

G.S. 150B-21.3A Report for 21 NCAC Chapter 37, BOARD OF NURSING HOME ADMINISTRATORS

Agency - Board of Nursing Home Administrators

Comment Period - April 4, 2014 - June 4, 2014

Date Submitted to APO - July 23, 2014

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms 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 37A - BOARD OF NURSING HOME ADMINISTRATORS	SECTION .0600 - EXAMINATION	21 NCAC 37A .0606	DISQUALIFICATION	Amended Eff. May 1, 1991	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
		21 NCAC 37A .0912	RECIPROCITY/ENDORSEMENT	Transferred and Recodified .0912(a) to 21 NCAC 37E .0101, .0912(b) to 21 NCAC 37E .0102 and .0912(c) to 21 NCAC 37E .0103 Eff. April 1, 1996.	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
SUBCHAPTER 37B - DEPARTMENTAL RULES	SECTION .0100 - GENERAL PROVISIONS	21 NCAC 37B .0101	AUTHORITY: NAME & LOCATION OF BOARD	Eff. April 1, 1996	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
		21 NCAC 37B .0102	ELECTION OF OFFICERS	Eff. April 1, 1996	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
		21 NCAC 37B .0103	LICENSED ADMINISTRATOR REQUIRED	Eff. April 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431.701; 42 C.F.R. 431.703	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 - DEFINITIONS	21 NCAC 37B .0201	ADMINISTRATOR OF RECORD	Eff. April 1, 1996	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
		21 NCAC 37B .0202	LICENSE	Transferred and Recodified from 21 NCAC 37A .0909 Eff. April 1, 1996	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
		21 NCAC 37B .0203	NATIONAL EXAM	Eff. April 1, 1996	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
		21 NCAC 37B .0204	PRACTICE OF NURSING HOME ADMINISTRATION	Transferred and Recodified from 21 NCAC 37A .0105 Eff. April 1, 1996	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
	21 NCAC 37B .0205	STATE EXAM	Eff. April 1, 1996	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	
SUBCHAPTER 37C - RULEMAKING AND DECLARATORY RULINGS	SECTION .0100 - ADOPTION OF RULES	21 NCAC 37C .0101	PETITIONS FOR ADOPTION OF RULES	Amended Eff. April 1, 1996	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
		21 NCAC 37C .0102	PROCEDURE FOR ADOPTION OF RULES	Amended Eff. April 1, 1996	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
		21 NCAC 37C .0103	DECLARATORY RULINGS	Amended Eff. April 1, 1996	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
SUBCHAPTER 37D - NEW LICENSES	SECTION .0100 - GENERAL	21 NCAC 37D .0101	OVERVIEW	Eff. April 1, 1996	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
		21 NCAC 37D .0102	STEPS FOR NEW LICENSE APPLICANTS	Eff. April 1, 1996	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
	SECTION .0200 - APPLICATION FOR LICENSE	21 NCAC 37D .0201	APPLICATION PACKAGE	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0202	INITIAL LICENSURE FEE	Amended Eff. September 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37D .0203	REFERENCES	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0204	FELONIES AND/OR MISDEMEANORS		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
	SECTION .0300 - EDUCATION, EXPERIENCE AND REQUIRED COURSE	21 NCAC 37D .0301	EDUCATION	Eff. April 1, 1996	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
	21 NCAC 37D .0302	COMBINATION OF EDUCATION AND EXPERIENCE	Amended Eff. July 1, 2000	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	

