IN THIS ISSUE

I. RULE-MAKING PROCEEDINGS
   Justice
     Private Protective Services......................................1599

II. PROPOSED RULES
   Licensing Boards
     Physical Therapy Examiners, Board of ....................1600 - 1609
   Public Education
     Elementary and Secondary Education.......................1600

III. TEMPORARY RULES
   Environment and Natural Resources
     Marine Fisheries Commission.................................1610 - 1612

IV. RULES REVIEW COMMISSION...............................1613 - 1616

V. CONTESTED CASE DECISIONS
   Index to ALJ Decisions........................................1617 - 1625

VI. CUMULATIVE INDEX ........................................1 - 80

North Carolina Register is published semi-monthly for $195 per year by the Office of Administrative Hearings, 424 North Blount Street, Raleigh, NC 27601. North Carolina Register (ISSN 15200604) to mail at Periodicals Rates is paid at Raleigh, NC. POSTMASTER: Send Address changes to the North Carolina Register, 6714 Mail Service Center, Raleigh, NC 27699-6714.
The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

### TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

<table>
<thead>
<tr>
<th>TITLE</th>
<th>DEPARTMENT</th>
<th>LICENSING BOARDS</th>
<th>CHAPTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Administration</td>
<td>Acupuncture</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Agriculture</td>
<td>Architecture</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Auditor</td>
<td>Athletic Trainer Examiners</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>Commerce</td>
<td>Auctioneers</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>Correction</td>
<td>Barber Examiners</td>
<td>6</td>
</tr>
<tr>
<td>6</td>
<td>Council of State</td>
<td>Certified Public Accountant Examiners</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>Cultural Resources</td>
<td>Chiropractic Examiners</td>
<td>10</td>
</tr>
<tr>
<td>8</td>
<td>Elections</td>
<td>Employee Assistance Professionals</td>
<td>11</td>
</tr>
<tr>
<td>9</td>
<td>Governor</td>
<td>General Contractors</td>
<td>12</td>
</tr>
<tr>
<td>10</td>
<td>Health and Human Services</td>
<td>Cosmetic Art Examiners</td>
<td>14</td>
</tr>
<tr>
<td>11</td>
<td>Insurance</td>
<td>Dental Examiners</td>
<td>16</td>
</tr>
<tr>
<td>12</td>
<td>Justice</td>
<td>Dietetics/Nutrition</td>
<td>17</td>
</tr>
<tr>
<td>13</td>
<td>Labor</td>
<td>Electrical Contractors</td>
<td>18</td>
</tr>
<tr>
<td>14A</td>
<td>Crime Control &amp; Public Safety</td>
<td>Electrolysis</td>
<td>19</td>
</tr>
<tr>
<td>15A</td>
<td>Environment and Natural Resources</td>
<td>Foresters</td>
<td>20</td>
</tr>
<tr>
<td>16</td>
<td>Public Education</td>
<td>Geologists</td>
<td>21</td>
</tr>
<tr>
<td>17</td>
<td>Revenue</td>
<td>Hearing Aid Dealers and Fitters</td>
<td>22</td>
</tr>
<tr>
<td>18</td>
<td>Secretary of State</td>
<td>Landscape Architects</td>
<td>26</td>
</tr>
<tr>
<td>19A</td>
<td>Transportation</td>
<td>Landscape Contractors</td>
<td>28</td>
</tr>
<tr>
<td>20</td>
<td>Treasurer</td>
<td>Massage &amp; Bodywork Therapy</td>
<td>30</td>
</tr>
<tr>
<td>*21</td>
<td>Occupational Licensing Boards</td>
<td>Marital and Family Therapy</td>
<td>31</td>
</tr>
<tr>
<td>22</td>
<td>Administrative Procedures (Repealed)</td>
<td>Medical Examiners</td>
<td>32</td>
</tr>
<tr>
<td>23</td>
<td>Community Colleges</td>
<td>Midwifery Joint Committee</td>
<td>33</td>
</tr>
<tr>
<td>24</td>
<td>Independent Agencies</td>
<td>Mortuary Science</td>
<td>34</td>
</tr>
<tr>
<td>25</td>
<td>State Personnel</td>
<td>Nursing</td>
<td>36</td>
</tr>
<tr>
<td>26</td>
<td>Administrative Hearings</td>
<td>Nursing Home Administrators</td>
<td>37</td>
</tr>
<tr>
<td>27</td>
<td>NC State Bar</td>
<td>Occupational Therapists</td>
<td>38</td>
</tr>
<tr>
<td>28</td>
<td>Juvenile Justice and Delinquency Prevention</td>
<td>Opticians</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Optometry</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Osteopathic Examination &amp; Reg. (Repealed)</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pastoral Counselors, Fee-Based Practicing</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pharmacy</td>
<td>46</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Physical Therapy Examiners</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plumbing, Heating &amp; Fire Sprinkler Contractors</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Podiatry Examiners</td>
<td>52</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Professional Counselors</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Psychology Board</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Professional Engineers &amp; Land Surveyors</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Real Estate Appraisal Board</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Real Estate Commission</td>
<td>58</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Refrigeration Examiners</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sanitarian Examiners</td>
<td>62</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Social Work Certification</td>
<td>63</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Soil Scientists</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Speech &amp; Language Pathologists &amp; Audiologists</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Substance Abuse Professionals</td>
<td>68</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Therapeutic Recreation Certification</td>
<td>65</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Veterinary Medical Board</td>
<td>66</td>
</tr>
</tbody>
</table>

