

OSBM

Executive Order No. 70 Report

April 2012



Prepared By:

Office of State Budget and Management

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INTRODUCTION

North Carolina General Statute 150B, also referred to as the Administrative Procedure Act (APA), establishes the rulemaking and adjudicatory procedures for State agencies. The Statute defines a “rule” as:

...any agency regulation, standard, or statement of general applicability that implements or interprets an enactment of the General Assembly or Congress or a regulation adopted by a federal agency or that describes the procedure or practice requirements of an agency.

Recognizing the growing importance of rules and their direct impact on business and citizens, on October 21, 2010, the Governor signed Executive Order No. 70, *Rules Modification and Improvement Program*, as part of the Governor’s *Setting Government Straight* initiative. Executive Order No. 70 outlines regulatory principles intended to guide North Carolina’s rulemaking and establishes the Rules Modification and Improvement Program (RMIP) as a framework for reviewing existing rules.

During the 2011 Session, the North Carolina General Assembly passed Senate Bill 781 that amended the APA to include a set of regulatory principles akin to those set in Executive Order No. 70 (G.S. 150B-19.1) and to codify the RMIP process laid out by Executive Order No. 70 (G.S. 150B-19.2). The amendments became effective October 1, 2011 and mandated all agencies to adhere to the regulatory principles and participate in the RMIP. The APA directs the Office of State Budget and Management (OSBM) to coordinate and oversee the RMIP and to publish an annual report by April 30 on its progress.

The RMIP is intended to evaluate, reform, expand, or, where necessary, repeal existing rules and associated requirements that are unnecessary, unduly burdensome, or inconsistent with the regulatory principles. To accomplish these goals, the RMIP is required to solicit input through two separate paths:

1. Invite **public comment** on whether any existing rules, implementation processes and associated requirements are unnecessary, unduly burdensome, or inconsistent with the regulatory principles. Comments may include modifying, expanding, or rescinding existing rule programs or the rule review and publication process.
2. Direct agencies to undertake an **internal review** to identify existing rules and associated requirements that are unnecessary, unduly burdensome, or inconsistent with the regulatory principles.

Section 1 of this report provides an update on the most recently submitted public comments (received from December 2010 through December 2011) and new agency internal review actions. Section 2 provides an update on the RMIP rule recommendations contained in the April 2011 report.

SECTION 1: NEW COMMENTS AND REFORM RECOMMENDATIONS

PUBLIC COMMENTS

As mentioned above, the RMIP requested public comment on specific rules, implementation processes and associated requirements that are unnecessary or unduly burdensome. From December 2010 through December 2011, 728 public comments were submitted in response to the solicitation.

Table 1. New Comments with Potential Merit By Agency

Agency	# of Rules
D H H S	30
D E N R	23
D O T	13
O t h e r A g e n c i e s	29
Total	95

After receiving the comments, OSBM evaluated each with respect to whether (1) it may be rule-related and (2) may have potential merit. Of the 728 total comments evaluated, 95 comments were determined to be possibly rule-related and have potential merit. A large majority of the comments addressed programs administered by the Department of Health and Human Services (DHHS), Department of Environment and Natural Resources (DENR) and the Department of Transportation (DOT) (see Table 1). OSBM instructed the relevant agencies to review the merits of each of the 95 comments and submit a response for OSBM by January 31. The response was to include a determination of whether the comment was indeed rule-related and if so, what further action was justified. Further actions generally fall into three categories: repeal rules, amend programs or study issues further. Amending programs can range from changing agency rules, policies, or guidance to pursuing statutory change. Studying further can include researching the validity of the comment and whether action is warranted. Table 2 summarizes the 95 comments and recommended agency action.

Table 2. New Public Comments with Potential Merit

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
Dept. of Insurance	2139	Opposition to Building Council and its ruling on fire sprinklers.	No	No Action
Dept. of Insurance	2102a	Building code rules are not initiated by local entities but by the State.	No	No Action
Dept. of Insurance	1950	Discussion concerning the local and state building code rules for repair and renovation of existing structures.	No	No Action

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
Dept. of Revenue	1931	Local governments must pay sales tax on purchases and file for an annual refund. It would be much simpler to allow a sales tax exemption similar to a wholesale exemption so that the money doesn't go from local government, to vendor, to NCDR, and back to the local government.	No Response	No Response
Dept. of Revenue	1934	According to the instructions of the business personal property listing form, the cost figures reported for business personal property should be historical cost.	No Response	No Response
Dept. of Revenue	2004	Community college system should not have to pay sales tax.	No Response	No Response
Dept. of Revenue	2049	Takes issue with taxpayers having to declare previous year's tax refund as income on the current year tax form.	No Response	No Response
Dept. of Revenue	2080	Employers not withholding tax from employees paychecks.	No Response	No Response
Dept. of Revenue	2233	Taxpayer continues to receive collection notices months after arranging with DOR for payments to be made automatically through their bank.	No Response	No Response
Dept. of Revenue	2296	Inconsistency between how dividends on foreign stocks are treated for federal versus state taxes. NC seems to require that individuals personally file a tax return with the foreign country before taking a credit on the NC taxes. For federal tax purposes, the commenter only needs to present the Foreign Tax Paid on Form 1099-DIV to show that his brokerage firm paid the taxes on his/her behalf.	No Response	No Response
Dept. of Revenue	2407	Suggest quarterly instead of monthly filing of gross sales and taxes due for corporations (including LLCs).	No Response	No Response
Dept. of Secretary of State	2538	Questions why annual reports filed with the Secretary of State's Office require the same information as tax returns and forms submitted to the Department of Revenue, and the need for duplication.	Statutory Requirement	No Action
NC Licensing Board for General Contractors	1935	Questions concerning balance sheet submitted to Board and discrepancy over GAAP versus office policy for assets listed.	Statutory Requirement	No Action
Dept. of Agriculture	1919	Questions outsourcing of animal welfare operations to animal control offices in each county.	Statutory Requirement	No Action

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
Dept. of Agriculture	2234	Suggests that the grading system used for inspection of animal shelters by the Department be changed from pass/fail to a grading scale (A, B, C, D, etc.).	Statutory Requirement	No Action
Commerce-Banking Commission	2224	Bank branch owner not allowed to have credit extended to his branch due to his own personal credit score.	Statutory Requirement	No Action
DENR	2138	Commenter references House Bill 1743 River Basin Modeling, but comment concerns bidding for minorities, which is not applicable to referenced statute.	No	No Action
DENR	1981	Comment on limits placed on the size of fish and potential unintended consequences.	No	No Action
DENR	1986	Comment on North Carolina Division of Marine Fisheries decision to end all recreational and commercial fishing for Spotted Sea Trout because the cold water is stunning and killing some of them.	No	No Action
DENR	2156	Commenter suggests that the Division of Water Quality and US Army Corps of Engineers relax currently stringent environmental rules so people can afford to build and development is not squashed.	No	No Action
DENR	2448	Confusion over a state law that directs DENR to reorganize the Ecosystem Enhancement Program to improve operational efficiency.	No	No Action
DENR	2210a	Raises concern that the fee to pay into a fund to protect streams and rivers in the state is only \$750, whereas a neighbor wanting to swap 1/10th of an acre with another neighbor is charged 5 times as much in administrative fees.	No	No Action
DENR	2102, 2104, 2105, 2106, 2011, 2013, 2015, 2016	Comment on S.B. 616 Chapter 581#1981: An Act to Provide for Safe Distances for Hunting Migratory Wild Waterfowl in Carteret and Pamlico Counties and the promotion of safety among hunting groups by keeping safe distances between the groups.	No	No Action
DENR	2286, 2287	Suggest that all wildlife rules, regulations and laws be managed by the NC Wildlife Resources Commission, which has wildlife biologists on staff with the experience and knowledge to set regulations.	No	No Action

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
DENR	2579	Requests that Session Laws of the General Assembly that established no wake zones in federal waters are not enforceable, because they conflict with federal law, and can be repealed.	No	Study Further
DENR	1924	References the 60 to 90 day period DENR takes to permit closed loop geothermal heat pump ground loops with anti-freeze. Homeowners are not always able to take advantage of the renewable energy tax credit because of the length of time to receive the permit.	Yes	Amend
DENR	2027	Suggests that the rules in 15A NCAC 18C.1700 conflict with all rules governing water supplies and should be integrated with existing rules or sunset.	Yes	Recommend for Repeal
DENR	2052	Raises concern that under Rule 15A NCAC 13B.0562 and .0564, inert debris essentially cannot be buried in the ground in most parts of Eastern NC. Argues that inert debris is not different from soil.	Yes	No Action
DENR	2195	Proposes budgetary deletion of funding for oyster restoration and sanctuary functions.	Yes	No Action
DENR	2254	Comment on shellfish leasing rules.	Yes	No Action
DHHS	1900	Suggests amendment for birth certificates and the relationship between the county Register of Deeds and the State Vital Records Office.	No	No Action
DHHS	1973	Recommends to revise the Certificate Of Need law and rules to mimic most other states; to remove impediments to market-based pricing and allocation of outpatient services such as MRI, CT, surgery centers, and similar health care services.	No	No Action
DHHS	2034	Raises concerns regarding: (1) repeated and overlapping auditing and surveying; (2) inconsistent monitoring involving DHHS agencies; and (3) rule changes, in particular that DHHS DMH/DD/SAS makes many significant rules changes, averaging 2-3 a month, without providing clear or advance notice to the provider.	No	No Action
DHHS	2100	Questions State's interpretation of residential programming in 5600 C homes.	No	No Action
DHHS	2120	Questions why Medicaid process is conducted manually and not electronically.	No	No Action

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
DHHS	2124	Questions duplication of services surrounding the PACE program.	No	No Action
DHHS	2151	Suggests deletion of the Partnership for Day Care Centers.	No	No Action
DHHS	2170, 2212, 2217	Expresses opposition to a bill proposed by DHHS in HB 1703 that requires "volunteers" in adult day care centers to have a criminal background check before volunteering.	No	No Action
DHHS	2240	Requests a different strategy for providing supports for citizens in NC with a Severe and Persistent Mental Illness (SPMI).	No	No Action
DHHS	1946	Expresses concern that some laboratories do not pay a fee, which is a federal requirement for the lab.	No	No Action
DHHS	1947	Questions certifications that are no longer required by CLIA.	No	No Action
DHHS	1896	Suggests the Administration look at duplication in monitoring of Group Homes for individuals with Developmental Disabilities.	Statutory Requirement	Study Further
DHHS	1965	Local health departments (LHDs) are required to be accredited every few years, which is a costly process, pulling health department upper management from their regular duties and pulling State nurse consultants from other duties to assist LHDs in proving that they meet standards. Suggests that it is an expensive non-essential activity.	Statutory Requirement	No Action
DHHS	2317	Comments on the length of time it takes adoptive parents to receive birth certificates.	Statutory Requirement	No Action
DHHS	1964	The Division of MHDDSAS has proposed rules regarding the endorsement of providers of enhanced services, which commenter suggests are onerous and unnecessary, and put undue burden on established providers of services.	Yes	Study Further
DHHS	2077	Comment on certification after the implementation of bulletin #82.	Yes	Study Further
DHHS	2085	Requests interest and support for legislation and legalization of Certified Professional Midwives for North Carolina.	Yes	No Action
DHHS	2380	Questions recertification of recipients who receive food stamp vouchers once their child is removed from the home.	Yes	No Action

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
DHHS	2479	Expresses opposition to a requirement that staff with four-year degrees provide "clinical" supervision to staff without four-year degrees, for those working with people who have intellectual and developmental disabilities.	Yes	Study Further
DHHS	1994	Comments that the temporary rules published for the Division of Medical Assistance have a requirement for a Performance Bond for all CABHA entities.	Yes	No Action
DHHS	2008	Questions why annual nitrate samples are required for residential care facilities, while other entities (restaurant, child care, nursing home, etc.) do not have a similar requirement.	Yes	No Action
DHHS	2009, 2014, 2216, 2153, 1897	Questions new regulation surrounding public swimming pools - 15A N.C.A.C. 18A.2528.	Yes	Amend
DHHS	2037	Comments on inconsistent agency actions, in particular that a CABHA-certified company has been recently cited for issues that have occurred in the past and have already been corrected.	Yes	No Action
DHHS	1948	Questions mammography requirement that is currently in rule and statute.	Yes	Recommend for Repeal
DOA	2102b	Suggests consolidating repairs to state-owned mechanical assets with DOC inmate skill and labor.	No	No Action
DOA	2005	Questions prequalification for bidders on construction projects.	Yes	No Action
DOA	2046	Questions dual jurisdiction between Department of Administration and Department of Insurance for inspection of buildings during construction and after occupancy.	Yes	No Action
DOA	2464	Flexibility in purchasing guidelines for Community Colleges	Yes	No Action
DOT	2218, 2220, 2131	Questions prequalification for bidders on construction projects.	No	No Action
DOT	2526	Requests exceptions to the NCDOT control of access fence requirement. A fence is currently always required when NCDOT acquires control of access; commenter argues there are circumstances where a fence is inappropriate.	No	No Action
DOT	2527	Questions spacing of public streets with respect to curbing.	No	No Action

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
DOT	2132	Suggests an overhaul of NC DOT Standards that are costly and not sensible; e.g., crosswalks have to be at signaled intersections, which requires a traffic analysis and the DOT standard signal system, which is about \$100,000.	No	No Action
DOT	2057	Questions renewal of a vehicle registration that is located in another state with a student in college.	No	No Action
DOT	2067	Suggests allowing multiple business vehicles on one registration.	No	No Action
DOT	2128	Questions the vehicle inspection law	No	Study Further
DOT	2346	Comments on perceived loophole in the way that vehicle tax bills are generated by either DMV or Department of Revenue.	No	No Action
DOT	2186	Expresses opposition to the Ferry Division considering an increase in the rates they charge on the Cedar Island and Swan Quarter Ferry Routes.	No	No Action
DOT	1912	Expresses problems registering a vehicle purchased from a private owner that had already been inspected.	Statutory Requirement	No Action
DOT	2204	Recommends uniform application and collection of highway fees during titling process for recreational park trailers; trailer is assessed by the DMV as a Manufactured Home in western areas of NC, but as a Recreational Vehicle in eastern areas.		
NC Psychology Board	1970, 2056, 2499	Questions master level requirement of supervising psychologists.	Yes	No Action
OSBM	1968	Suggests that state employees who travel and stay at hotels that offer free continental breakfast should not get a breakfast per diem, and that closer monitoring would save the state thousands of dollars.	No	No Action
OSBM	1927	Remarks that current rules related to different types of reporting needed for State pass-through funds are burdensome for small nonprofits.	Yes	No Action
OSP	2051	Suggests that the rule related to the Americans with Disabilities Act should be revised to allow medical records to be kept in a secure location, including electronically, and possibly offsite.	No	Study Further
OSP	1922	Comment on early retirement plan to ease budget crisis.	Statutory Requirement	No Action

Agency	ID#	Public Comment Summary	Is the comment rule-related?	What action should be taken next?
OSP	1953	Suggests elimination of tuition reimbursement programs for State Employees.	Yes	No Action
OSP	2096	Remarks that flexible work schedule policy is being applied arbitrarily.	Yes	No Action

INTERNAL AGENCY REVIEW

As part of the requirements stated in Executive Order No. 70, the Rules Modification and Improvement Program (RMIP), and the APA , agencies have two major responsibilities:

1. to conduct an internal review of agency rules to identify existing rules that were unnecessary, unduly burdensome, or inconsistent with the regulatory principles, and
2. to make a recommendation as to whether these rules should be repealed or modified (which can include an amendment or expansion).

