AFTER EMAIL SUBMISSION TO YOU

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC 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. You may call this office to inquire concerning the staff recommendation.

In reviewing these 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-21.10.

*The explanation for the rulemaking does not appear to match the rule.*

*In (a)(1) delete or define "detail" – which it appears should be "detailed."*

*In (a)(3) change "Address location" to "Address of location."*

*In (d) line 15 it appears that "continued" should be "continuing education."*

*In (f) line 18 change "renewal of any licensee," to "renewal of any license of any licensee who fails" (without any comma after "licensee").*

*In (j)(3) line 29 either delete the comma following "I," or add a "\_\_\_\_\_", (with another comma following the line) after "I,".*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it 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: LOCKSMITH LICENSING BOARD

RULE CITATION: 21 NCAC 29 – ALL RULES

DEADLINE FOR RECEIPT: Wednesday, March 7, 2012

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

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:

*Please send some type certification that the rules were adopted after 5 p.m. on February 13, 2012.*

*Identify and date your original rules as well as forms.*

*On your form, give a citation to the website containing **all** the information required in G.S. 150B-19.1(c).*

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.

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: LOCKSMITH LICENSING BOARD

RULE CITATION: 21 NCAC 29 .0503

DEADLINE FOR RECEIPT: Wednesday, March 7, 2012

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 the first five words in (b) to "If a." Delete or define "immediately."*

*In (e), delete as unnecessary "in all cases." Change "refuse to" to "not." Delete or define "immediately."*

*In (f), on line 24, change "Instructions" to beginning with a lower case letter.*

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: LOCKSMITH LICENSING BOARD

RULE CITATION: 21 NCAC 29 .0802

DEADLINE FOR RECEIPT: Wednesday, March 7, 2012

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:

*Please show all changes made from the rule as published in the Administrative Code by appropriate strikethrough and underlining.*

*In (a), add "of continuing education" after "hours."*

*In (a)(2)(A), add "at least" before "62."*

*In (a)(2)(B), add "at least" before "fifteen."*

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