**Note:** Title 21 contains the chapters of the various occupational licensing boards.
<table>
<thead>
<tr>
<th>Filing Deadlines</th>
<th>Notice of Rule-Making Proceedings</th>
<th>Notice of Text</th>
<th>Temporary Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>volume &amp; issue number</td>
<td>earliest register issue for publication of text</td>
<td>earliest date for public hearing</td>
<td>non-substantial economic impact</td>
</tr>
<tr>
<td>15:13</td>
<td>01/02/01</td>
<td>12/07/00</td>
<td>03/15/01</td>
</tr>
<tr>
<td>15:14</td>
<td>01/16/01</td>
<td>12/20/00</td>
<td>04/02/01</td>
</tr>
<tr>
<td>15:15</td>
<td>02/01/01</td>
<td>01/10/01</td>
<td>04/02/01</td>
</tr>
<tr>
<td>15:16</td>
<td>02/15/01</td>
<td>01/25/01</td>
<td>05/01/01</td>
</tr>
<tr>
<td>15:17</td>
<td>03/01/01</td>
<td>02/08/01</td>
<td>05/01/01</td>
</tr>
<tr>
<td>15:18</td>
<td>03/15/01</td>
<td>02/22/01</td>
<td>05/15/01</td>
</tr>
<tr>
<td>15:19</td>
<td>04/02/01</td>
<td>03/12/01</td>
<td>06/01/01</td>
</tr>
<tr>
<td>15:20</td>
<td>04/16/01</td>
<td>03/26/01</td>
<td>06/15/01</td>
</tr>
<tr>
<td>15:21</td>
<td>05/01/01</td>
<td>04/10/01</td>
<td>07/02/01</td>
</tr>
<tr>
<td>15:22</td>
<td>05/15/01</td>
<td>04/24/01</td>
<td>07/16/01</td>
</tr>
<tr>
<td>15:23</td>
<td>06/01/01</td>
<td>05/11/01</td>
<td>08/01/01</td>
</tr>
<tr>
<td>15:24</td>
<td>06/15/01</td>
<td>05/25/01</td>
<td>08/15/01</td>
</tr>
<tr>
<td>16:01</td>
<td>07/02/01</td>
<td>06/11/01</td>
<td>09/04/01</td>
</tr>
<tr>
<td>16:02</td>
<td>07/16/01</td>
<td>06/22/01</td>
<td>09/17/01</td>
</tr>
<tr>
<td>16:03</td>
<td>08/01/01</td>
<td>07/11/01</td>
<td>10/01/01</td>
</tr>
<tr>
<td>16:04</td>
<td>08/15/01</td>
<td>07/25/01</td>
<td>10/15/01</td>
</tr>
<tr>
<td>16:05</td>
<td>09/04/01</td>
<td>08/13/01</td>
<td>11/15/01</td>
</tr>
<tr>
<td>16:06</td>
<td>09/17/01</td>
<td>08/24/01</td>
<td>12/03/01</td>
</tr>
<tr>
<td>16:07</td>
<td>10/01/01</td>
<td>09/10/01</td>
<td>12/03/01</td>
</tr>
<tr>
<td>16:08</td>
<td>10/15/01</td>
<td>09/24/01</td>
<td>12/17/01</td>
</tr>
<tr>
<td>16:09</td>
<td>11/01/01</td>
<td>10/11/01</td>
<td>01/02/02</td>
</tr>
<tr>
<td>16:10</td>
<td>11/15/01</td>
<td>10/24/01</td>
<td>01/15/02</td>
</tr>
<tr>
<td>16:11</td>
<td>12/03/01</td>
<td>11/07/01</td>
<td>02/01/02</td>
</tr>
<tr>
<td>16:12</td>
<td>12/17/01</td>
<td>11/26/01</td>
<td>02/15/02</td>
</tr>
</tbody>
</table>
EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:
1. temporary rules;
2. notices of rule-making proceedings;
3. text of proposed rules;
4. text of permanent rules approved by the Rules Review Commission;
5. notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
6. Executive Orders of the Governor;
7. final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
8. orders of the Tax Review Board issued under G.S. 105-241.2; and
9. other information the Codifier of Rules determines to be helpful to the public.

COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

FILING DEADLINES

ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month after the first or fifteenth that is not a Saturday, Sunday, or holiday for State employees.

LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

NOTICE OF RULE-MAKING PROCEEDINGS

END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.

NOTICE OF TEXT

EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.

END OF REQUIRED COMMENT PERIOD
1. RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.
2. RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.
A Notice of Rule-making Proceedings is a statement of subject matter of the agency’s proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 12 – DEPARTMENT OF JUSTICE

CHAPTER 07 – PRIVATE PROTECTIVE SERVICES

Notice of Rule-making Proceedings is hereby given by NC Private Protective Services Board in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rule Affected by this Rule-making: 12 NCAC 07D .0800 - Other rules may be proposed in the course of the rule-making process.

Authority for the Rule-making: G.S. 74C-5

Statement of the Subject Matter: The Board wishes to modify its rules regarding training requirements for armed security officers.