REPEALS

Table 3 below lists the 281 rules that agencies determined should be repealed as part of the Internal Agency Review of Rules for the April 2012 report.

Table 3. Rules Recommended for Repeal (April 2012 Report)

Agency	Rule Title	Rule Citation	# of Rules
Department of Administration	Federal Block Grant Funds	01 NCAC 33	54
Department of Cultural Resources	STATEMENT OF PURPOSE	07 NCAC 040 .0101	1
Department of Cultural Resources	VISITING HOURS	07 NCAC 040 .0102	1
Department of Cultural Resources	VISITATION	07 NCAC 040 .0103	1

Agency	Rule Title	Rule Citation	# of Rules
Department of Cultural Resources	CONSULTATION AND TECHNICAL ASSISTANCE	07 NCAC 04O .0105	1
Department of Cultural Resources	EXHIBIT SERVICES	07 NCAC 04O .0106	1
Department of Cultural Resources	MUSEUM DOCENTS	07 NCAC 04O .0107	1
Department of Cultural Resources	INTERPRETIVE PROGRAMS	07 NCAC 04O .0201	1
Department of Cultural Resources	EXTENSION PROGRAMS	07 NCAC 04O .0203	1
Department of Cultural Resources	DEFINITIONS	07 NCAC 04R .0702	1
Department of Cultural Resources	ARCHAEOLOGICAL INVESTIGATIONS ON STATE LANDS	07 NCAC 04R .0703	1
Department of Cultural Resources	EMERGENCY ARCHAEOLOGICAL INVESTIGATIONS	07 NCAC 04R .0704	1
Department of Cultural Resources	APPLICATION FOR ARCHAEOLOGICAL PERMITS	07 NCAC 04R .0705	1
Department of Cultural Resources	QUALIFICATIONS FOR PERMITS	07 NCAC 04R .0706	1
Department of Cultural Resources	ISSUANCE OF PERMITS	07 NCAC 04R .0707	1
Department of Cultural Resources	TIME LIMITS OF PERMITS	07 NCAC 04R .0708	1
Department of Cultural Resources	TERMS AND CONDITIONS OF PERMITS	07 NCAC 04R .0709	1
Department of Cultural Resources	PERMIT DENIAL: SUSPENSION AND REVOCATION	07 NCAC 04R .0710	1
Department of Cultural Resources	APPEALS RELATING TO PERMITS	07 NCAC 04R .0711	1
Department of Cultural Resources	REPORTING REQUIREMENTS FOR SPECIFIC PERMITS	07 NCAC 04R .0712	1
Department of Cultural Resources	REPORTING REQUIREMENTS FOR GENERAL PERMITS	07 NCAC 04R .0713	1
Department of Cultural Resources	REPORT REVIEW FOR SPECIFIC PERMITS	07 NCAC 04R .0714	1
Department of Cultural Resources	REPORT REVIEW FOR GENERAL PERMITS	07 NCAC 04R .0715	1
Department of Cultural Resources	CUSTODY OF RESOURCES UNDER THE TERMS OF A SPECIFIC PERMIT	07 NCAC 04R .0716	1
Department of Cultural Resources	CUSTODY/ARCHAEOLOGICAL RESOURCES UNDER/TERMS: GENERAL PERMIT	07 NCAC 04R .0717	1
Department of Cultural Resources	CONFIDENTIALITY	07 NCAC 04R .0718	1
Department of Cultural Resources	OPERATING HOURS	07 NCAC 04R .0801	1

Agency	Rule Title	Rule Citation	# of Rules
Department of Cultural Resources	LOAN OF ARTIFACTS	07 NCAC 04R .0802	1
Department of Cultural Resources	CURATION OF ARCHAEOLOGICAL COLLECTIONS	07 NCAC 04R .0803	1
Department of Cultural Resources	DEACCESSIONS	07 NCAC 04R .0804	1
Department of Cultural Resources	ACCESS TO ARCHAEOLOGICAL COLLECTIONS	07 NCAC 04R .0805	1
Department of Cultural Resources	ARCHAEOLOGICAL SITE FILES	07 NCAC 04R .0806	1
Department of Cultural Resources	PUBLIC ACCESS TO EXCAVATIONS	07 NCAC 04R .0807	1
Department of Cultural Resources	ARCHAEOLOGICAL SURVEY AND EVALUATION REPORT GUIDELINES	07 NCAC 04R .0808	1
Department of Cultural Resources	DEFINITIONS	07 NCAC 04R .1002	1
Department of Cultural Resources	DEPARTMENT AUTHORIZED TO GRANT PERMITS AND LICENSES	07 NCAC 04R .1003	1
Department of Cultural Resources	EXCEPTIONS	07 NCAC 04R .1004	1
Department of Cultural Resources	PERMIT FOR EXPLORATION: RECOVERY OR SALVAGE	07 NCAC 04R .1005	1
Department of Cultural Resources	TERMS AND CONDITIONS OF PERMITS	07 NCAC 04R .1006	1
Department of Cultural Resources	APPEALS RELATING TO PERMITS	07 NCAC 04R .1007	1
Department of Cultural Resources	OWNERSHIP AND DIVISION OF RECOVERED ITEMS	07 NCAC 04R .1008	1
Department of Cultural Resources	PROTECTED AREAS	07 NCAC 04R .1009	1
Department of Cultural Resources	SPECIAL AREAS FOR SPORT AND HOBBY OPERATIONS	07 NCAC 04R .1010	1
Department of Cultural Resources	REPORTING REQUIREMENTS	07 NCAC 04R .1011	1
Department of Cultural Resources	REPORT REVIEW	07 NCAC 04R .1012	1
Department of Cultural Resources	TERMINATION OF PERMIT	07 NCAC 04R .1013	1
DENR	General Conformity Determination	2H .0139	1
DENR	General Conformity Determination	2H .0140	1
DHHS	Executive Committee	10A NCAC 05A .0201 & .0202	2
DHHS	Public Information	10A NCAC 05A .0202	1
DHHS	County Organization	10A NCAC 05C .0401	
DHHS	Requests for Funds	10A NCAC 05D .0201	1
DHHS	Travel	10A NCAC 05D .0302	1
DHHS	Travel	10A NCAC 71E .0101 through .0109	9

Agency	Rule Title	Rule Citation	# of Rules
DHHS	Travel	10A NCAC 71P .0303 & .0304	2
DHHS	Travel	10A NCAC 71P .0406	1
DHHS	Travel	10A NCAC 71P .0702	1
DHHS	Travel	10A NCAC 71P .0704	1
DHHS	Travel	10A NCAC 71P .0802, .0803, .0804	3
DHHS	Section .0800 Requirements for	10A NCAC 10 .0801-.0811	11
DHHS	Public Access to Dpt Licensure Record	10A NCAC 13D .2110	1
DHHS	Specialized Rehab & Habilit Service	10A NCAC 13D .3001	1
DHHS	Quality of Specialized Rehab Serv	10A NCAC 13D .3002	1
DHHS	HIV Designated Unit Policies	10A NCAC 13D .3011	1
DHHS	Physician Services in HIV Unit	10A NCAC 13D .3012	1
DHHS	Special Nsg Requirements HIV	10A NCAC 13D .3013	1
DHHS	Special Staff Educ Hiv Unit	10A NCAC 13D .3014	1
DHHS	Investigation Drugs HIV Unit	10A NCAC 13D .3015	1
DHHS	SW Requirements HIV Unit	10A NCAC 13D .3016	1
DHHS	Physician Requirements Inpat Reha	10A NCAC 13D .3021	1
DHHS	Admission Criteria Inpat Rehab	10A NCAC 13D .3022	1
DHHS	Comprehensive Inpt Rehab Eval	10A NCAC 13D .3023	1
DHHS	Comprehensive Inpt Rehab Int Plan	10A NCAC 13D .3024	1
DHHS	DC Criteria Inpt Rehab unit	10A NCAC 13D .3025	1
DHHS	Comprehensive Rehab Personnel Ad	10A NCAC 13D .3026	1
DHHS	Comprehensive Inpt Rehab Staffin	10A NCAC 13D .3027	1
DHHS	Staff Training Inpt Rehab Unit	10A NCAC 13D .3028	1
DHHS	Equipment Inpt Rehab Unit	10A NCAC 13D .3029	1
DHHS	Physical Requirements Inpt Rehab	10A NCAC 13D .3030	1
DHHS	Deemed Status Inpt Rehab Unit	10A NCAC 13D .3033	1
DHHS	New Facility Requirements	10A NCAC 13D .3301	1
DHHS	Additions	10A NCAC 13D .3302	1
Department of Insurance	FACSIMILE COUNTERSIGNATURE NOT VALID	11 NCAC 01 .0603	1
Department of Insurance	ATTENDANCE	11 NCAC 06A .0806	1
Department of Insurance	FORM: INSTRUCTIONS/REQUIREMENTS/SURPL US LINES COMPANY	11 NCAC 10 .0714	1
Department of Insurance	OCCUPATIONAL INJURIES OR DISEASES	11 NCAC 12 .0325	1
Department of Insurance	OFFSET OF INCREASED SOCIAL SECURITY: GROUP DISABILITY	11 NCAC 12 .0545	1
Department of Insurance	UNIFORM CLAIM FORMS	11 NCAC 12 .0560	1
Department of Insurance	REINSURANCE POOL	11 NCAC 12 .1306	1
Department of Insurance	ADMISSION DATA GUIDELINES	11 NCAC 14 .0413	1
Department of Insurance	CHECK SHEET AND ANALYSIS OF APPLICATION FOR ADMISSION	11 NCAC 14 .0414	1
Department of Insurance	STANDARD QUESTIONS FOR APPLICANT INSURANCE CO.	11 NCAC 14 .0418	1
Department of Insurance	MARKETING QUESTIONS FOR APPLICANT LIFE INSURANCE CO.	11 NCAC 14 .0419	1

Agency	Rule Title	Rule Citation	# of Rules
Department of Insurance	MARKETING QUESTIONS FOR APPLICANT FIRE/CASUALTY INSURANCE CO.	11 NCAC 14 .0420	1
Department of Insurance	UNCONDITIONAL GUARANTY	11 NCAC 14 .0421	1
Department of Insurance	CORPORATE RESOLUTION OF GUARANTOR	11 NCAC 14 .0422	1
Department of Insurance	ELIGIBILITY REQUIREMENTS FOR SURPLUS LINES INSURANCE CO.	11 NCAC 14 .0423	1
Department of Insurance	FILING REQUIREMENTS FOR SURPLUS LINES INSURANCE CO.	11 NCAC 14 .0424	1
Department of Insurance	BULLETIN 87-L-7	11 NCAC 14 .0425	1
Department of Insurance	BULLETIN 87-L-6	11 NCAC 14 .0426	1
Department of Insurance	APPLICATION FOR LICENSE: INSURANCE COMPANY	11 NCAC 14 .0432	1
Department of Insurance	APPLICATION FORMS	11 NCAC 14 .0501	1
Department of Justice	Applicability of Radar/TDS Standards Pre 7/1/82	12 NCAC 09A .0108	1
Department of Justice	Certified Instructors Pre 7/1/82	12 NCAC 09B .0311	1
Department of Justice	Comprehensive Written Exam - Local Confinement Facility	12 NCAC 09B .0411	1
Department of Justice	Satisfaction of Training - Local Confinement Facility	12 NCAC 09B .0412	1
Department of Justice	Application for Law Enforcement Employment	12 NCAC 09C .0217	1
Department of Justice	Form Order Blank	12 NCAC 09C .0218	1
Department of Justice	Acquisition of Forms	12 NCAC 09C .0220	1
Department of Public Safety	General Provisions	14A NCAC 01A .0102-.0103	2
Department of Public Safety	Rulemaking and Administrative Hearings	14A NCAC 01B .0101, .0202-.0203, .0304, .0306, .0402, .0502	7
Department of Public Safety	Service of Request for Assistance	14A NCAC 01C .0104	1
Department of Public Safety	ALE Manual Adoption by Reference	14A NCAC 08B .0101	1
Department of Public Safety	Medical Services Program	14A NCAC 10B .0203, .0206-.207	3
Department of Public Safety	Purpose and Organization	14A NCAC 06 .0101, .0103	2
Department of Public Safety	Location and Hours of Operation; Organization	14A NCAC 04 .0101, .0104	2
Department of Public Safety	Where to Obtain Manuals/Forms and Assistance	14A NCAC 04 .0202	1
Department of Public Safety	Purpose and Organization	14A NCAC 07 .0106-.0107	2
Department of Public Safety	Grant Application Process and Procedures	14A NCAC 07 .0206, .0208, .0309-.0310	4
Department of Public Safety	Security	01 NCAC 04H .0103-.0104, .0201, .0206	4
Department of Public Safety	Purpose and Intent	14A NCAC 11 .0301	1
Department of Public Safety	Processing and Payment of Claims	14A NCAC 11 .0502	1
Department of Public Safety	Grant Award Contracts	05 NCAC 05 .0101	1