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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]	Implements or Conforms 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
		21 NCAC 37D .0303	REQUIRED COURSE	Amended Eff. July 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0400 - ADMINISTRATOR-IN-TRAINING	21 NCAC 37D .0401	TRAINING REQUIREMENT	Transferred and Recodified from 21 NCAC 37A .0501 Eff. April 1, 1996.	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
		21 NCAC 37D .0402	APPLICATION TO BECOME ADMINISTRATOR-IN-TRAINING	Amended Eff. July 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37D .0403	TRAINING PERMIT	Amended Eff. July 1, 2000	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
		21 NCAC 37D .0404	ADMINISTRATOR-IN-TRAINING SELECTION OF PRECEPTOR	Amended Eff. July 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37D .0405	ADMINISTRATOR-IN-TRAINING PROGRAM	Amended Eff. July 1, 2000	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
		21 NCAC 37D .0406	AIT REPORTS	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0407	AIT TIME ON THE JOB	Amended Eff. July 1, 2000	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
		21 NCAC 37D .0408	CHANGE OF STATUS AND DISCONTINUANCE	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0409	DISMISSAL FROM PROGRAM	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0410	COMPENSATION OF AITS	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0412	INITIAL ON-THE-JOB TRAINING	Amended Eff. April 1, 1996	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
	SECTION .0500 - PRECEPTORS	21 NCAC 37D .0501	APPLICATION FOR PRECEPTOR CERTIFICATION	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0502	PRECEPTOR QUALIFICATIONS	Amended Eff. July 1, 2000	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
		21 NCAC 37D .0503	PRECEPTOR'S REPORTS	Amended Eff. April 1, 1996	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
		21 NCAC 37D .0504	PRECEPTOR COMPLIANCE	Eff. July 1, 2000	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
	SECTION .0600 - NATIONAL EXAM	21 NCAC 37D .0601	ELIGIBILITY	Amended Eff. July 1, 2000	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
		21 NCAC 37D .0602	NATIONAL EXAM APPLICATION	Amended Eff. September 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37D .0603	NATIONAL EXAMINATION ADMINISTRATION	Amended Eff. July 1, 2000	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
		21 NCAC 37D .0604	GRADE REQUIRED	Transferred and Recodified from 21 NCAC 37A .0801 Eff. April 1, 1996	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
		21 NCAC 37D .0605	SUBJECT AREAS	Amended Eff. July 1 2004	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
	SECTION .0700 - STATE EXAM	21 NCAC 37D .0701	ELIGIBILITY	Amended Eff. July 1, 2000	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

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		21 NCAC 37D .0702	APPLICATION	Eff. April 1, 1996	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
		21 NCAC 37D .0703	STATE EXAMINATION ADMINISTRATION	Amended Eff. July 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37D .0704	GRADE REQUIRED	Eff. July 1, 2000	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
SUBCHAPTER 37E - RECIPROCIITY/ENDORSEMENT	SECTION .0100 - APPLICATION	21 NCAC 37E .0101	APPLICATION PROCESS	Amended Eff. July 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37E .0102	APPLICATION CONTENTS	Amended Eff. July 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37E .0103	DENIAL AND REVOCATION	Transferred and Recodified from 21 NCAC 37A .0912(c) Eff. April 1, 1996.	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
SUBCHAPTER 37F - TEMPORARY LICENSES	SECTION .0100 - TEMPORARY LICENSE REQUIREMENTS	21 NCAC 37F .0101	PREREQUISITES FOR TEMPORARY LICENSURE	Amended Eff. July 1, 2000	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
		21 NCAC 37F .0102	ISSUANCE AND RENEWAL OF TEMPORARY LICENSE	Amended Eff. July 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SUBCHAPTER 37G - RENEWAL, INACTIVE, RESTORATION AND REINSTATEMENT, DUPLICATE	SECTION .0100 - RENEWAL REQUIREMENTS	21 NCAC 37G .0101	RENEWAL	Amended Eff. April 1, 1996	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
		21 NCAC 37G .0102	RENEWAL FEE	Amended Eff. September 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0200 - INACTIVE LICENSES	21 NCAC 37G .0201	INACTIVE STATUS REQUIREMENTS	Amended Eff. July 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37G .0202	ACTIVATION OF INACTIVE LICENSE	Amended Eff. April 1, 1996	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
	SECTION .0300 - REINSTATEMENT	21 NCAC 37G .0301	REINSTATEMENT OF LICENSE	Amended Eff. July 1, 2004	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
		21 NCAC 37G .0302	RESTORATION OF LAPSED LICENSE	Eff. July 1, 2004	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
	SECTION .0400 - DUPLICATE LICENSES	21 NCAC 37G .0401	DUPLICATE LICENSE REQUIREMENTS	Amended Eff. April 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SUBCHAPTER 37H - CONTINUING EDUCATION	SECTION .0100 - CONTINUING EDUCATION REQUIREMENTS	21 NCAC 37H .0101	CONTINUING EDUCATION HOURS REQUIREMENT	Eff. April 1, 1996	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
		21 NCAC 37H .0102	CONTINUING EDUCATION PROGRAMS OF STUDY	Amended Eff. September 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 37H .0103	VERIFICATION OF ATTENDANCE	Amended Eff. April 1, 1996	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
		21 NCAC 37H .0104	PRECEPTOR CREDIT	Amended Eff. July 1, 2000	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

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SUBCHAPTER 37I - PROFESSIONAL STANDARDS	SECTION .0100 - INVESTIGATIONS	21 NCAC 37I .0101	INVESTIGATION: DISCIPLINE: AND CONTESTED CASE PROCEEDINGS	Amended Eff. July 1, 2000	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