Reason for Proposed Action: The Board has implemented the rule whereby an applicant for an armed security officer registration permit must first complete a 20 hour basic firearms training course. The Board wishes to modify the rule to allow those who are applying for re-certification to take only a four hour refresher course.

Comment Procedures: Written comments may be provided to the Board by submission to W. Wayne Woodard, Director, Private Protective Services Board, 3320 Old Garner Road, Raleigh, NC 27626. Written comments must be submitted within 30 days of publication date of this issue of the North Carolina Register.
**TITLE 16 – DEPARTMENT OF PUBLIC EDUCATION**

**Notice** is hereby given in accordance with G.S. 150B-21.2 that the State Board of Education intends to adopt the rule cited as 16 NCAC 06H .0111. Notice of Rule-making Proceedings was published in the Register on January 16, 2001.

**Proposed Effective Date:** July 1, 2002

**Reason for Proposed Action:** S.L. 2000-69 requires the State Board of Education to administer the qualified zone academy bond program authorized under 26 U.S.C. 1397E. The act authorizes the Board to adopt rules for this purpose.

**Comment Procedures:** Comments may be presented orally or in writing at the hearing or in writing directed to the Rule-making Coordinator by mail, e-mail, or fax at (919) 807-3407. Comments will be received through April 16, 2001.

**Fiscal Impact**
- [ ] State
- [ ] Local
- [X] Substantive (>$5,000,000)
- [ ] None

**CHAPTER 06 – ELEMENTARY AND SECONDARY EDUCATION**

**SUBCHAPTER 06H – FEDERAL PROGRAMS**

**SECTION .0100 – FEDERAL PROGRAMS**

16 NCAC 06H .0111 QUALIFIED ZONE ACADEMY BONDS

(a) Every public school shall be eligible to participate as a qualified zone academy if it meets the requirements set forth in 26 U.S.C. 1397E(d)(4).
(b) The minimum amount of bonding authority that the SBE shall allocate to a qualified zone academy shall be five hundred thousand dollars ($500,000).
(c) Each application for authority to issue qualified zone academy bonds shall be executed by both the LEA and the county board of commissioners.

Authority G.S. 115C-489.6; 150B-21.1(a7)(2).

---

**TITLE 21 – OCCUPATIONAL LICENSING BOARDS**

**CHAPTER 48 – BOARD OF PHYSICAL THERAPY EXAMINERS**

**Notice** is hereby given in accordance with G.S. 150B-21.2 that the NC Board of Physical Therapy Examiners intends to adopt the rules cited as 21 NCAC 48C .0601; 48F .0105; 48G .0204, .0517, .0602 and amend the rules cited as 21 NCAC 48A .0103, .0105; 48B .0101, .0103 - .0104; 48C .0101 - .0102, .0201, .0402, .0501; 48D .0107, .0109; 48E .0110; 48F .0102; 48G .0202, .0401-.0403, .0405, .0504, .0512, .0601. Notice of Rule-making Proceedings was published in the Register on January 16, 2001.

**Proposed Effective Date:** August 1, 2002

**Public Hearing:**
- **Date:** April 25, 2001
- **Time:** 3:00 pm
- **Location:** McKimmon Center, Western Blvd., Raleigh, NC

**Reason for Proposed Action:** The proposed rule adoptions and amendments primarily deal with supervision issues and fees. The changes were recommended by the Board's Investigative Committee, the Board's Attorney and a Committee of the Board. The manner in which physical therapy services are delivered to the public is constantly evolving, and these rule changes are designed to keep pace with changes in professional practice.

**Comment Procedures:** The public is invited to attend the public hearing. Comments will be accepted through June 1, 2001. Written comments may be submitted to Mr. Ben Massey, Director, NC Board of Physical Therapy Examiners, 18 West Colony, Suite 140, Durham, NC 27705.

**Fiscal Impact**
- [ ] State
- [ ] Local
- [ ] Substantive (>$5,000,000)
- [X] None

**SUBCHAPTER 48A – ORGANIZATION**

21 NCAC 48A .0103 MEMBERSHIP OF BOARD

(a) Selection of Board Members. Nominations for members of the Board shall be sought from licensees residing in North Carolina. The ballots that are distributed to each licensee in North Carolina shall list each nominee's place and location of employment and practice setting. The ballots shall be forwarded...
15:18 NORTH CAROLINA REGISTER March 15, 2001

PROPOSED RULES

15:18 NORTH CAROLINA REGISTER March 15, 2001

to the President of the North Carolina Physical Therapy Association.

(b) Decisions:

(1) Decisions involving disciplinary proceedings will be reached by a majority of the Board Members present and eligible to participate in the disciplinary proceedings; provided that a quorum consists of five Board Members.

(2) All other decisions of the Board will be reached by a majority of the Board.

Authority G.S. 90-270.25; 90-270.26.

21 NCAC 48A .0105 DEFINITIONS

The following definitions and the definitions in G.S. 90-270.24 will apply throughout Chapter 48:

(1) "Educational programs" means physical therapy and physical therapist assistant educational programs accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE).

(2) "Computer Based Testing" or "CBT" means the Federation approved National Physical Therapist and Physical Therapist Assistant Examinations administered by a testing agency approved by the Federation.

(3) "Federation" means Federation of State Boards of Physical Therapy.

(4) "Graduated" or "graduation" means the completion of all requirements, including clinical experience, from an accredited program for physical therapists or physical therapist assistants. If an educational program certifies that the degree is assured and will be conferred at a later date, an applicant will be considered to have been graduated.