Agency	Rule Title	Rule Citation	# of Rules
Department of Secretary of State	LOBBYIST COMPENSATION SHALL BE SEPARATELY REPORTED	18 NCAC 12 .0904	1
Department of Transportation	Application for Enrollment in Police Training Courses	19A NCAC 05D.0204	1
NC Board of Cosmetic Art Examiners	Written Request	21 NCAC 14C .0203	1
NC Board of Cosmetic Art Examiners	Rules and Regulations Governing the Licensing of Beauty Shops	21 NCAC 14F.0101-.0109, .0114	1
NC Board of Cosmetic Art Examiners	REQUIREMENTS FOR OPERATING COSMETIC ART SCHOOLS	21 NCAC 14G .0101	1
NC Board of Cosmetic Art Examiners	Visitation	21 NCAC 14G .0108	1
NC Board of Cosmetic Art Examiners	Student Credit	21 NCAC 14G .0109	1
NC Board of Cosmetic Art Examiners	TRANSFERABILITY OF LETTERS OF APPROVAL	21 NCAC 14G .0110	1
NC Board of Cosmetic Art Examiners	CHANGE OF LOCATION: OWNERSHIP OR MANAGEMENT	21 NCAC 14G .0111	1
NC Board of Cosmetic Art Examiners	Condition of Equipment	21 NCAC 14G .0112	1
NC Board of Cosmetic Art Examiners	Teacher/Student Ratio	21 NCAC 14G .0113	1
NC Board of Cosmetic Art Examiners	SCHOOL AFFILIATION WITH COSMETIC ART SHOPS AND OTHER BUSINESS	21 NCAC 14G .0114	1
NC Board of Cosmetic Art Examiners	FAILURE TO COMPLY WITH RULES	21 NCAC 14G .0115	1
NC Board of Cosmetic Art Examiners	CHANGES IN TEACHING STAFF	21 NCAC 14G .0117	1
NC Board of Cosmetic Art Examiners	SCHOOL CURRICULUM APPROVAL	21 NCAC 14G .0118	1
NC Board of Cosmetic Art Examiners	Sanitation	21 NCAC 14 H	17
NC Board of Cosmetic Art Examiners	OPERATIONS OF SCHOOLS OF COSMETIC ART	21 NCAC 14 I	20
NC Board of Cosmetic Art Examiners	Uniform	21 NCAC 14J .0102	1
NC Board of Cosmetic Art Examiners	Uniform	21 NCAC 14K .0101	1
NC Board of Cosmetic Art Examiners	Uniform	21 NCAC 14O .0101	1
NC Board of Cosmetic Art Examiners	Uniform	21 NCAC 14S. 0101	1
NC Psychology Board	Right to a Hearing	21 NCAC 54 .2301	1
NC Psychology Board	Types of Intervention	21 NCAC 54 .2307	1
NC Psychology Board	Simplification of Issues	21 NCAC 54 .2310	1
NC Psychology Board	Subpoenas	21 NCAC 54 .2311	1
NC Psychology Board	Rulemaking Hearings	21 NCAC 54 .2501 - .2505	5
NC Psychology Board	Disposition of Request	21 NCAC 54 .2602	1

Agency	Rule Title	Rule Citation	# of Rules
Total			281

MODIFICATIONS

As part of the Internal Agency Review for the April 2012 report, agencies determined 608 rules should be modified. These rules are presented in Table 4 below by agency.

Table 4. Rules Recommended for Modification by Agencies (April 2012 Report)

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation
Board of Podiatry Examiners	BOARD OF PODIATRY ELECTIONS	21NCAC 52.1301	1
Department of Administration	State Employees Combined Campaign	01 NCAC 35	15
Department of Cultural Resources	TAR HEEL JUNIOR HISTORIAN ASSOCIATION	07 NCAC 04O .0204	1
Department of Cultural Resources	MEMBERSHIP	07 NCAC 03B .0107	1
Department of Cultural Resources	VISITING HOURS	07 NCAC 04Q .0102	1
Department of Cultural Resources	USE OF FACILITIES	07 NCAC 04Q .0105	1
Department of Cultural Resources	ARTIFACTS	07 NCAC 04O .0301	1
Department of Cultural Resources	APPRAISAL	07 NCAC 04O .0302	1
Department of Cultural Resources	ACQUISITIONS	07 NCAC 04O .0303	1
Department of Cultural Resources	LOANS	07 NCAC 04O .0304	1
Department of Cultural Resources	DEACCESSIONS	07 NCAC 04O .0305	1
Department of Cultural Resources	RESEARCH AND STORAGE AREAS	07 NCAC 04O .0306	1
Department of Cultural Resources	ADMISSION FEES	07 NCAC 04N 0202	1
DENR	General Conformity Determination	15A NCAC 02D.1603	1

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation
DENR	General Conformity Determination	2B .0101(e)(5) & .0225	2
DENR	General Conformity Determination	2B .0500	7
DENR	General Conformity Determination	15A NCAC 2C .0114	1
DENR	General Conformity Determination	2C .0200	15
DENR	General Conformity Determination	2H .0100	25
DENR	General Conformity Determination	2H .0500	6
DENR	General Conformity Determination	2H .0400	7
DENR	General Conformity Determination	2L .0100	13
DENR	General Conformity Determination	2T	110
DENR	General Conformity Determination	2T or 13B .0100	117
DENR	AECs Within Ocean Hazards AECs	15ANCAC 07H.0304	1
DENR	Specific Use Standards for Ocean Hazard Areas	15A NCAC 07H.0308	1
DENR	Use Standards for Inlaet Hazard Areas	15A NCAC 07H.0310	1
DENR	Technical Standards for Beach Fill Projects	15A NCAC 07H.0312	1
DENR	GP for Emergency Work Requiring a CAMA and/or Dredge and Fill Permit	15A NCAC 07H.1705	1
DHHS	Scrap Tire Hauler Requirements	13B .1112	1
DHHS	AreA Plan	10A NCAC 05C .0305	1
DHHS	Adult Day Care	10A NCAC 06Q.0201	1
DHHS	Adult day Care Cert	10A NCAC 06R .0101	1
DHHS	Transportation	10A NCAC 06R .0503	1
DHHS	Medications	10A NCAC 06R .0505	1
DHHS	Speacial Care Services	10A NCAC 06R .0904	1
DHHS	Cost Sharing	10A NCAC 06T .0204	1
DHHS	In-Home Aide Services	10A NCAC 06X .0213	1
DHHS	Adult & Family Support	10A NCAC 71A .0101	1
DHHS	Adult & Family Support	10A NCAC 71A .0806	1
DHHS	Special Assistance	10A NCAC 71P .0101 & .0102	2

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation
DHHS	Special Assistance	10A NCAC 71P .0201, .0202, .0301, .0302	4
DHHS	Special Assistance	10A NCAC 71P .0501 & .0502	2
DHHS	Special Assistance	10A NCAC 71P .0505	1
DHHS	Special Assistance	10A NCAC 71P .0603	1
DHHS	Special Assistance	10A NCAC 71P .0801	1
DHHS	Special Assistance	10A NCAC 71P .0902 - .0906	4
DHHS	Placement Services	10A NCAC 71C .0101	1
DHHS	Placement Services	10A NCAC 71C .0104 & .0105	2
DHHS	Placement Services	10A NCAC 71C .0107 & .0108	2
DHHS	Social Development	10A NCAC 71F .0104	1
DHHS	Personal Counseling	10A NCAC 71H .0103	1
DHHS	Health Support Services	10A NCAC 71J .0108	1
DHHS	Service Elements	10A NCAC 71Q .0202	1
DHHS	In-Home Aid Services	10A NCAC 71R .0911	1
DHHS	Purpose of Consumer	10A NCAC 71S .0101	1
DHHS	Clients Rights Committees	10A NCAC 27G .0504	1
DHHS	Licensing	10A NCAC 13F .0200	15
DHHS	Staff Qualifications	10A NCAC 13F .0400	7
DHHS	Plans and Specifications	10A NCAC 13F .0304	1
DHHS	Staff Orientation, Training & Competency	10A NCAC 13F .0500	12
DHHS	Admission & Discharge	10A NCAC 13F .0700	4
DHHS	Rated Certificates	10A NCAC 13F .1600	5
DHHS	The Building	10A NCAC 13G .0300	18

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation
DHHS	Staff Qualifications	10A NCAC 13G .0400	7
DHHS	Staff Orientation, Training & Competency	10A NCAC 13G .0500	12
DHHS	Admission & Discharge	10A NCAC 13G .0700	5
DHHS	Resident Care & Services	10A NCAC 13G .0900	9
DHHS	Rated Certificates	10A NCAC 13G .1600	5
DHHS	Application Requirements	10A NCAC 13D .2101	1
DHHS	Infection Control	10A NCAC 13D .2209	1
DHHS	Nurse Aides	10A NCAC 13D .2304	1
DHHS	ACH Personnel Requirements	10A NCAC 13D .2308	1
DHHS	Drug Storage & Disposition	10A NCAC 13D .2605	1
DHHS	Pharmaceutical Records	10A NCAC 13D .2606	1
DHHS	Emergency Drugs	10A NCAC 13D .2607	1
DHHS	Provisions Nutrition & Dietetic	10A NCAC 13D .2701	1
DHHS	Temporary Change in Bed Capaci	10A NCAC 13D .2105	1
DHHS	Denial, Amendment, or Revocation	10A NCAC 13D .2106	1
DHHS	Suspension of Admission	10A NCAC 13D .2107	1
DHHS	Admissions	10A NCAC 13D .2202	1
DHHS	Patients not to be Admitted	10A NCAC 13D .2203	1
DHHS	Reporting & Investigating Abuse,	10A NCAC 13D .2210	1
DHHS	Patient assessment & care planning	10A NCAC 13D .2301	1
DHHS	Nurse Staffing Requirements	10A NCAC 13D .2303	1
DHHS	Medication Administration	10A NCAC 13D .2306	1
DHHS	Drug Procurement	10A NCAC 13D .2604	1

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation
DHHS	General Rules	10A NCAC 13D .3101	1
DHHS	Plans and Specifications	10A NCAC 13D .3104	1
DHHS	General Requirements for All Diagnostic Systems	15A NCAC 11 .0604	1
DHHS	Veterinary Medicine Radiographic Installations	15A NCAC 11 .0610	1
DHHS	Preservation of Medical Records	10A NCAC 13B .3903	1
DHHS	Monitoring Radiation Exposure of Personnel	10A NCAC 13B .4804	1
DHHS	Admissions	10A NCAC 13B .1905	1
DHHS	Nursing/Health Care Administration and Supervision	10A NCAC 13B .1910	1
DHHS	Vacant Director of Nursing	10A NCAC 13B .1911	1
DHHS	SUPERVISION	10A NCAC 21A .0101	1
Department of Insurance	INQUIRIES AND INFORMATION	11 NCAC 04 .0116	1
Department of Insurance	PROVISIONS OF CONTRACTS	11 NCAC 04 .0313	1
Department of Insurance	CLAIMS PRACTICES: LIFE: ACCIDENT AND HEALTH INSURANCE	11 NCAC 04 .0319	1
Department of Insurance	DRIVE-IN CLAIM SERVICE FACILITIES	11 NCAC 04 .0417	1
Department of Insurance	PROOF OF MAILING; AUTOMOBILE INSURANCE	11 NCAC 04 .0430	1
Department of Insurance	REFUND OF EXCESS PREMIUM ON SCHEDULED ITEMS	11 NCAC 04 .0432	1
Department of Insurance	DELIVERY OF ILLUSTRATION AND RECORD RETENTION	11 NCAC 04 .0507	1
Department of Insurance	FORM(S) QUESTIONNAIRE	11 NCAC 10 .1207	1
Department of Insurance	ANNUAL STATEMENT	11 NCAC 13 .0308	1
Department of Justice	Name and Location	12 NCAC 4E .0101	1
Department of Justice	Function of DCI	12 NCAC 4E .0102	1
Department of Justice	Advisory Policy Board	12 NCAC 4E .0103	1
Department of Justice	Definitions	12 NCAC 4E .0104	1
Department of Justice	Forms	12 NCAC 4E .0105	1
Department of Justice	Manuals	12 NCAC 4E .0106	1
Department of Justice	Eligibility for Full or Limited Access to the DCI Network	12 NCAC 4E .0201	1
Department of Justice	Management Control Requirements	12 NCAC 4E .0202	1
Department of Justice	Non-Terminal Access	12 NCAC 4E .0203	1
Department of Justice	SBI Task Force Management Control	12 NCAC 4E .0204	1
Department of Justice	User Agreement	12 NCAC 4E .0301	1
Department of Justice	User Access Fee Agreement	12 NCAC 4E .0302	1

