

G.S. 150B-21.3A Report for 10A NCAC Chapter 89, VOCATIONAL REHABILITATION

Agency - Department of Health and Human Services

Comment Period - November 13, 2015 – January 12, 2016

Date Submitted to APO - February 22, 2016

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 89A - GENERAL INFORMATION	SECTION .0100 - INFORMATION REGARDING RULES	10A NCAC 89A .0101	RULES IN THIS CHAPTER	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Rehabilitation Act of 1973 Public Law 93-112	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89A .0102	DEFINITIONS	Amendment Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51; 34 CFR 361.42(a); 29 USC 701; PL 102-569	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 89B - PROCEDURE	SECTION .0100 - RULE-MAKING PROCEDURES	10A NCAC 89B .0101	PURPOSE AND SCOPE	Amended Eff. April 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.20	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0102	PETITIONS	Amended Eff. April 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.20	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0103	NOTICE	Amended Eff. April 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.20	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0104	HEARINGS	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.20	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0105	JUSTIFICATION OF RULE-MAKING DECISION	Amended Eff. April 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 89B .0106	RECORD OF RULE-MAKING HEARINGS	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.20	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0107	FEES	Amended Eff. April 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0108	DECLARATORY RULINGS	Amended Eff. April 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.20	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - CONTESTED CASES: ADMINISTRATIVE REVIEWS; APPEALS HEARINGS	10A NCAC 89B .0201	APPLICABILITY OF RULES	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0202	WRITTEN INFORMATION FOR APPLICANTS AND CLIENTS	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0203	REQUEST FOR ADMINISTRATIVE REVIEW AND APPEALS HEARING	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0204	DIVISION ACTIONS IN RESPONSE TO REQUEST	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0205	SCHEDULING AND NOTICE OF ADMINISTRATIVE REVIEW	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0206	APPOINTMENT OF HEARING OFFICER AND MEDIATOR	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0207	SCHEDULING AND NOTICE OF MEDIATION AND APPEALS HEARING	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 89B .0208	ADMINISTRATIVE REVIEW	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0209	RESPONSE TO ADMINISTRATIVE REVIEW DECISION	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0210	MEDIATION	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0211	PROCEDURES GOVERNING HEARING	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0212	VENUE	Amended Eff. September 1, 1989	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0213	DISCOVERY	Amended Eff. September 1, 1989	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0214	PRE-HEARING CONFERENCE	Amended Eff. April 1, 1997	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0215	SIMPLIFICATION OF ISSUES	Amended Eff. September 1, 1989	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0216	EVIDENCE	Amended Eff. September 1, 1989	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0217	DISQUALIFICATION OF HEARING OFFICER	Amended Eff. April 1, 1997	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0218	EX PARTE COMMUNICATIONS	Eff. September 1, 1989	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0219	OATH	Eff. September 1, 1989	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0220	CONDUCT OF HEARING	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0221	FAILURE TO APPEAR	Amended Eff. April 1, 1997	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0222	HEARING OFFICER'S DECISION	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0223	SECRETARY'S REVIEW AND FINAL DECISION	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Rehabilitation Act of 1973 as amended; 34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0224	EXTENSIONS OF TIME	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		10A NCAC 89B .0225	RECORD	Amended Eff. April 1, 1997	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0226	TRANSCRIPTS	Amended Eff. April 1, 1997	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Rehabilitation Act of 1973 as amended; 34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89B .0227	CIVIL ACTION	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 89C - PROGRAM RULES	SECTION .0100 - GENERAL POLICIES	10A NCAC 89C .0101	ORGANIZATION AND ADMINISTRATION	Amended Eff. May 1, 1990	Unnecessary	No	34 CFR 361.5	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 89C .0102	SERVICES TO THE BLIND	Amended Eff. May 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 89C .0103	RATES OF PAYMENT	Amended Eff. April 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0104	CONFIDENTIAL INFORMATION	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.38	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0105	ADMINISTRATIVE REVIEWS AND FAIR APPEALS	Amended Eff. March 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.57	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0106	CASE RECORD ON INDIVIDUAL	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.47	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0107	CLIENT INFORMATION FORMS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0108	HANDICAPPED DRIVERS AND PASSENGERS: PARKING PRIVILEGES	Amended Eff. May 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 89C .0109	RATES AND FEES FOR PURCHASERS OF SERVICES	Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - ELIGIBILITY	10A NCAC 89C .0201	ELIGIBILITY AND INELIGIBILITY	Amended Eff. July 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0202	PROCESSING REFERRALS AND APPLICANTS	Amended Eff. July 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.37; 34 CFR 361.41	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0203	APPLICANT NOTIFICATION	Amended Eff. July 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.36; 34 CFR 361.41	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0204	CONSIDERATION OF COMPARABLE SERVICES AND BENEFITS	Amended Eff. March 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.53	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0205	SERVICES COVERED BY OR EXEMPT FROM FINANCIAL NEEDS TEST	Temporary Amendment Eff. December 4, 2009	