(5) Reserved.

(6) Reserved.

(7) Reserved.

(8) "PT exam" means a Federation approved licensing examination for physical therapists.

(9) Reserved.

(10) "PTA exam" means a Federation approved licensing examination for physical therapist assistants.

(11) Reserved.

(12) Reserved.

(13) Reserved.

(14) “On-site supervision” means the supervising physical therapist is continuously on-site and present in the department or facility where services are provided, is immediately available to the person being supervised and maintains continued involvement in appropriate aspects of each treatment session in which students, completing clinical requirements and physical therapy aides are involved in components of care.

Authority G.S. 90-270.24; 90-270.26; 90-270.31.

SUBCHAPTER 48B - TYPES OF LICENSES

21 NCAC 48B .0101 GENERAL REQUIREMENTS

Unless exempt from licensure pursuant to G.S. 90-270.34, a physical therapist or physical therapist assistant who plans to practice in North Carolina in any capacity regardless of length of time must be licensed prior to employment in the state.

Authority G.S. 90-270.24(5); 90-270.26; 90-270.34; 90-270.35(1),(2).

21 NCAC 48B .0103 LICENSES BY EXAMINATION

(a) Applicants. An applicant seeking an initial license or who fails to meet the requirements for endorsement must pass a written computer-based examination to practice in North Carolina following the acceptance of his credentials.

(b) Timing of Examination. If the examination is not taken initially within six months of the time of approval of the application, the credentials must be reviewed again by the Board before the examination may be taken. An applicant’s reason for delaying the examination must be given to the Board in writing.

(c) Examination Taken in Another State. Applicants not previously licensed who take a PT exam or a PTA exam in another state may be considered for licensure in North Carolina by providing scores that meet the North Carolina passing level. All other requirements for North Carolina licensure in effect at the time of application must be met.

Authority G.S. 90-270.26; 90-270.29; 90-270.30.

21 NCAC 48B .0104 EXEMPTIONS

Physical Therapists and Physical Therapist Assistants licensed in other jurisdictions who are accompanying an athletic team or performance group to this State, or who are providing services in connection with a special event attracting participants from outside North Carolina, such as, but not limited to, individual or team athletic competitions, Special Olympics, intercollegiate events or professional sports competition shall be exempt from obtaining a license in North Carolina so long as the services are only provided to participants in the event.

Authority G.S. 90-270.34(4); 90-270.35(1).

SUBCHAPTER 48C – SCOPE OF PHYSICAL THERAPY PRACTICE

SECTION .0100 - PHYSICAL THERAPISTS

21 NCAC 48C .0101 PERMITTED PRACTICE

(a) Physical therapy is presumed to include any acts, tests, procedures, treatments or modalities that are routinely taught in educational programs (undergraduate and graduate) or in continuing education programs for physical therapists and are routinely performed in practice settings.

(b) A physical therapist who employs acts, tests, procedures and modalities in which professional training has been received...
(d) Physical therapy, which is the care and services provided by or under the direction and supervision of a physical therapist, includes:

1. Examining (history, system review and tests and measures) individuals with impairment, functional limitation, and disability or other health-related conditions in order to determine a diagnosis, prognosis, and intervention; tests and measures may include, but are not limited to, the following:
   - Aerobic capacity and endurance; (A)
   - Anthropometric characteristics; (B)
   - Arousal, attention, and cognition; (C)
   - Assistive and adaptive devices; (D)
   - Community and work (job/school/play) integration or reintegration; (E)
   - Cranial nerve integrity; (F)
   - Environmental, home, and work (job/school/play) barriers; (G)
   - Ergonomics and body mechanics; (H)
   - Gait, locomotion, and balance; (I)
   - Integumentary integrity; (J)
   - Joint integrity and mobility; (K)
   - Motor function; (L)
   - Muscle performance; (M)
   - Neuromotor development and sensory integration; (N)
   - Orthotic, protective and supportive devices; (O)
   - Pain; (P)
   - Posture; (Q)
   - Prosthetic requirements; (R)
   - Range of motion; (S)
   - Reflex integrity; (T)
   - Self-care and home management; (U)
   - Sensory integrity; and (V)
   - Ventilation, respiration, and circulation. (W)

2. Alleviating impairment and functional limitation by designing, implementing, and modifying therapeutic interventions may include, but are not limited to the following:
   - Coordination, communication and documentation; (A)
   - Patient/client-related instruction; (B)
   - Therapeutic exercise (including aerobic conditioning); (C)
   - Functional training in self-care and home management (including activities of daily living and instrumental activities of daily living); (D)
   - Functional training in community and work (jobs/school/play) integration or reintegration activities (including instrumental activities of daily living, work hardening, and work conditioning); (E)
   - Manual therapy techniques (including mobilization and manipulation); (F)
   - Prescription, application, and as appropriate, fabrication of assistive, adaptive, orthotic, protective, supportive, and prosthetic devices and equipment; (G)
   - Airway clearance techniques; (H)
   - Wound management; (I)
   - Electrotherapeutic modalities; and (J)
   - Physical agents and mechanical modalities. (K)

3. Preventing injury, impairment, functional limitation, and disability, including the promotion and maintenance of fitness, health, and quality of life in all age populations.