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation
Department of Justice	Servicing Agreement	12 NCAC 4E .0303	1
Department of Justice	Management Control Agreement	12 NCAC 4E .0304	1
Department of Justice	Disclosure Agreement	12 NCAC 4E .0305	1
Department of Justice	DCI Terminal Operator	12 NCAC 4E .0401	1
Department of Justice	Certification and Recertification of DCI Operators	12 NCAC 4E .0402	1
Department of Justice	Suspension and Revocation of Operator Certification	12 NCAC 4E .0403	1
Department of Justice	Period of Suspension	12 NCAC 4E .0404	1
Department of Justice	Minimum Standards for DCI Terminal Operators	12 NCAC 4E .0405	1
Department of Justice	Security of DCI Equipment	12 NCAC 4F .0101	1
Department of Justice	Official Use of DCI Information	12 NCAC 4F .0102	1
Department of Justice	Documentation and Accuracy	12 NCAC 4F .0201	1
Department of Justice	Validations	12 NCAC 4F .0202	1
Department of Justice	Hit Confirmation	12 NCAC 4F .0203	1
Department of Justice	Arrest Fingerprint Card	12 NCAC 4F .0301	1
Department of Justice	Final Disposition Information	12 NCAC 4F .0302	1
Department of Justice	Prison Fingerprint Card	12 NCAC 4F .0303	1
Department of Justice	Dissemination of CCH Records	12 NCAC 4F .0401	1
Department of Justice	Accessing of CCH Records	12 NCAC 4F .0402	1
Department of Justice	Use of CCH for Criminal Justice Employment	12 NCAC 4F .0403	1
Department of Justice	Individual's Right to Review	12 NCAC 4F .0404	1
Department of Justice	CCH Licensing and Non-Criminal Justice Employment Purposes	12 NCAC 4F .0405	1
Department of Justice	Restrictive Use of CCH for Employment Purposes	12 NCAC 4F .0406	1
Department of Justice	Research Use and Access of CCH Records	12 NCAC 4F .0407	1
Department of Justice	Limitation Requirements	12 NCAC 4F .0408	1
Department of Justice	Expungements	12 NCAC 4F .0501	1
Department of Justice	Purges	12 NCAC 4F .0502	1
Department of Justice	Automated Fingerprint Identification System	12 NCAC 4F .0601	1
Department of Justice	Eligibility for Full or Limited Access to the AFIS Network	12 NCAC 4F .0602	1
Department of Justice	AFIS Agreement	12 NCAC 4F .0603	1
Department of Justice	Available Data	12 NCAC 4F .0604	1
Department of Justice	Dissemination of Driver History Information	12 NCAC 4F .0701	1
Department of Justice	Audits	12 NCAC 4F .0801	1
Department of Justice	Definitions	12 NCAC 4G .0101	1
Department of Justice	Penalty Provisions	12 NCAC 4G .0102	1
Department of Justice	Notice of Violation	12 NCAC 4G .0201	1
Department of Justice	Hearing Procedure	12 NCAC 4G .0301	1

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation
Department of Justice	Evaluation for Training Waiver	12 NCAC 09B .0403	1
Department of Justice	Application of Award for Professional Certificate	12 NCAC 09C .0207	1
Department of Justice	Post-Delivery Report of Training Course Presentation	12 NCAC 09C .0212	1
Department of Justice	Student Course Completion Record	12 NCAC 09C .0213	1
DOT	Section .0200 – Outdoor Advertising	19A NCAC 02E.0200-.0203, .0206-.0213	11
DOT	Selective Vegetation Removal	19A NCAC 02E.0600-.0604, .0608-.0611	9
DOT	Free Operations	19A NCAC 02D.0531	2
DOT	Toll Operations	19A NCAC 02D.0532	2
DOT	Permits - Weights, Dimensions and Limitations	19A NCAC 02D.0607	1
DOT	Driveway Permits for Special Commerical Property	19A NCAC 02B.0603	3
DOT	Approval of Application	19A NCAC 02B.0604	3
DOT	Application Review Period	19A NCAC 02B.0605	3
DOT	Claim For Reimbursement	19A NCAC 05D.0301	1
DOT	Verification of Adherence to Purchasing Procedures	19A NCAC 05D.0401	1
NC Licensing Board for General Contractors		21 NCAC 12 .0204	1
NC Psychology Board	Address	21 NCAC 54 .1602	1
NC Psychology Board	Issuance of License	21 NCAC 54 .1705	1
NC Psychology Board	License Renewal Form	21 NCAC 54 .2101	1
NC Psychology Board	Disqualification of Board Member	21 NCAC 54 .2308	1
NC Psychology Board	Request for Declaratory Ruling	21 NCAC 54 .2601	1
NC Real Estate Commission	Agency Agreements and Disclosure	21 NCAC 58A .0104(a)	1
NC Real Estate Commission	Advertising	21 NCAC 58A .0105	1
NC Real Estate Commission	Handling and Accounting of Funds	21 NCAC 58A .0107(c)	1
Total			608

SECTION 2: UPDATE ON APRIL 2011 REPORT

PUBLIC COMMENTS

From October 2010 through December 2010, approximately 1,300 public comments were received and reviewed for the April 2011 RMIP Report, as required by the Executive Order No. 70. Of the 1,327 total comments evaluated, OSBM determined 250 comments to be rule-related and have potential merit. Each agency was asked to evaluate the merit of and suggest further action for their respective comments. Based on the agency responses and information from outside experts, OSBM recommended one of three next steps: amend, study further, or no further action necessary. Table 5 below shows some summary statistics on the different types of actions taken by agencies since the 2011 RMIP report. Table 6 provides an update on agency actions for individual recommendations.

Table 5. Tabulation of Agency Actions on Public Comments in April 2011 Report

Type of Action	Number of Actions	Percent of Total Actions
Amended	6	5%
No Action	45	39%
No Further Action Necessary	9	8%
No Response	22	19%
Study Further	33	29%
Grand Total	115	100%

Table 6. Update on Previous Comments with Potential Merit Submitted by the Public

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DENR	1267, 1538a	Recent rules require upgrades in pool fences and may cause some older public swimming pools to not have their license renewed. Commenters suggest a need for enforcement discretion as some affected pool fences fall short of requirements by a very small margin.	Amend	No Action

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DENR	1220, 1538a, 1553, 1590, 1624, 1643, 1648, 1660, 1661, 1697b, 1797	Several commenters were concerned about the overlap between DENR divisions. Commenters noted that the same things were inspected by both Div. of Water Quality (DWQ), which issues National Pollutant Discharge Elimination System (NPDES) permits and then monitors discharge, and Div. of Land Resources (DLR), which inspects for sediment/ erosion control measures. Commenters also cited cases where DLR issued a permit, and then DWQ issued a notice of violation for not protecting a stream on the site, which DLR did not even identify. Commenters suggested streamlining the process related to storm-water, wastewater treatment, watershed, and erosion rules to avoid having to get permits from three different divisions.	Amend	Study Further
DENR	1646	DENR issues wastewater discharge permits (NPDES) for private construction and requires them to meet certain discharge limits. In addition, DENR approves construction plans with regard to waste-water discharge (Authorization to Construct permit). Commenters argue this additional step is too burdensome and unnecessary and believe the licensed engineers who draw up the plans are more qualified than the non-licensed DENR approvers.	Amend	No Action
DENR	608	Division of Air Quality's "one-size fits all" approach in issuing Notices of Violations for any minor violation of air quality requirements hurts businesses. This approach is inconsistent with statutes, enforcement policies of other DENR programs, as well as EPA and policies in other states. Commenter suggests a 3-tier approach: 1) Warning Letters for first-time or minor offenses 2) Notice of Non-compliance for permit exceedances allowing the business to undertake corrective action before further enforcement 3) Notice of Violation if violations other than 1 or 2	Amend	Amended
DENR	1607	Osprey poles are classified as development, hence not allowed under Coastal Area Management Act (CAMA) within 75 feet of water's edge. A burdensome variance request needs to be requested to be able to install the pole. Commenter suggests exempting these structures from permitting.	Amend	Study Further
DENR	1162, 1686, 1697b	Two reviews, one under State Environmental Policy Act and another under Coastal Area Management Act, require an applicant to spend thousands of dollars and add lengthy delays for duplicative reviews. Many times the regulators will raise different issues in each review rather than addressing all issues at once. Commenters suggest combining the two reviews.	Amend	Amended

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DENR	1331	Commenter concerned with the excessive time taken to obtain closed loop geothermal well permits. Commenter also notes the delay makes emergency replacements unworkable and deters people from switching to geothermal.	Amend	Amended
DENR	733	Recent rules added combustion sources to NC Air Toxics, causing small pollutant emission sources (such as small engines and water heaters) to be subject to costly requirements. Federal rules already regulate these emission sources.	Amend	Study Further
DENR	1189	Commenter argues rules adopted to satisfy federal requirements, such as the federal hazardous air pollutant rules, are often unnecessary. State should focus on rules suitable for North Carolina.	Study further	Study Further
DENR	1484, 635, 790, 809, 989, 1232, 1365	Commenters described various issues with the Coastal Area Management Act rules, including: 1) the required letters of no objection for the single family home exemption process need to be improved or eliminated; 2) 30' buffer rule implementation needs improvement; 3) maximum pier length should be extended to preserve shallow bottom habitat; 4) rules are too far-reaching and implemented inconsistently; 5) land use plans are inefficient use of resources by local government.	Amend	Study Further
DENR	929, 1081	Commenter argues that waste treatment and stormwater permits require inefficient soil and site evaluation by state and local government. These evaluations could be performed more efficiently by the private sector.	Study further	No Action
DENR	1635, 1644, 671, 820	Commenters believe the National Pollutant Discharge Elimination System (NPDES) permit and fee process need to be reexamined. Commenters argued the time and expense associated with meeting the engineering study requirements are overly burdensome, particularly for smaller NC towns. Also argued the recordkeeping and erosion control costs were excessive and unnecessary. Commenters also recommended an "inactive status" option for permits, allowing businesses to temporarily suspend monitoring and avoid new permitting when active again.	Study further	No Action
DENR	1710	Commenter concerned about the financial strain placed on development projects due to coastal stormwater rule requirements on lots in older, historic communities.	Study further	No Action
DENR	1549	Commenter requests clarification of sewer slope line definition. Commenter is particularly concerned about inconsistent guidance on this issue in areas with non-sloping topography.	Amend	Study Further

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DENR	1116	Commenter concerned that classifying reclaimed water as "waste" limits the ability to use reclaimed water in more applications.	Study further	Study Further
DENR	1424	The classification of yard waste runoff as industrial wastewater exceeds statutory authority. It is also burdensome and not supported by environmental testing.	Study further	No Action
DENR	1243	Commenter concerned that recent court ruling will not allow a local government to regulate sludge (biosolids) in its borders. Commenter suggests additional regulatory language that would not prohibit local government from tightening sludge rules in its borders.	Study further	No Action
DENR	1159	Requirement for local government to compost leaves at central compost facility in city is expensive and does not eliminate the hazards posed by fertilizers. Commenter suggests suspending requirement.	Amend	Study Further
DENR	1119	Commenter concerned about the costs, particularly to smaller water systems, associated with recent changes to the rules governing public water systems.	Study further	No Action
DENR	1208	Requirements for transient water systems may be too costly and should be reviewed.	Study further	No Action
DENR	1225	Commenter expressed frustration with review and approval process for new on-site wastewater technology.	No further action necessary	No Action
DENR	1375	Commenter argues direct purchase of cow's milk for human consumption should be allowed.	Study further	No Action
DENR	1532	Commenter believes current frequency of school inspections is ineffective. Also concerned about the grading/communication of results.	Study further	Study Further
DENR	1621	Commenter concerned with rules limiting preparation of rare hamburgers.	Amend	No Action
DENR	1639b	Rules requiring sampling in private drinking water wells need to be reformed. North Carolina should consider less costly alternatives.	Study further	No Action
DENR	780	Commenter believes rules should allow food waste from schools to be used by farmers.	Study further	No Response
DENR	808	Commenter believes rules governing "Off Highway Parks" for off road vehicles should be reviewed.	Study further	No Action
DENR	1582	Commenter suggests process to permit use of rainwater for cleaning could be improved.	Study further	No Response
DENR	1143, 1647	Commenters expressed several concerns with the inconsistency of various groundwater and drinking water rules. Commenters also concerned with size of impact on private sector and ability to conduct recycling activities due to groundwater standards more stringent than federal drinking water standards.	Study further	Study Further

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DENR	1593	Division of Water Quality policy on gravel being considered impervious has led to unintended consequence of less gravel parking areas allowed by municipalities.	Study further	Study Further
DENR	694	Commenter would like a combined fishing license for freshwater and saltwater fishing.	Study further	Study Further
DENR	993, 1311	Fishing rules are too numerous and complex. Wildlife enforcement is also too aggressive.	Study further	No Action
DENR	658	Commenter argues that gun hunting on Sundays should not be banned.	Study further	Study Further
DENR	1001	North Carolina should have a still hunting rule for deer and bear (no dog running or chasing).	Study further	No Response
DENR	752	Commenter argues the cost of wetland mitigation fees are excessive compared to costs associated with Ecosystem Enhancement Program.	Study further	No Action
DENR	1540	Commenter believes chlorophyll-a rules need additional study before being implemented. Commenter believes the rules would unfairly impact local towns and rural areas of the state. Also concerned about the scientific basis for rules.	Amend	Study Further
DENR	1464	Commenter concerned about the health risks and costs associated with burning poultry litter and biomass.	Study further	Study Further
DENR	753	Commenter argues the stream buffer rules should be reduced.	Study further	No Action
DENR	756	Commenter believes an exemption for the temporary placement of construction materials and equipment within a buffer should be allowed.	Study further	No Action
DENR	758	Commenter argues all variances for Zones 1 and 2 should be approved by DENR staff as opposed to Environmental Management Commission.	Amend	No Action
DENR	1262	Commenter concerned that government is taking private land and that the rules for riparian buffers in mountains make using land difficult.	Study further	Study Further
DENR	1006, 618, 1527	Risk-based assessment and corrective action should be applied to all petroleum releases, regardless of release source. Commenters also concerned with the lengthy review process for storage approval.	Study further	No Response
DENR	1651	Commenter notes the North Carolina Division of Waste Management blocked adoption of an EPA definition of solid waste, resulting in substantial costs, less use of manufacturing byproducts, less recycling, inconsistency between federal and state rules, and additional landfill disposal. Commenter argues North Carolina should adopt the EPA definition of solid waste.	Study further	No Action