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.50; 34 CFR 361.54	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0206	FINANCIAL NEEDS TEST	Amendment Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.54	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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	SECTION .0300 - SCOPE AND NATURE OF SERVICES	10A NCAC 89C .0301	SCOPE; EVALUATION OF REHABILITATION POTENTIAL	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0302	COUNSELING, GUIDANCE, AND REFERRAL	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42; 34 CFR 361.48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0303	PHYSICAL AND MENTAL RESTORATION SERVICES	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42; 34 CFR 361.48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0304	VOCATIONAL AND OTHER TRAINING	Amended Eff. August 1, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.5, 48, 50, 54	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0305	MAINTENANCE	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.48; 34 CFR 361.50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0306	TRANSPORTATION	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 47, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0307	SERVICES TO MEMBERS OF CLIENT'S FAMILY	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0308	INTERPRETER SERVICES FOR THE DEAF	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0309	READER SERVICES AND MOBILITY SERVICES FOR THE BLIND	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0310	TELECOMMUNICATION, SENSORY, AND OTHER TECHNOLOGICAL AIDS	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0311	RECRUITMENT AND TRAINING SERVICES	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0312	PLACEMENT	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0313	POST-EMPLOYMENT SERVICES	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0314	OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, AND SUPPLIES	Amended Eff. August 1, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.48; 34 CFR 361.50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0315	REHABILITATION ENGINEERING SERVICES	Amended Eff. May 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0316	OTHER GOODS AND SERVICES	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.42, 48, 50	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 - METHODS TO ASSURE NONDISCRIMINATION	10A NCAC 89C .0401	COMPLIANCE WITH FEDERAL REQUIREMENTS	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51; 34 CFR 76.500	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 89C .0402	VENDOR COMPLIANCE	Amended Eff. March 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51; 34 CFR 76.500	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0403	RESOLVING AREAS OF NON - COMPLIANCE	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51; 34 CFR 76.500	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0404	COMPLAINTS	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51; 34 CFR 76.500	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0500 - SUPPORTED EMPLOYMENT SERVICES	10A NCAC 89C .0501	COMPLIANCE WITH FEDERAL REQUIREMENTS	Eff. October 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	FR Part 363; 34 CFR 361.48; 34 CFR 361.49	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0502	ELIGIBILITY AND MOST SIGNIFICANT DISABILITY	Amended Eff. March 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	CFR 361.48; 34 CFR 361.46; 34 Part 361.49	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0600 - ORDER OF SELECTION FOR SERVICES	10A NCAC 89C .0601	APPLICABILITY OF POLICY	Amended Eff. July 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.36	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0602	IMPLEMENTATION OF ORDER OF SELECTION	Eff. October 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.36	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0603	PRIORITY CATEGORIES	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.36	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0604	PROCEDURES	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.36	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0605	POST EMPLOYMENT SERVICES	Eff. October 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.36	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0606	CASE FINDING AND INFORMATION AND REFERRAL PROGRAMS	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.37	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89C .0607	THIRD - PARTY FUNDING ARRANGEMENTS	Eff. October 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	b. Act of 1973 as amended; 34 CFR 361.36	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 89D - STANDARDS FOR FACILITIES AND PROVIDERS	SECTION .0100 - GENERAL POLICIES	10A NCAC 89D .0101	GENERAL POLICIES	Amended Eff. April 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - STANDARDS FOR FACILITIES	10A NCAC 89D .0201	TYPES OF FACILITIES AND GENERAL REQUIREMENTS	Amended Eff. April 1, 2001	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0202	HOSPITAL STANDARDS	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0203	CONVALESCENT AND NURSING HOME STANDARDS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0204	COMMUNITY REHABILITATION PROGRAM STANDARDS	Amended Eff. April 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

G.S. 150B-21.3A Report for 10A NCAC Chapter 89, VOCATIONAL REHABILITATION

Agency - Department of Health and Human Services

Comment Period - November 13, 2015 – January 12, 2016

Date Submitted to APO - February 22, 2016

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 89D .0205	SPEECH AND HEARING CENTERS STANDARDS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0206	STANDARDS FOR POSTSECONDARY TRAINING FACILITIES	Eff. April 1, 2001	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - STANDARDS FOR PROVIDERS OF SERVICES	10A NCAC 89D .0301	GENERAL POLICIES	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0302	MEDICAL SERVICES' PERSONNEL STANDARDS	Amended Eff. October 20, 1979	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0303	SPEECH THERAPISTS AND AUDIOLOGISTS STANDARDS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0304	PSYCHOLOGISTS STANDARDS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0305	ON-THE-JOB TRAINING PERSONNEL STANDARDS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0306	HEARING AID DEALERS STANDARDS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 89D .0307	PROSTHETISTS AND ORTHOTISTS	Eff. February 1, 1976	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	34 CFR 361.51	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note