(e) The practice of physical therapy is the application of a broad range of evaluation and treatment procedures related to abnormality of human sensorimotor performance. It includes, but is not limited to, tests of joint motion, muscle length and strength, posture and gait, limb length and circumference, activities of daily living, pulmonary function, cardio-vascular function, nerve and muscle electrical properties, orthotic and prosthetic fit and function, sensation and sensory perception, reflexes and muscle tone, and sensorimotor and other skilled performances; treatment procedures such as hydrotherapy, shortwave or microwave diathermy, ultrasound, infra-red and ultraviolet radiation, cryotherapy, electrical stimulation including transcutaneous electrical neuromuscular stimulation, massage, debridement, intermittent vascular compression, iontophoresis, machine and manual traction of the cervical and lumbar spine, joint mobilization, machine and manual therapeutic exercise including isokinetics and biofeedback, and training in the use of orthotic, prosthetic and other assistive devices including crutches, canes and wheelchairs.

Authority G.S. 90-270.24; 90-270.26.
A supervising physical therapist must be familiar with the patient's evaluation and plan of care. In addition, the supervising physical therapist must be available and accessible at all times via telecommunication to the physical therapist assistant administering the plan of care.

(e) The physical therapist must establish the discharge plan.

(f) For each date of service, a physical therapist shall provide all therapeutic interventions that require the expertise of a physical therapist and shall determine the use of assistive personnel that provides delivery of service that is safe and effective for each patient.

(g) A physical therapist's responsibility for patient care management shall include first-hand knowledge of the status of each patient and oversight of all documentation for services rendered to each patient, including awareness of fees charged or reimbursement methodology used.

(h) A physical therapist must be immediately available by telephone or pager to a physical therapist assistant, physical therapy aide or student engaging in patient care.

(i) A physical therapist shall be limited to clinically supervising only that number of assistive personnel, including physical therapists assistants, physical therapy aides, and students completing clinical requirements, as is appropriate for providing safe and effective patient interventions at all times.

(j) If assistive personnel are involved in the patient care plan, the patient must be reassessed by the supervising physical therapist no less frequently than every 30 days.

Authority G.S. 90-270.24; 90-270.26; 90-270.31; 90-270.34.

SECTION .0200 – PHYSICAL THERAPIST ASSISTANTS

21 NCAC 48C .0201 SUPERVISION BY PHYSICAL THERAPIST

(a) A physical therapist assistant may assist in the practice of physical therapy only to the extent allowed by the supervising physical therapist.

(b) A physical therapist assistant may make modifications of treatment programs that are consistent with the established patient care plan.

(c) A physical therapist assistant may engage in off-site patient related activities that are appropriate for the physical therapist assistant's qualifications and the status of the patient.

(d) A physical therapist assistant may document care provided without the co-signature of the supervising physical therapist.

Authority G.S. 90-270.24; 90-270.26; 90-270.35.

SECTION .0400 – PHYSICAL THERAPY AIDS

21 NCAC 48C .0402 FUNCTION

(a) A physical therapy aide may perform only those acts delegated by a licensed physical therapist or physical therapist assistant.

(b) A physical therapist or physical therapist assistant must be present in the same facility and supervising any physical therapy aide to whom acts are delegated. The physical therapy aide must be in the same building as the supervising licensee. In a campus setting or multi-building complex, the presence of the supervising licensee in one building and the physical therapy aide in another does not constitute supervision in the same facility.

(c) A physical therapy aide shall not engage in the performance of physical therapy activities without supervision by a licensee in accordance with this Subchapter.

(d) A physical therapy aide shall work under the supervision of a physical therapist who is continuously on-site and present in the facility. This may extend to an off-site setting only when the physical therapy aide is accompanying and working directly with a licensee with a specific patient.

(e) A physical therapy aide shall not be independently responsible for a patient caseload.

Authority G.S. 90-270.24; 90-270.26.

SECTION .0500 – PHYSICAL THERAPY STUDENTS

21 NCAC 48C .0501 EXEMPTION FOR STUDENTS

(a) Students enrolled in educational programs that are either accredited or are candidates in good standing for accreditation by an agency recognized by either the U.S. Office of Education or the Council on Postsecondary Accreditation, are included in the exemption from licensure contained in G.S. 90-270.34(a)(1) while completing a clinical requirement for graduation.

(b) A licensee must be present in the facility when patient care activities are undertaken by a PT or PTA student while completing the clinical requirement. In a campus setting or multi-building complex, the presence of the supervising licensee in one building and the student in another does not constitute supervision in the same facility.

Authority G.S. 90-270.26(1); 90-270.29; 90-270.34(a)(1).

SECTION .0600 – OTHER ASSISTIVE PERSONNEL

21 NCAC 48C .0601 RESPONSIBILITIES

Unless health care personnel who do not function as physical therapy aides may receive direction from physical therapists with regard to patient related activities, but they must not either refer to or represent their services as physical therapy.

Authority G.S. 90-270.34(b)(2); 90-270.24(4).

SUBCHAPTER 48D - EXAMINATIONS

21 NCAC 48D .0107 PERSONS REFUSED EXAMINATION PERMISSION

(a) An applicant for licensure who does not meet the requirements as set forth in the Physical Therapy Practice Act shall be refused permission to take the examination.

(b) Any applicant who is refused permission to take the examination shall be entitled to petition the Board for a contested case hearing pursuant to 21 NCAC 48G.0500.