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DENR	1418	Commenter notes that current wastewater and stormwater discharge rules are already very stringent. Commenter argues that enacting more stringent limits would impose an undue burden on regulated entities.	Study further	Study Further
DENR	1422	Interbasin transfer rules should be reformed to improve calculation of water transfers and account for regional differences in implementation.	Study further	No Action
DENR	1652	Commenter noted various concerns with proposed revisions to pretreatment rules. Commenter believes the Division of Water Quality's expanded definition of significant industrial user imposes unnecessary costs and burdens. Also argues the rules continue unnecessary review and approval of all permits and permit modifications and require more frequent sampling and record-keeping than necessary. Commenter also concerned that definition of "pass through" exceeds federal definition and that the submission for program approval section of rules is unclear.	Amend	No Action
DENR, Dept. of Agriculture	1351	Requirements for bakeries are inconsistent and unclear. Including a bread bakery in an existing business requires costly commercial equipment, while homeowners can just certify their non-commercial equipped kitchens to be able to sell bakery products.	Amend	No Action
DENR, DHHS	1623, 1430, 955, 943	Comments on child care rules note that local health inspectors should not inspect for food-related issues outdoors, the process used to determine eligibility to work in child care needs improvement, and child care centers should have greater flexibility to respond to the needs of children. A comment also noted that afterschool programs must have heated water to wash hands while cold water is acceptable during normal school hours.	Study further	No Action
DENR, DOT	1180	Commenter suggests harvesting trees within the right of way on controlled access highways to realize financial windfall and improve safety.	Study further	No Response
Building Code Council	1551	Plumbers should be allowed to plumb existing houses for grey water re-use in toilets and on yard surfaces for watering plants and not be restricted to sub-surface irrigation systems. Some dry western states even give homeowners tax credits for grey water re-use. Recent announcements for grey water re-use during the drought are inconsistent with plumbing code.	Amend	No Action
Dept. of Revenue	1281, 1202	Sales tax refund process for nonprofits should be reviewed to make it more efficient and easier for nonprofits to claim reimbursements.	Study further	No Response

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
Dept. of Revenue	1110	Commenter argues that different sales tax rates across North Carolina's counties leads to inefficient and costly accounting.	No further action necessary	No Response
Dept. of Revenue	1420	Sales taxes for service agreements are difficult to understand and administer and should be reviewed. Commenter notes other states have a much simpler tax code on this issue.	Amend	No Response
Dept. of Revenue	1834	Commenter argues the Department of Revenue should implement interpretations of tax law through the rulemaking process, not through agency policies and interpretations. By following the rulemaking process, the commenter believes affected parties could better plan for impacts and also comment on the policy.	Study further	No Response
Dept. of Commerce	621, 1408, 1649	Commenters argue sale of alcoholic beverages on Sunday before noon should not be prohibited.	No further action necessary	No Response
Dept. of Commerce	1235, 1625	Commenter argues that eliminating the ABC Commission potentially could eliminate the corruption and cronyism in the present system, and provide customers with more convenient store hours, better selection and lower prices through competition.	No further action necessary	No Response
Dept. of Commerce	743, 969	Commenters argue that restaurants and bars should be allowed to lower alcohol prices with coupons or happy hours.	Amend	Amended
Dept. of Commerce	1531	Community Development Block Grants program should meet Section 3 goals as required by the U.S. Department of Housing and Urban Development (HUD)	No further action necessary	No Action
Dept. of Commerce	1288	Commenter believes banks should be required to pay penalties if they delay real estate closings.	Study further	No Action
Dept. of Commerce	1294	Commenter believes banks should be more supportive of small business and current financial rules are hurting job growth and causing other problems.	No further action necessary	No Action
Dept. of Commerce	1548	Commenter believes medical records requirements as part of worker's compensation rules are overly burdensome and expensive.	No further action necessary	No Further Action Necessary
Dept. of Commerce	747, 964, 1223, 1525	Commenters noted concerns with who can/cannot be permitted to receive and sell beer and alcohol. Commenters noted permit inequalities for private versus public entities, Bed and Breakfasts', and private citizens. Additionally, a comment argued the current permitting process was antiquated, time-consuming, and inefficient.	Study further	Study Further

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
Dept. of Commerce	1620, 952	Renewable energy and energy efficiency portfolio standard in SB 3 will result in higher energy prices not offset by enough energy savings. Also concerned these higher prices will result in a competitive disadvantage for North Carolina's businesses. Also concerned with lengthy time needed for power to purchase agreements and energy portfolio requirements in SB 3.	No further action necessary	No Further Action Necessary
Dept. of Correction	1362	Commenter argues that jails and prisons should stop being privatized. Also notes overcrowding in prisons and believes minimum sentencing guidelines should be revisited.	Study further	Study Further
Dept. of Insurance	917	Current regulations allow neighbor's backyard project to remain unfinished for too long.	No further action necessary	No Further Action Necessary
Dept. of Insurance	1595	Commenter argues continuing education requirements should be relaxed for more experienced agents. If exempt from other continuing education courses, commenter believe he or she should be exempt from Ethics course.	No further action necessary	No Further Action Necessary
Dept. of Insurance	858	Commenter believes required fire suppression upgrade for church is unnecessary.	Study further	Study Further
Dept. of Insurance	1364	Delayed implementation of Energy Code requirements is better policy choice. State should allow the market to dictate the Energy Code standards.	No further action necessary	No Further Action Necessary
Dept. of Insurance	1491	Farm building structures located inside a municipality should be treated the same as structures located outside a municipality.	Study further	Study Further
DHHS	719	Critical Access Behavioral Health Agency (CABHA) rules were developed without going through the proper legal process. Commenter also argues the rule is not efficient for the provider or the consumer, is not transparent or legal in its implementation, and will not save money. Commenter believes it will only result in shifting expenditures from the agency to emergency rooms and the penal system, which the State will have to pay anyway.	Study further	Study Further

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DHHS	748, 1546, 795, 797, 977, 1198, 1489, 1494, 1560, 1587, 1588, 1603	Commenters described various issues with CABHA rules. These include: 1) the performance bond requirements are burdensome and unnecessary, 2) CABHA standards, particularly "good standing" requirements, could better address the different sizes of providers, 3) endorsement and enrollment rules and policies are redundant, 4) CABHA review period should be reconsidered, 5) CABHA monitoring procedures need to be simplified, 6) CABHA rules change too often and aren't communicated clearly, 7) medical director requirements need to be changed, and 8) CABHA review takes too long and delays important services.	Study further	No Action
DHHS	681	New family care home permit process requirements and time deadlines are not clearly communicated and need improvement.	Amend	No Response
DHHS	1289	Skilled nursing facilities with higher ratings should be allowed a longer timeframe between recertification surveys.	No further action necessary	No Response
DHHS	1779a	Rules on the design, construction, and operation of healthcare facilities should be improved. Specifically, the commenter argues that North Carolina should adopt national standards and the international building code without amendment. Specific standards unique to North Carolina, such as medical gas outlet requirements and air changes per hour, add design and construction costs.	Study further	No Response
DHHS	800	Commenter argues small congregate living settings should not be subject to costly licensing rules. Commenter also questions the need for additional licensing staff.	No further action necessary	No Further Action Necessary
DHHS	803, 1471, 1490	Commenters noted that health and human services monitoring, particularly in the mental health area, is duplicative and expensive.	Amend	Study Further
DHHS	1182, 1183, 1396	Commenters noted various problems with the licensure rules for mental health facilities. Some argued the requirement for mental health facilities to separately designate beds for Alternative Family Living (AFL) services and respite services caused undue paperwork burden and delay in services. Others believe the AFL rules generally are unfair and abused. Others noted issues with the requirement to post an egress map in group homes.	Study further	No Action
DHHS	1459	Requirement for training prior to providing services to people with disabilities is expensive, time-consuming, and limits volunteers.	No further action necessary	No Action

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DHHS	1656	Commenter argues the independent assessment requirement and process under the Clinical Coverage Policy ("Policy 3C") is unduly burdensome, inefficient, inconsistent with E.O. 70, and not supported by available medical research. Commenter believes this assessment requirement and process for the personal care services program should be eliminated or reformed.	Study further	No Response
DHHS	1641	Rules requiring all group homes to be nationally credited should be reviewed.	Study further	Study Further
DHHS	1441	Rules on compensation and work environment for therapeutic foster parents providing therapeutic foster care should be reviewed.	Study further	No Action
DHHS	922	Additional rules should be considered to assist disabled persons secure employment.	Study further	No Response
DHHS	613, 796 1316, 1413 1837	Commenters argued that certificate of need rules increase costs and lead to less competition and service availability. Others recommended additional flexibility for smaller counties or facilities accepting only private insurance. For these reasons and others, several commenters believed the certificate of need rules should be eliminated.	Study further	Study Further
DHHS	1472, 1117	Commenters argue that limiting adoption assistance after adoption to non-healthy children reduces adoptions and should be revisited.	No further action necessary	No Further Action Necessary
DOA	786, 794 992, 1033 1099, 1147 1284, 1433 1537, 1596 1627	Minimal mileage requirements for leased vehicles need to be updated to encourage fuel conservation. Currently, state employees either avoid using fleet cars and get reimbursed for using their own cars, or drive around without purpose to meet the minimal mileage requirement.	Amend	No Action
DOA	1965a	Community colleges have to go through laborious and complex construction review process that: 1) has too many phases with redundant material that need to be submitted, 2) has lengthy review times adding at least 150 days to the project, and 3) requires too much detail for cost estimates. Process needs to be streamlined.	Study further	No Action
DOA	1002	Sending environmental assessments to the state environmental clearinghouse for additional review yields significant delay and questionable benefit.	Study further	No Action
DOA	1794	Commenter argues that Domestic Violence Abuser Treatment Programs are ineffective and should be eliminated.	Study further	No Action

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DOA	663, 783 884, 914 1035, 1047, 1080, 1085, 1216, 1271, 1304, 1310, 1518, 1592, 1617, 1415, 721, 1041, 1057, 1125, 1219, 1603a, 625, 644 1063, 1207, 1411	<p>Commenters expressed a variety of concerns about the state procurement rules. These include:</p> <ul style="list-style-type: none"> -E-Procurement rules are not generating savings for NC and should be eliminated. -State purchasing rules are outdated, expensive, and do not allow negotiation or flexibility. -North Carolina companies should be allowed to match prices with out-of-state companies. -Authorized state vendors should provide a better selection of items at more competitive prices. -Waiver of competition for used equipment saves money and should not be suspended. -New vendors should be allowed access to state furniture contract. -DOA Purchase and Contract Division shouldn't be separate from ITS statewide procurement. -Vendor contracts should be awarded by line item as opposed to whole contracts. -Lack of competitive pricing for professional engineering contracts results in higher costs and lack of transparency. -Rules governing mailing lists are outdated in light of posting all bids over \$10,000 online (current practice). 	Amend - The State has recently begun a comprehensive "Procurement Transformation" initiative to develop and implement best procurement practices across government. The initiative will completely review all aspects of procurement, including related statutes, rules, and policies. These suggestions will help inform the initiative.	No Action
DOJ	994	Commenter concerned with trend toward shooter incidents and requests regulatory clarification that company police officers must wear firearm and duty ammunition.	Study further	No Response
DOL	1442	Commenter argues that companies should be required to ensure workers are legally eligible to work before hiring.	Study further	No Action
DOT	749	The process to obtain a maintenance permit for area around billboards is burdensome. Billboard maintenance contractors are subject to different requirements than DOT subcontractors performing maintenance along roads. Commenter also argues that billboard maintenance contractors should be able to access the billboard from the right of way.	Amend	Amended

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
DOT	617, 851 900, 901 936, 1030, 1087, 1200, 1338, 1530, 1633	Commenters argued that vehicle safety inspections are ineffective, expensive, and may be duplicative for new vehicles. Others argued for a more coordinated and simplified tax, registration, and inspection process. Commenters also recommended elimination of the driver's license test for new residents, registration stickers, and temporary licenses.	Amend	Amended
DOT	787	Fees to access state-maintained roads should increase to match fees charged by local governments to access locally-maintained roads.	Study further	Study Further
DOT	819	Rules governing maintenance work make it unnecessarily difficult to perform work.	Study further	Study Further
DOT	829	Transportation Corridor Official Map Act program and DOT acquisition process causes excessive delay for real estate transactions.	Study further	No Action
DOT	1514	Commenter concerned that company's physical expansion limited by future highway expansion.	No further action necessary	No Action
ESC	1833, 615	Commenter argues ESC rulemaking process should be reformed. Rules are unclear, inconsistent with statutory authority, and changes are made without public comment.	Amend	No Response
Multiple Boards and Commissions	1523	Commenter concerned with background and fingerprinting requirements and coordination among NC agencies. Commenter was required to submit fingerprint and background checks 3 separate times when applying for 3 different licenses and permits. Commenter suggests coordination to save money.	Study further	No Response
NC Appraisal Board	726, 1591	Commenters believe current requirement for appraisal traineeships is being implemented poorly and should be eliminated. Commenters also believe the appraisal fee structure favors larger appraisal companies and should be reconsidered.	Study further	Study Further
NC Auctioneer Licensing Board	640	The rules for the auctioneers have not been updated since 1973 and do not adequately account for online auctioneers.	Amend	No Action
NC Board of Examiners for Engineers and Surveyors	937	Statute change is needed to allow surveying services from firms licensed in other states. NC is reportedly only 1 of 3 states with this type of restriction in place.	Study further	No Action

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
NC Board of Massage and Bodywork Therapy	761	Commenter believes applications licenses 1) cost too much (\$20) and 2) should be available for download.	Amend	No Response
NC Psychology Board	1776	Master level psychologists should be able to practice independently after 2-5 years of supervision. Currently, these master level psychologists require perpetual supervision. The commenter argues this restriction is not based on empirical evidence and serves to only benefit the dominant members of the professional group.	No further action necessary	No Action
NC Real Estate Commission	1218	Privilege tax to sell real estate should be eliminated.	No further action necessary	No Further Action Necessary
NC State Board of Cosmetic Art Examiners	738	Continuing education requirements for cosmetic arts licensees are too onerous. License renewal requirements should also be reevaluated.	Study further	Study Further
NC State Board of Opticians	1664	Requirement that licensed opticians must always be on premise for business operation severely restricts business and advantages internet firms.	Amend	No Response
NC Licensing Board for General Contractors	1875	Financial requirements for contractors are problematic for a variety of reasons: 1) only considers working capital, not fixed assets; 2) bond option requires too much money; 3) tier structure allows firms with similar working capital to work on much different sized projects.	Amend	Study Further
NC Licensing Board for General Contractors	1158, 1248, 1458	Comments raised several issues on rules related to contractors. Commenters noted that pool contractors should be subject to regulation and that the Homeowners Recovery Fund's reimbursable loss definition needs improvement. Also questioned yearly testing requirements and value added by state and local building inspections.	No further action necessary	No Further Action Necessary
NC Veterinary Medical Board	862	More online courses should be accepted as continuing education credits for veterinarians.	Amend	No Response
NC Veterinary Medical Board	1142	Allow "foreign graduated" and PAVE certified (Program for the Assessment of Veterinary Education Equivalence) veterinarians to practice in North Carolina without additional expensive test.	Study further	Study Further
OAH	641	Commenter argues that Rules Review Commission stops needed rules and should be eliminated.	Study further	No Action

Agency	Comment ID	Comment Summary	OSBM Recommendation	Agency Action
OSP	629, 1095, 1312, 632, 769, 792, 896, 1227, 828, 832, 1076, 1111, 865, 878, 1008, 1009, 1012, 1026, 1062, 1104, 1195, 1214, 1227, 1380, 1580	<p>Commenters expressed a variety of concerns about the state personnel rules. These include:</p> <ul style="list-style-type: none"> -Reduction in force rules should be reviewed and allow appropriate redress for affected employees. -Jobs should only be posted if truly open to external candidates. - Hiring rules should not allow higher salaries for external candidates compared to equally qualified internal candidates. -Rules limit state employees' ability to receive additional compensation for instruction in addition to other standard job duties. -State disciplinary and termination rules go too far in restricting managers' abilities to terminate ineffective employees. -Rule restricting a state employee's ability to have more than one state job should be eliminated. -Hiring process takes too long and needs to be reformed. -Hiring and pay practices do not adequately protect against unfair practices. -Management and leadership positions should require management readiness leadership assessments to improve leadership and effectiveness. -Paid leave should be granted for pregnancy leave. -Requirement to seek approval for other outside employment should be eliminated. -Veterans preference in hiring process is not working and should be reformed or eliminated. -Hiring process should be reformed to give stronger preference for qualified and internal candidates. -Performance reviews are not administered fairly. -Top levels of management are paid too much and compensation should be more evenly distributed. - First written warnings should be eligible for appeal given their potential negative impact. -Community hours leave is used inconsistently across state government. 	Amend - Comments will help inform the Governor's current consolidation initiative to move all HR staff under OSP to standardize rules and implementation of personnel actions across the cabinet.	Study Further
State Board of Community Colleges	1188, 1443, 1473	Commenters raised a variety of concerns with community college rules. These included concerns about rules on residency for tuition, financial aid abuse, and the minimum age requirements for community college entrance.	Study further	Study Further
State Board of Elections	1139	Commenter argues submitting ballots by email should be allowed for U.S. military. Commenter believes current process requiring two people to sign an envelope is overly burdensome.	Amend	No Action
Total	250			

REPEALS

At the end of the RMIP reporting cycle in 2011, 895 rules were submitted to the NC General Assembly for repeal on February 8, 2011. An additional 164 rules identified for repeal were later submitted to the General Assembly. Of the total 1,059 rules suggested for repeal last year, 15 rules were later identified as being transferred to another agency; while they are repealed by one agency, they are adopted by another. Table 7 below summarizes the number of different actions taken by agencies since the April 2011 RMIP Report on the 1,044 remaining repeals. In summary, 45 rules have been repealed and 637 are in the process of being repealed. Table 8 below provides more detailed information on each individual repeal recommendation.

Table 7. Actions Taken on Rules Previously Recommended for Repeal

Has Rule Been Repealed?	Repealed	Reason Rule Has Not Been Repealed to Date					TOTAL
		In Process	Need Coordination with Other Agency	Disagree with Recommendation to Repeal	Other	Did Not Respond	
Yes	45						45
No		637	6	2	284	71	999
TOTAL	45	637	6	2	284	71	1,044

Table 8. Status of All Repeals Sent to the General Assembly in 2011

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
Bd. Chiropractic Examiners	Requirements for Licensure	21 NCAC 10 .0201	1	No
Bd. Chiropractic Examiners	Temporary Rules	21 NCAC 10 .0405	1	Yes