Authority G.S. 90-270.26; 90-270.29; 90-270.30; 90-270.36.

21 NCAC 48D .0109 RETAKING EXAMINATION

Authority G.S. 90-270.26; 90-270.29; 90-270.30; 90-270.36.
(a) Arrangements for Retake. To retake the examination, the applicant shall notify the executive director and pay the retake fee and the examination cost at that time.

(b) Retake Examination. The Board shall administer a particular form of the examination to an applicant only one time.

(c) An applicant who does not pass the examination after three attempts shall be required to reapply for licensure and shall be required to provide evidence satisfactory to the Board of having successfully completed additional course work as determined by the Board.

Authority G.S. 90-270.26; 90-270.29; 90-270.30; 90-270.33.

SUBCHAPTER 48E – APPLICATION FOR LICENSURE

SECTION .0100 – REQUIREMENTS

21 NCAC 48E .0110 FOREIGN-TRAINED PHYSICAL THERAPISTS

(a) A foreign-trained physical therapist is one who has graduated from a program located outside the United States which has not been accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE), and includes programs in which the courses of instruction are not presented in English.

(b) English Translations. All application forms and supporting documents shall be in English or accompanied by an English translation.

(c) Supporting Documents. In addition to the other requirements of this Section and G.S. 90-270.30, each foreign-trained applicant shall submit the following:

1. If the applicant has graduated from a physical therapy educational program, a certification of physical therapy education shall be submitted directly to the Board.

2. If the applicant does not meet the requirements of G.S. 90-270.29(2), the Board shall examine the applicant's educational background to determine if the general college and professional instruction is substantially equivalent to that of a United States physical therapy educational program. For candidates applying for licensure prior to July 1, 2002, at least a minimum, 120 semester hours of college education at the freshman through senior level is required, which includes a minimum of 60 semester hours of professional curriculum, including basic health sciences, clinical sciences and clinical education, and a minimum of 42 semester hours of general education. Up to 21 hours may be substituted for actual course work by obtaining a passing score on College Level Examination Program (CLEP) examinations. For candidates applying after December 31, 2001, the applicant’s educational background must be substantially equivalent to a Masters degree from a CAPTE approved physical therapy educational program. The applicant shall make arrangements with a credentialing service to have the credentials evaluated.

3. Evaluation of credentials, to be acceptable to the Board, shall be done by a service that has a physical therapist consultant on its staff. The Board shall make its own review of applicant's educational program and is not bound by the findings of the credentialing service.

4. English is the applicant's native language.

Authority G.S. 90-270.26; 90-270.29; 90-270.30; 90-270.31.

SUBCHAPTER 48F – CERTIFICATES: FEES: INVESTIGATIONS: RECORD OF LICENSEES

21 NCAC 48F .0102 FEES

(a) The following fees are charged by the Board:

1. application for physical therapist licensure;
   (A) by endorsement or examination taken in another state, one hundred thirty-five dollars ($135.00);
   (B) by examination, one hundred thirty-five dollars ($135.00) plus cost of examination;

2. application for physical therapist assistant licensure;
   (A) by endorsement or examination taken in another state, one hundred thirty-five dollars ($135.00);
   (B) by examination, one hundred thirty-five dollars ($135.00) plus cost of examination;

3. renewal for all persons, sixty-eighty dollars ($60.00); ($80.00);

4. penalty for late renewal, twenty dollars ($20.00) plus renewal fee;
(5) revival of license lapsed less than five years, thirty dollars ($30.00) plus renewal fee;
(6) transfer of licensure information fee, including either the examination scores or licensure verification or both, twenty-five dollars ($25.00);
(7) retake examination, fifty-sixty dollars ($50.00); ($60.00); plus actual cost of examination;
(8) certificate replacement or duplicate, twenty-five dollars ($25.00);
(9) directory of licensees, ten dollars ($10.00);
(10) licensee list or labels or any portion there-of for physical therapists, sixty dollars ($60.00);
(11) licensee list or labels or any portion there-of for physical therapist assistants, sixty dollars ($60.00);
(12) processing fee for returned checks, maximum allowed by law.

(b) The application fee is not refundable. The Board shall consider written requests for a refund of other fees based on personal or economic hardship.

(c) A certified check, money order or cash is required for payment of application fees listed in Parts (a)(1)(A), (B), (C), (D), and (2)(A), (B), (C), and (D) of this Rule.

Authority G.S. 25-3-512; 90-270.33.

21 NCAC 48F .0105 CHANGE OF NAME AND ADDRESS
Each licensee must notify the Board within 30 days of changing their name or work or home address.

Authority G.S. 90-270.27.

SUBCHAPTER 48G – RETENTION OF LICENSE

SECTION .0200 – LAPSED LICENSES

21 NCAC 48G .0202 NOTIFICATION
A person who has not renewed the license by February 1 will be advised that the license has lapsed by written communication to the last known mailing address on record with the Board. Unless the person has advised the Board that they do not intend to renew their license, then a similar notification will be sent to the person’s last known employer, employer in North Carolina.
If the person continues to work in North Carolina, his employer will be notified of the lapsed license.

Authority G.S. 90-270.26; 90-270.32.