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
Bd. Chiropractic Examiners	Right to and Notice of Hearing; Location of Hearing, Intervention	21 NCAC 10 .0602-.0603, .0607-.0608	4	Yes
Bd. Chiropractic Examiners	Decision of Board	21 NCAC 10 .0707	1	Yes
Bd. Cosmetic Art Examiners	Prerequisites	21 NCAC 14C .0202	1	Yes
Bd. Electrical Contractors Examiners	Joint Resolution and Agreements	21 NCAC 18B .0106	1	Yes
Bd. Electrical Contractors Examiners	Examinations	21 NCAC 18B .0205-.0207	3	Yes
Bd. Electrical Contractors Examiners	Specially Arranged Examinations	21 NCAC 18B .0208	1	Yes
Bd. Electrical Contractors Examiners	Reclassification of former Class I and II Licenses and Qualified Individuals	21 NCAC 18B .0601-.0602	2	Yes
Bd. Optometry Examiners	Application for Licensure by Reciprocity; Optometric Assistant and Technician	21 NCAC 42B .0104; 42D .0103-.0106, .0108	6	Yes
Bd. Plumbing, Heating, and Fire Sprinkler Contractors Examiners	Visitors	21 NCAC 50 .0303	1	Yes
Bd. Podiatry Examiners	Membership	21 NCAC 52 .0102	1	Yes
Commerce	Name and Address	04 NCAC 01A .0101	1	No
Commerce	Grievance Procedures	04 NCAC 01C .0201-.0207	7	No
Commerce	Background and Objectives	04 NCAC 01I .0101 (a) and (d)	1	No
Commerce	North Carolina Jobs Tax Credit	04 NCAC 01J .0101, .0102; .0201; .0301; .0401; .0501	6	No
Commerce	Projects Not To Be Considered For Funding	04 NCAC 01K .0105 (a)(5)	1	No
Commerce	Application Procedure	04 NCAC 01K .0202, .0204	2	No
Commerce	Reimbursement Of Department Expense	04 NCAC 01K .0207	1	No
Commerce	Grants to Successful SBA Disaster Home Loan Applicants	04 NCAC 01L .0101-0106	6	No
Commerce	Hurricane Floyd Business Assistance Programs	04 NCAC 01M .0101-0107	7	No
Commerce	Organization	04 NCAC 12C .0101, .0105, .0108	3	No
Commerce	Rulemaking and Administrative hearing	04 NCAC 12D .0101 - 0119, and .0131	20	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
Commerce	Energy Policy Council	04 NCAC 12E .0101 - .0102	2	No
Commerce	Governor's Showcase	04 NCAC 12F .0101 - .0108	8	No
Commerce	Purpose	04 NCAC 14A .0104	1	No
Commerce	Governor's Community of Excellence Award Program	04 NCAC 14B .0109-.0116, .0211-.0220	18	No
Commerce	Housing Development Project	04 NCAC 19L .1301, .1302, .1303	3	No
Commerce	Federal and State Personnel Standards for Subrecipients	04 NCAC 20B .0402, .0403	2	No
Commerce	Employment and Training Grant Program	04 NCAC 20B .0901, .0902, .0904, .0906, .0907, .0909, .0910, .0911	8	No
Commerce/ ABC Com.	Standards for Commission and Employees	04 NCAC 02R .0701	1	Yes
Commerce/ ABC Com.	Conflict of Interest	04 NCAC 02R .1008	1	Yes
Commerce/ ABC Com.	Use of Profanity Prohibited	04 NCAC 02S .0209	1	Yes
Commerce/ ABC Com.	Entertainers and Conduct	04 NCAC 02S .0216	1	Yes
Commerce/ ABC Com.	Visual Displays	04 NCAC 02S .0217	1	Yes
Commerce/ Banking Com.	Permissible Investments	04 NCAC 03F .0202	1	Yes
Commerce/ Banking Com.	Issuance of License	04 NCAC 03F .0302	1	Yes
Commerce/ Banking Com.	License fees	04 NCAC 03F .0303	1	Yes
Commerce/ Banking Com.	Agent location fee	04 NCAC 03F .0304	1	Yes
Commerce/ Banking Com.	Certificate of Authority	04 NCAC 03F .0401	1	Yes
Commerce/ Banking Com.	Statement of Net Worth	04 NCAC 03F .0502	1	Yes
Commerce/ Banking Com.	Annual Statement	04 NCAC 03F .0503	1	Yes
Commerce/ Banking Com.	Hearings	04 NCAC 03F .0701	1	Yes
Commerce/ Banking Com.	Cash-Out Transactions	04 NCAC 03L .0404	1	No
Commerce/ Banking Com.	Limitation on Delayed Deposit Check Cashing	04 NCAC 03L .0405	1	No
Commerce/ Banking Com.	Report of Information to Commissioner for the General Assembly	04 NCAC 03L .0604	1	No
Commerce/ Cemetery Com.	Cemetery Commission Members	04 NCAC 05A .0201	1	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
Commerce/ Cemetery Com.	Cemetery Commission Examiners	04 NCAC 05A .0203	1	No
Commerce/ Cemetery Com.	Clerical Staff	04 NCAC 05A .0204	1	No
Commerce/ Cemetery Com.	Meetings	04 NCAC 05A .0205	1	No
Commerce/ Industrial Com.	Waiver of Oral Argument	04 NCAC 10B .0311	1	Yes
DCCPS	Purpose and Grievance	14A NCAC 01D .0401-.0402	2	No
DCCPS/ ALE	Definitions to Apply to This Chapter	14A NCAC 08A .0101, .0102	2	No
DCCPS/ ALE	Administration: Investigation: and Enforcement	14A NCAC 08H .0101-.0102, .0201-.0207, .0301-.0303, .0401-.0405, .0501-.0502, .0504, .0601-.0606, .0701-.0703, .0801-.0803, .0901-.0902, .1001-1003, .1101-.1104, .1201-1202, .1301-.1302, .1401-.1404, .1501-.1504, .1601, .1603-.1604, .1701-.1705, .1801-.1805, .1901-1903	69	No
DCCPS/ Butner Public Safety	Medical Services Program	14A NCAC 10B .0201-.0202	2	No
DCCPS/ VCS	Assistance Program for Victims of Rape and Sex Offenses	14A NCAC 11 .0302-.0305	4	No
DCCPS/ VCS	Purpose and Intent	14A NCAC 11 .0401	1	No
DCR	Use of the Archives and History/ State Library Facilities	07 NCAC 04O .0104	1	No
DCR	Mobile Museum of History	07 NCAC 04O .0202	1	No
DCR	Stagville Center	07 NCAC 04U .0101-.0102	2	No
DCR	ART WORKS IN STATE BUILDINGS PROGRAM	07 NCAC 12 .0101-.0104	4	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
DENR	Clean Water Bond Act	01 NCAC 22 .0101-.0102, .0201-.0209, .0301-.0303, .0401-.0403, .0501-.0506, .0601-.0606, .0701-.0704, .0801-.0802, .0901-.0906, .1001-.1002, .1101-.1103	46	No
DENR	Regional Water Supply Planning Act of 1971	01 NCAC 23 .0101-.0108	8	No
DENR	Regional Sewage Disposal Planning Act of 1971	01 NCAC 24 .0101-.0107	7	No
DENR	Low Level Radioactive Waste Management Authority	01 NCAC 37 .0101-.0103, .0201-.0208, .0301-.0307	18	No
DENR	General Organization	15A NCAC 01A .0101-.0103	3	No
DENR	Rulemaking: Model Rules	15A NCAC 01B .0101	1	No
DENR	Contested Cases Hearing Procedures	15A NCAC 01B .0201-.0204	4	No
DENR	Purchasing and Contracting	15A NCAC 01B .0301-.0303	3	No
DENR	Public Records	15A NCAC 01B .0401-.0402	2	No
DENR	Resolution of Submerged Lands Claims	15A NCAC 01G .0201-.0207, .0301-.0305	12	No
DENR	Groudwater Protection Loan Fund	15A NCAC 01K .0101-.0103, .0201-.0202, .0301-.0305, .0401-.0404	14	No
DENR/ DCM	Contested Cases Hearing Procedures	15A NCAC 07J .0303	1	No
DENR/ DCM	Contested Cases Procedures	15A NCAC 08G .0804	1	No
DENR/ DEH	Appeals Procedure	15A NCAC 18A .1031, .1209, .1817, .2221, .2417, .3335	6	No
DENR/ DLR	Sedimentation plan review fee	15A NCAC 04B .0126(e)	1	No
DENR/ DLR	Mining permit application processing fee	15A NCAC 05B .0112	1	No
DENR/ DLR	Rules on Administrative Hearings	15A NCAC 04C .0108-.0111	4	No
DENR/ DLR	Rulemaking Procedures	15A NCAC 04E	3	No
DENR/ DLR	Civil Penalties	15A NCAC 05F .0108-.0112	5	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
DENR/ DWQ	State Clean Water Revolving Loan and Grant Program	15A NCAC 01J .1401-.1402, .1501, .1601-.1602, .1701, .1801, .1901-.1902, .2001-.2003, .2101, .2201	14	No
DENR/ DWQ	Construction Loans	15A NCAC 02F .0101-.0104, .0201-.0202	6	No
DENR/ DWQ	North Carolina Pollution Control Revolving Fund	15A NCAC 02M .0101-.0103, .0201-.0202, .0301-.0303, .0401-.0403, .0501, .0601-.0605, .0701-.0702, .0801-.0802	21	No
DENR/ DWQ	Department Hearing Rules	15A NCAC 02I .0106	1	No
DENR/ DWQ	Rulemaking Hearings: Procedures	15A NCAC 02I .0201-.0202	1	Yes
DENR/ DWQ	Administrative Hearings	15A NCAC 02I .0301-.0302	2	No
DENR/ Soil Conservation Commission	Address	15A NCAC 06A .0107	(Transferred to Dept. of Agriculture)	Other
DENR/Waste Management Board	Preemption Process: Low-Level Radioactive Waste Facility	15A NCAC 14A .0400	(Transferred to DHHS)	Other
DHHS/ Aging	Introduction	10A NCAC 05A .0101, .0201, .0202	3	No
DHHS/ Aging	Public Information	10A NCAC 05C .0202	1	No
DHHS/ Aging	Area Plan Submission : Review and Approval	10A NCAC 05C .0305 (1) (B), (4) (E)	1	No
DHHS/ Aging	County Organization on Aging Funds	10A NCAC 05C .0401	1	No
DHHS/ Aging	Request for Funds	10A NCAC 05D .0201 (1), (2), (3), (4), (5), (6)	1	No
DHHS/ Aging	Travel	10A NCAC 05D .0302	1	No
DHHS/ Aging	Resident Evaluation Services for Adults	10A NCAC 71E .0101-.0109	9	No
DHHS/ Aging	Recipient in Domiciliary Care with Spouse at Home; With Spouse Not Receiving Assistance	10A NCAC 71P .0303-.0304	2	No
DHHS/ Aging	Mixed Budgeting: When Other Budget Members are Recipients	10A NCAC 71P .0401-.0406	6	No
DHHS/ Aging	Visits and Re-Evaluations	10A NCAC 71P .0702, .0704	2	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
DHHS/ Aging	AD-SA GROUP I and II; AD-SA GROUP II	10A NCAC 71P .0802-.0804	3	No
DHHS/ Aging	Evaluation	10A NCAC 71P .0906	1	No
DHHS/ DCD	Temporary Care Requirements	10A NCAC 09 .1501-.1504	4	No
DHHS/ DCD	Definition and Review Criteria for Start-Up Funds	10A NCAC 10 .0401-.0402	2	Yes
DHHS/ DCD	Appeals	10A NCAC 10 .0603	1	Yes
DHHS/ DCD	Appeals	10A NCAC 10 .0703	1	Yes
DHHS/ DHH	Reports From Local Agencies	10A NCAC 17D .0217	1	Yes
DHHS/ DHRS	State Medical Facilities Plan	10A NCAC 14B .0101-.0141, .0150, .0152-.0161, .0163-.0195, .0201-.0207, .0209-.0246, .0251-.0285, .0289, .0291-.0295	171	No
DHHS/ DHRS	Health Maintenance Organizations	10A NCAC 14C .0302	1	No
DHHS/ DHRS	Criteria and Standards for Air Ambulance Services	10A NCAC 14C .3301-.3303, .3305	4	No
DHHS/ DMA	Availability of Manuals	10A NCAC 21A .0701	1	No
DHHS/ DMA	Eligibility Determination	10A NCAC 21B .0204, .0404	2	Yes
DHHS/ DMA	Pharmacy of Record	10A NCAC 21C .0103	1	Yes
DHHS/ DMA	Blue Cross Blue Shield	10A NCAC 22E .0105	1	No
DHHS/ DMA	Investigation	10A NCAC 22F .0202	1	No
DHHS/ DMA	Process	10A NCAC 22F .0403	1	No
DHHS/ DMA	Peer Review	10A NCAC 22F .0502-.0510	9	No
DHHS/ DMA	Provider Lock-out	10A NCAC 22F .0603	1	No
DHHS/ DPH	Adult Health - Home Health Services	10A NCAC 39A .0201-.0211	11	No
DHHS/ DPH	Home and Community-Based HIV Health Services Program	10A NCAC 39A .0801-.0810	10	No
DHHS/ DPH	School Water Fluoridification	10A NCAC 40A .0104-.0105, .0206-.0208, .0306-.0310, .0403-.0404	12	No
DHHS/ DPH	Fluoride Mouthrinse: Notification	10A NCAC 40B .0208	1	No
DHHS/ DPH	Vaccine for Providers Other Than Local Health Departments	10A NCAC 41A .0502	1	No
DHHS/ DPH	Fees for Rabies, Tags, Links, and Rivets	10A NCAC 41G .0102	1	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
DHHS/ DPH	Maternal and Child Health Block Grant Nutrition Program	10A NCAC 43D .1201-.1207	7	No
DHHS/ DPH	Pediatric Primary Care Program	10A NCAC 43E .0301-.0309	9	No
DHHS/ DPH	Children's Specialty Health Services	10A NCAC 43F .0101-2, .0201-.0207, .0301-.0305, .0401-.0410, .0501-.0514, .0601-.0607, .0701-.0704, .0801-.0802, .0804, .0901, .1001-.1012, .1101-.1105, .1201-.1204	74	No
DHHS/ DPH	Migrant Worker Body Disposition	10A NCAC 44 .0301, .0303-.0310	9	No
DHHS/ DSB	Health Insurance	10A NCAC 63C .0301	1	No
DHHS/ DSB	Special Assistance for the Blind	10A NCAC 63D .0104, .0203, .0302, .0307, .0402, .0404, .0801	7	No
DHHS/ DSS	State Public Assistance Equalizing Fund	10A NCAC 67A .0109	1	No
DHHS/ DSS	Rulemaking	10A NCAC 68 .0201, .0207	2	No
DHHS/ DSS	Coupon Issuance	10A NCAC 71U .0202	1	No
DHHS/ DSS	Medical Deductions for Medicare Prescription Drug Card Benefits	10A NCAC 71U .0216	1	No
DHHS/ DSS	Forms	10A NCAC 71U .0301, .0304	3	No
	Forms	10A NCAC 71U .0302		No
DHHS/ DSS	Low Income Energy Assistance Program: Funding	10A NCAC 71V .0101	1	No
DHHS/ DSS	Unemployed Parent Program	10A NCAC 71W .0102, .0201, .0301, .0401-.0402, .0406, .0409, .0411, .0501, .0701-.0703, .0705-.0711, .0801-.0803, .0901-.0904	26	No
DHHS/ DSS	Job Opportunities and Basic Skills Training (JOBS) Program	10A NCAC 71X .0101-.0108, .0201-.0210, .0301-.0304, .0401-.0413	35	No
DHHS/ DVR	Handicapped Drivers and Passengers: Parking Privileges	10A NCAC 89C .0108	1	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
DHHS/ DVR	Recruitment and Training Services	10A NCAC 89C .0311	1	No
DHHS/ MHDDSAS	Surrogate Parents for Infants and Toddlers in Early Intervention Services	10A NCAC 27H .0501-.0506	6	No
DHHS/ MHDDSAS	Notification Procedures for Provision of Services	10A NCAC 29D .0801	1	No
DHHS/DPH	School Health Funds	10A NCAC 43E .0101-.0107	7	No
DOA	Interviewing; Vacancy List	01 NCAC 01A .0303-.0304	2	No
DOA	Balanced Growth Policy	01 NCAC 09 .0401-.0406	6	No
DOA	Human Relations Council	01 NCAC 11 .2102-.2105, .2111, .2116, .2201-.2204	10	No
DOA	Office for Citizen Participation	01 NCAC 13 .0101-.0103, .0201-.0203, .0301-.0305	11	No
DOA	Election of Youth Members	01 NCAC 19A .0103	1	No
DOA	State Youth Involvement Office	01 NCAC 19B .0101-.0103, .0201, .0301-.0303	7	No
DOA	N.C. State Employee Suggestion System	01 NCAC 21F .0101-.0102, .0201-.0205, .0301-.0304, .0401-.0405, .0501-.0504	20	No
DOA	Energy Development Authority	01 NCAC 30C .0104, .0105, .0201	3	No
DOA	Public Radio: General Support Standards	01 NCAC 36 .0101	1	No
DOA	Documentation	01 NCAC 44A .0202(b)	1	No
DOC	Donations	05 NCAC 02E .1005	1	No
DOC	Program Sponsors	05 NCAC 02F .0204	1	No
DOC	Private Correctional Service Providers	05 NCAC 06 .0101-.0102, .0201, .0301, .0401	5	No
Housing Finance Agency	North Carolina Appalachian Housing Program	24 NCAC 01F .0101-.0102, .0201-.0203, .0301-.0302, .0401-.0403, .0501-.0505	15	No
Housing Finance Agency	Multifamily Subsidized Rental Program	24 NCAC 01H .0101-.0105, .0201-.0206, .0301-.0305, .0401-.0404, .0501-.0503	23	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Rule Citation	Has Rule Been Repealed?
Housing Finance Agency	Home Improvement Loan Purchase Program	24 NCAC 01J .0101-.0105, .0107, .0201-.0202	8	No
Housing Finance Agency	Multifamily Unsubsidized Rental Program	24 NCAC 01K .0101-.0103, .0201-.0204, .0301-.0304, .0401-.0405, .0501-.0504, .0601-.0605	25	No
Housing Finance Agency	Rental Rehabilitation Program	24 NCAC 01L .0101-.0102, .0201-.0202	4	No
Housing Finance Agency	Homelessness Prevention Demonstration Fund	24 NCAC 01O .0101-.0102, .0201-.0203	5	No
Housing Finance Agency	Fire Protection Fund	24 NCAC 01P .0101-.0103, .0201-.0203	6	No
OAH	Employee Insurance Committee	26 NCAC 01 .0104	1	No
OAH	Expedited Hearing Procedures For Complex Contested Cases	26 NCAC 03 .0304	1	No
OAH	Additional Information	26 NCAC 04 .0104	1	No
OSP	Cross-Hiring	25NCAC 01D .0107	1	No
OSP	Effective Date	25NCAC 01D .0403	1	No
OSP	Agency Responsibility	25NCAC 01D .1205	1	No
OSP	Types of Leave	25NCAC 01E .0102	1	No
OSP	Position Analysis Forms	25NCAC 01F .0401-.0403	3	No
OSP	Personnel Records and Reports	25NCAC 01I .1704	1	No
OSP	Work Planning/Performance Review	25NCAC 01K .0612-.0613	2	No
Total			1,044	

MODIFICATIONS

Of the 896 recommended modifications received from agencies for the 2011 RMIP report, OSBM determined that 378 justify further action. Tables 9 and 10 below provide an update on the status of these 378 rules.

Table 9. Rule Modifications by Agency in April 2011 Report

Agency	# of Rules for Modification
Boards and Commissions	18
Commerce	71
CC&PS	31
DHHS	165
DJJDP	7
DOA	30
DOC	6
OAH	2
OSBM	1
OSP	37
WRC	10
Total	378

Table 10. Rule Modifications in April 2011 Report

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation	Has Rule Been Modified?
Bd. Cosmetic Art Examiners	Special Arrangements for Disabled	21 NCAC 14N .0107	1	No
Bd. Electrical Contractors Examiners	License Name Requirements	21 NCAC 18B .0402	1	Yes
Bd. Optometry Examiners	Location	21 NCAC 42A .0101	1	No
Bd. Optometry Examiners	Branch Office	21 NCAC 42B .0202	1	No
Bd. Optometry Examiners	Professional Responsibility	21 NCAC 42E .0102	1	No
Bd. Optometry Examiners	Application and Registration	21 NCAC 42M .0104	1	No
Bd. Plumbing, Heating, and Fire Sprinkler Contractors Examiners	Plumbing, Heating and Fire Sprinkler Contractors	21 NCAC 50 .0107, .0305	2	No
Bd. Plumbing, Heating, and Fire Sprinkler Contractors Examiners	Heating: Group 1 License Required	21 NCAC 50 .0507	1	No
Bd. Plumbing, Heating, and Fire Sprinkler Contractors Examiners	Who Shall Hear Contested Cases	23 NCAC 50 .1005	1	Yes

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation	Has Rule Been Modified?
Bd. Plumbing, Heating, and Fire Sprinkler Contractors Examiners	Plumbing, Heating and Fire Sprinkler Contractors	21 NCAC 50 .1201, .1203, .1207, .1210, .1302	5	Yes
Bd. Podiatry Examiners	Podiatry Examiners	21 NCAC 52 .0201, .0601, .0603,	3	Yes
Commerce	Guaranteed Energy Savings Contracts	01 NCAC 41B .0104, .0507	2	No
Commerce	Rulemaking Hearings: Emergency Rules: and Declaratory Rules	04 NCAC 01B .0101, .0103, .0105, .0106, .0108, .0201	6	No
Commerce	Industrial and Pollution Control Revenue Bonds: Application Procedures	04 NCAC 01E .0204, .0208	2	No
Commerce	Guaranty Against Loss Reserves and Loans for Basic Industrial Buildings	04 NCAC 01F .0101-.0102, .0201-.0209, .0301-.0309, .0401-.0413	33	No
Commerce	Information and Application	04 NCAC 01H .0202	1	No
Commerce	Industrial Development Fund	04 NCAC 01I .0101-.0102, .0202, .0301, .0402, .0801	6	No
Commerce	Economic Development Activity of Community Development Block Grant Program	04 NCAC 01K .0102, .0302	2	No
Commerce	NC Community Development Block Grant Program	04 NCAC 19L .0401, .0403, .0407-.0408, .0501-.0502, .0706, .0901-.0902, .0910, .1202, .1703	12	No
Commerce/ ABC Com.	Location and Address	04 NCAC 02R .0102	1	Yes
Commerce/ ABC Com.	Storage and Distribution of Spirituous Liquors: Commercial Transportation	04 NCAC 02R .1302, .1305	2	Yes
Commerce/ ABC Com.	Storage and Disposal of Spirituous Liquor Containers	04 NCAC 02S .0512	1	Yes
Commerce/ ABC Com.	Application of Standards	04 NCAC 02T .0401	1	Yes
Commerce/ Cemetery Com.	Administrator of Cemetery Commission	04 NCAC 05A .0202	1	No
Commerce/ Cemetery Com.	Deposit for Multiple Burials	04 NCAC 05D .0105	1	No
DCCPS	General Provisions	14A NCAC 01A .0102-.0103	2	No
DCCPS	Rulemaking and Administrative Hearings	14A NCAC 01B .0101, .0202-.0203, .0304, .0306, .0402, .0502	7	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation	Has Rule Been Modified?
DCCPS	Service of Request for Assistance	14A NCAC 01C .0104	1	No
DCCPS/ ALE	ALE Manual Adoption by Reference	14A NCAC 08B .0101	1	No
DCCPS/ Butner	Medical Services Program	14A NCAC 10B .0203, .0206-.207	3	No
DCCPS/ CAP	Purpose and Organization	14A NCAC 06 .0101, .0103	2	No
DCCPS/ EM	Location and Hours of Operation; Organization	14A NCAC 04 .0101, .0104	2	No
DCCPS/ EM	Where to Obtain Manuals/Forms and Assistance	14A NCAC 04 .0202	1	No
DCCPS/ GCC	Purpose and Organization	14A NCAC 07 .0106-.0107	2	No
DCCPS/ GCC	Grant Application Process and Procedures	14A NCAC 07 .0206, .0208, .0309-.0310	4	No
DCCPS/ SCP	Security	01 NCAC 04H .0103-.0104, .0201, .0206	4	No
DCCPS/ VCS	Purpose and Intent	14A NCAC 11 .0301	1	No
DCCPS/ VCS	Processing and Payment of Claims	14A NCAC 11 .0502	1	No
DHHS/ Aging	Aide Supervision and Quality Assurance Requirements	10A NCAC 06A .0307, .0310	2	No
DHHS/ Aging	Nutrition Services	10A NCAC 06K .0201, .0205	2	No
DHHS/ Aging	Adult Day Care Standards	10A NCAC 06R .0101	1	No
DHHS/ Aging	Enrollment-Special Care Services	10A NCAC 06R .0904	1	No
DHHS/ Aging	Cost Sharing	10A NCAC 06T .0204	1	No
DHHS/ Aging	Definitions of Services and Eligibility	10A NCAC 06U .0102-.0103	2	No
DHHS/ Aging	Quality Assurance Requirements	10A NCAC 06X .0213	1	No
DHHS/ Aging	Introductory Statement	10A NCAC 71A .0101	1	No
DHHS/ Aging	Adult Protective Services Register	10A NCAC 71A .0806	1	No
DHHS/ Aging	Adult Placement Services-Requirements	10A NCAC 71C .0101, .0104-.0105, .0107-.0108	5	No
DHHS/ Aging	Social Development Through Therapeutic Groups/Definitions	10A NCAC 71F .0104	1	No
DHHS/ Aging	Maximum Rates and Reimbursement	10A NCAC 71H .0103	1	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation	Has Rule Been Modified?
DHHS/ Aging	Optional Resources/Component 1	10A NCAC 71J .0108	1	No
DHHS/ Aging	General Provisions and Domiciliary Care	10A NCAC 71P .0101-.0102, .0201-.0202, .0301-.0302,	6	In Process
DHHS/ Aging	Payment Procedures	10A NCAC 71P .0501-.0502, .0505	3	In Process
DHHS/ Aging	Eligibility Determination Process	10A NCAC 71P .0603	1	In Process
DHHS/ Aging	AA-SA GROUP I	10A NCAC 71P .0801	1	In Process
DHHS/ Aging	Eligibility Factors	10A NCAC 71P .0903-.0905	3	In Process
DHHS/ Aging	Purpose of Consumer Contributions	10A NCAC 71S .0101	1	No
DHHS/ DCD	Definitions	10A NCAC 09 .0102	1	In Process
DHHS/ DCD	Health Standards for Staff	10A NCAC 09 .0701	1	No
DHHS/ DCD	Staff/Child Ratios	10A NCAC 09 .0712, .0713	2	No
DHHS/ DCD	Nutrition Requirements	10A NCAC 09 .0901-.0903	3	In Process
DHHS/ DCD	Safety, Medication, and Sanitation Requirements	10A NCAC 09 .1720	1	No
DHHS/ DCD	Rulemaking and Contested Case Procedures	10A NCAC 09 .2001-.2007	7	No
DHHS/ DCD	Maintaining Approval	10A NCAC 10 .0805	1	No
DHHS/ DCD	Definition of Special Needs Child	10A NCAC 10 .0910	1	Yes
DHHS/ DHRS	Application Requirements	10A NCAC 13D .2101	1	In Process
DHHS/ DHRS	Public Access to Department Licensure Records	10A NCAC 13D .2110	1	In Process
DHHS/ DHRS	Infection Control	10A NCAC 13D .2209	1	In Process
DHHS/ DHRS	Nurse Aides	10A NCAC 13D .2304	1	In Process
DHHS/ DHRS	Adult Care Home Personnel Requirements	10A NCAC 13D .2308	1	In Process
DHHS/ DHRS	Drug Storage and Disposition; Pharmaceutical Records	10A NCAC 13D .2605-.2606	2	In Process
DHHS/ DHRS	Emergency Drugs	10A NCAC 13D .2607	1	In Process
DHHS/ DHRS	Provision of Nutrition and Diabetic Services	10A NCAC 13D .2701	1	In Process
DHHS/ DHRS	Criteria and Standards for Magnetic Imaging Services - - Information required of Applicant	10A NCAC 14C .2702	1	In Process
DHHS/ DMA	General Program Administration	10A NCAC 21A .0302-.0303, .0604-.0608	7	No

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation	Has Rule Been Modified?
DHHS/ DMA	Eligibility Determination	10A NCAC 21B .0206, .0403	2	No
DHHS/ DMA	Benefits	10A NCAC 21C .0101-.0102	2	No
DHHS/ DMA	Manuals and Forms	10A NCAC 22B .0201-.0202	2	No
DHHS/ DMA	Program Integrity	10A NCAC 22F .0302, .0401, .0501	3	No
DHHS/ DMA	Reimbursement Plans	10A NCAC 22G .0209-.0210, .0213, .0302-.0305	7	No
DHHS/ DMA	Medical Assistance Provided	10A NCAC 22O .0102, .0118, .0123, .0201, .0205-.0207, .0402, .0404, .0406	10	No
DHHS/ DPH	General Procedures for Public Health Program	10A NCAC 45A .0101-.0102, .0201-.0204, .0301-.0305, .0401-.0403	14	In Process
DHHS/ DSS	Procedure for Obtaining Consent for Release of Information	10A NCAC 69 .0401	1	In Process
DHHS/ DSS	Assurance of Confidentiality	10A NCAC 69 .0603	1	In Process
DHHS/ DSS	Payments of Grants in Aid to Private Child-Caring Institutions	10A NCAC 70D .0101-.0107	7	In Process
DHHS/ DSS	Eligibility Requirements for Regular Monthly Cash Assistance Payment or Vendor Payments	10A NCAC 70M .0402	1	In Process
DHHS/ DSS	Nature of Scope and Elements of Service	10A NCAC 70N .0101-.0102	1	In Process
DHHS/ DSS	Income Maintenance Status	10A NCAC 71R .0502	1	In Process
DHHS/ DSS	Health Support Services	10A NCAC 71R .0908	1	In Process
DHHS/ DSS	Child Support Enforcement	10A NCAC 71T .0101-.0102, .0104	3	In Process
DHHS/ DSS	Food Assistance Manual and Forms	10A NCAC 71U .0101, .0203-.0207, .0209-.0214, .0303, .0401	14	In Process
DHHS/ DSS	Unemployed Parent Program	10A NCAC 71W .0101, .0302, .0304, .0403-.0405, .0407-.0408, .0410, .0412-.0413, .0601, .0604	13	In Process
DHHS/ DVR	Rates of Payment	10A NCAC 89C .0103	1	No
DHHS/ DVR	Community Rehabilitation Program Standards	10A NCAC 89D .0204	1	In Process

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation	Has Rule Been Modified?
DHHS/ MHDDSAS	Scope for Rules for MHDDSAS	10A NCAC 27G .0101	1	No
DHHS/ MHDDSAS	Area Program Requirements	10A NCAC 27G .0501-.0503, .0505	4	No
DHHS/ MHDDSAS	Operations	10A NCAC 27G .6202	1	No
DHHS/ MHDDSAS	State Facility Environment	10A NCAC 28C .0201	1	In Process
DHHS/ MHDDSAS	Voluntary Admission and Discharge to Alcoholic Rehabilitation Centers (ARCS)	10A NCAC 28F .0901-.0903	3	No
DHHS/ MHDDSAS	Center Rule Violation	10A NCAC 28F .1002	1	No
DJJDP	Forms and Contents of Petitions and Procedures	28 NCAC 02A .0111	1	No
DJJDP	Juvenile Court Services	28 NCAC 04A .0101-.0106	6	No
DOA	General Provisions	01 NCAC 01B .0207-.0210, .0306, .0308, .0405-.0409, .0505-.0508, .0601-.0605, .0701	21	In Process
DOA	Lease Not Exceeding \$12,000/Term 3 Years and More Than \$12,000 or More Than Three Years	01 NCAC 06B .0207-.0208	2	In Process
DOA	Council on Status of Women	01 NCAC 17	1	In Process
DOA	Motor Fleet Management	01 NCAC 38 .0102, .0104-.0105, .0205	4	In Process
DOA	Application and Required Documents	01 NCAA 44A .0201, .0301	2	In Process
DOC	Approval of Contracts	05 NCAC 02D .0706	1	No
DOC	Procedures: Notification: Completed Restitution/Reparation	05 NCAC 02E .1104	1	No
DOC	Review Where Organization Barred	05 NCAC 02F .0207	1	No
DOC	Other Requirements	05 NCAC 02F .2205	1	No
DOC	Access to Private Counsel	05 NCAC 02G .0205	1	No
DOC	Grant Award Contracts	05 NCAC 05 .0101	1	No
OAH	Investigation	26 NCAC 04 .0105	1	In Process
OAH	Contested Case Hearing	26 NCAC 04 .0108	1	In Process
OSBM	Organization	09 NCAC 03A .0101	1	In Process
OSP	Definitions	25 NCAC 01A .0103	1	In Process
OSP	Appeals to Commission	25 NCAC 01B .0436-.0438	3	In Process
OSP	Promotion	25 NCAC 01D .0303, .0308	2	In Process

Agency	Rule Title	Rule Citation	# of Rules Associated with Citation	Has Rule Been Modified?
OSP	Reallocation	25 NCAC 01D .0605, .0611	2	In Process
OSP	Salary Rate	25 NCAC 01D .0808	1	In Process
OSP	Severance Salary Continuation	25 NCAC 01D .2701	1	In Process
OSP	Total State Service Defined	25 NCAC 01E .0204	1	In Process
OSP	General Provisions	25 NCAC 01I .1804-.1806	3	In Process
OSP	Selection	25 NCAC 01I .1905	1	In Process
OSP	Separation	25 NCAC 01I .2005	1	In Process
OSP	Compensation	25 NCAC 01I .2101-.2103, .2105, .2107	5	In Process
OSP	Disciplinary Action: Suspension, Dismissal, and Appeals	25 NCAC 01I .2303-.2304, .2307, .2309-.2310	5	In Process
OSP	Just Cause for Disciplinary A	25 NCAC 01J .0604	1	In Process
OSP	Employee Grievances	25 NCAC 01J .1201, .1207	2	In Process
OSP	Employee Mediation and Grievance Process	25 NCAC 01J .1401-.1402, .1405, .1407, .1411	5	In Process
OSP	State Personnel Development Center	25 NCAC 01K .0209-.0210, .0212	3	In Process
WRC	Forms and Contents of Petitions and Procedures	15A NCAC 10A .0401	1	No
WRC	Procedure	15A NCAC 10A .0503	1	No
WRC	Importation of Gray Foxes	15A NCAC 10B .0102, .0117	2	No
WRC	Motorboats and Water Safety	15A NCAC 10F .0301-.0302, .0320, .0326, .0336, .0369	6	No
Total			378	