21 NCAC 48G .0204 RESTRICTED LICENSE
An individual reinstating a lapsed license shall successfully demonstrate to the Board competency in the practice of physical therapy or shall serve an internship under a restricted license or take remedial courses as determined by the Board, or both at the Board’s discretion. A "restricted license" is one on which the Board places restrictions or conditions, or both, as to scope of practice, place of practice, supervision of practice, duration of license status, or type or condition of patient or client to whom the licensee may provide service.

Authority G.S. 90-270.26; 90-270.32.

SECTION .0400 – PROBATION OR WARNING

21 NCAC 48G .0401 GROUNDS FOR PROBATION
The Board may place any licensee on probation for a period of time not greater than three years for engaging in conduct prohibited by G.S. 90-270.35 or G.S. 90-270.36 or Chapter 48 when the Board determines that such conduct does not warrant revocation or suspension of a license.

Authority G.S. 90-270.26; 90-270.35; 90-270.36.

21 NCAC 48G .0402 GROUNDS FOR WARNING
The Board may issue a warning to any licensee who engages in conduct that might lead to the revocation or suspension of a license for the commission of acts prohibited by G.S. 90-270.35 or G.S. 90-270.36 or Chapter 48.

Authority G.S. 90-270.26; 90-270.35; 90-270.36.

21 NCAC 48G .0403 CONDITIONS FOR PROBATION OR WARNING
The Board may require any licensee placed on probation and any licensee to whom a warning is issued to furnish the Board with a certified statement that the licensee will not engage in conduct prohibited by G.S. 90-270.35 or G.S. 90-270.36 – 90-270.36 or Chapter 48.

Authority G.S. 90-270.26; 90-270.35; 90-270.36.

21 NCAC 48G .0405 GROUNDS FOR REPRIMAND
Whenever grounds exist for placing a licensee on probation or issuing a warning, if the results of the informal meeting with the Board demonstrate that a public censure of the licensee would be counterproductive or unwarranted, a private reprimand may be issued to the licensee. A reprimand is not considered disciplinary action.

Authority G.S. 90-270.26; 90-270.35; 90-270.36.

SECTION .0500 – CONTESTED CASE HEARINGS

21 NCAC 48G .0504 COMPLAINTS AND INVESTIGATIONS
(a) In order to file a complaint with the Board, the following information shall be submitted to the Board in writing:

(1) name and address of person alleged to have violated Physical Therapy Practice Act;
(2) succinct statement of conduct giving rise to complaint;
(3) name, address and telephone number of complainant.

(b) Upon receipt of a written complaint alleging misconduct that might subject a licensee to disciplinary action, or upon the receipt of confirmation that a violation of the Physical Therapy
PROPOSED RULES

Practice Act has occurred, the Board may investigate such matter to determine whether probable cause exists to institute formal disciplinary proceedings.

(c) The executive director of the Board and a member appointed by the Chair shall serve as a probable cause or investigating committee. This committee may be assisted by the Board's attorney or investigator or by a former member of the Board or consultant who possesses expertise that will assist the Committee in its investigation retained for the purpose of such investigation.

(d) The probable cause committee shall investigate the complaint. In conducting its investigation, the investigative committee shall have the authority to issue subpoenas for the production of documents pursuant to the provision of 21 NCAC 48G .0512. In conducting its investigation, the Executive Director shall have the authority to issue subpoenas in the Committee's name for the production of documents pursuant to the provisions of 21 NCAC 48G .0512. The committee shall determine whether or not there is probable cause to believe that the licensee has violated any statute or board rule which would justify a disciplinary hearing. If the Committee determines probable cause does not exist, the complaint shall be dismissed, and the complainant shall be notified of the Committee's action and its reasons. The Committee may issue a confidential advisory letter to the licensee, which is non-disciplinary and notifies a licensee that, while there is insufficient evidence to support disciplinary action, the Committee believes that the licensee should modify or eliminate certain conduct or practices.

If the committee determines that such probable cause exists, the committee may confer with the licensee in an attempt to settle the matter through informal means. If the committee and the licensee reach an agreement on the disposition of the matter under investigation, the committee may cause to be drafted a proposed settlement agreement, which may include findings of fact, conclusions of law, and a consent order, for presentation to and consideration by the Board. Such settlement agreement shall be presented to and approved by the licensee before they are presented to the Board for consideration and approval.

(e) If the probable cause committee and the licensee are not able to settle the matter under investigation by informal means, the licensee may request a contested case hearing pursuant to Rule .0502 of this Section or the Board may give notice of a disciplinary or contested case hearing, if required.

(f) If probable cause is found, but it is determined that a disciplinary hearing is not warranted, the committee may recommend that the Board may place the licensee on probation, issue a warning or issue a reprimand to the licensee. The committee shall mail a copy of its recommendation to the licensee.

(g) Within 20 days after receipt of the recommendation, the licensee may refuse the probation, warning, or reprimand and request a contested case hearing pursuant to this Section. Such refusal and request shall be filed with the Board. The legal counsel for the Board shall thereafter prepare, file, and serve a Notice of Hearing. In the alternative, the licensee may request an informal meeting with the Board pursuant to the provisions of 21 NCAC 48G .0404.

(h) In the alternative, within 20 days after receipt of the recommendation, the licensee may request an informal meeting with the Board to discuss the basis of the committee's recommendation and present reasons why the Board should not follow the committee's recommendation. There shall be no sworn testimony presented, nor shall there be a formal record of the proceedings.

(i) If the licensee does not request a contested case hearing or an informal meeting with the Board, the Board shall determine whether to accept the committee's recommendation and issue the reprimand. A letter of caution is not considered disciplinary action against a licensee.

(j) Participation by a current Board member in the investigation of a complaint shall disqualify that Board member from participating in the decision making process of a contested case hearing.

(k) Subsequent to the issuance of a notice of hearing, the attorney prosecuting the contested case for the Board may not communicate, directly or indirectly, in connection with any issue of fact or question of law, with any party, including the members of the Board assigned to make a decision or to make findings of fact and conclusions of law in the contested case, except on notice and opportunity for all parties to participate. However, the attorney prosecuting the matter for the Board may continue to communicate concerning such contested case with the members of the probable cause committee who investigated such matter, with persons not parties to the contested case who may be called as witnesses, including the person who filed the complaint and with the Board members about other matters.

Authority G.S. 90-270.26; 150B-38; 150B-39; 150B-40.

21 NCAC 48G .0512 SUBPOENAS

(a) Requests for subpoenas for the attendance and testimony of witnesses or for the production of documents, either at a hearing or for the purposes of discovery, shall be made in writing to the Board, shall identify any document sought with specificity, and shall include the full name and home or business address of all persons to be subpoenaed and, if known, the date, time, and place for responding to the subpoena. The Chairman or the Secretary, Executive Director of the Board shall issue the requested subpoenas within three days of receipt of the request.

(b) Subpoenas shall contain: the caption of the case; the name and address of the person subpoenaed; the date, hour and location of the hearing in which the witness is commanded to appear; a particularized description of the books, papers, records or objects the witness is directed to bring to the hearing, if any; the identity of the party on whose application the subpoena was issued; the date of issue; the signature of the presiding officer or his designee; and a "return of service". The "return of service" form, as filled out, shows the name and capacity of the person serving the subpoena, the date on which the subpoena was delivered to the person directed to make service, the date on which service was made, the person on whom service was made, the manner in which service was made, and the signature of the person making service.

(c) Subpoenas shall be served as provided by the Rules of Civil Procedure, G.S. 1A-1. The cost of service, fees, and expenses of any witnesses or any documents subpoenaed shall be paid by the party requesting the subpoena. The subpoena shall be issued in duplicate, with a "return of service" form attached to each copy.
A person serving the subpoena shall fill out the "return of service" form for each copy and properly return one copy to the Board with the attached "return of service" form completed.

d) Any person receiving a subpoena from the Board may object thereto by filing a written objection to the subpoena with the Board's office. Such objection shall include a concise, but complete, statement of reasons why the subpoena should be quashed or modified. These reasons may include lack of relevancy of the evidence sought, or any other reason sufficient in law for holding the subpoena invalid, such as that the evidence is privileged, that appearance or production would be so disruptive as to be unreasonable in light of the significance of the evidence sought, or other undue hardship.

e) Any objection to a subpoena must be served on the party who requested the subpoena simultaneously with the filing of the objection with the Board.

f) The party who requested the subpoena may file a written response to the objection within such time period allowed by the Board. The written response shall be filed with the Board and served by the requesting party on the objecting witness.

g) After receipt of the objection and response thereto, if any, the Board shall issue a notice to the party who requested the subpoena and the party challenging the subpoena, and may notify any other party or parties of an open hearing before the presiding officer, to be scheduled as soon as practicable. At the hearing, evidence and testimony may be presented, limited to the narrow questions raised by the objection and response.

(h) Promptly after the close of such hearing, the presiding officer will rule on the challenge and issue a written decision. A copy of the decision will be issued to all parties and made a part of the record.

Authority G.S. 90-270.26; 150B-39; 150B-40.

21 NCAC 48G .0517 MODIFICATION OF DECISION

(a) A person who has been disciplined by the Board may apply to the Board for modification of the discipline at any time after the effective date of the Board's decision imposing it; however, if any previous application has been made with respect to the same discipline, no additional application shall be considered before the lapse of one year following the Board's decision on that previous application. Provided, however, that an application to modify permanent revocation shall not be considered until after two years from the date of the original discipline, nor more often than two years after the Board's last decision on any prior application for modification.

(b) The application for modification of discipline shall be in writing, shall set out and, as appropriate, shall demonstrate good cause for the relief sought.

c) "Good cause" as used in Paragraph (b) of this Rule means that the applicant is completely rehabilitated with respect to the conduct which was the basis of the discipline. Evidence demonstrating such rehabilitation shall include evidence:

(1) that such person has not engaged in any conduct during the discipline period which, if that person had been licensed during such period, would have constituted the basis for discipline by the Board; and

(2) that, with respect to any criminal conviction which constituted any part of the previous discipline, the person has completed the sentence imposed.

(d) In determining good cause, the Board may consider all the applicant's activities since the disciplinary penalty was imposed, the offense for which the applicant was disciplined, the applicant's activities during the time the applicant was in good standing with the Board, the applicant's rehabilitative efforts, restitution to damaged parties in the matter for which the penalty was imposed, and the applicant's general reputation for truth and professional probity.

(e) No application for modification of discipline shall be considered while the applicant is serving a sentence for any criminal offense. Serving a sentence includes incarceration, probation (supervised or unsupervised), parole, or suspended sentence, any of which are imposed as a result of having been convicted or plead to a criminal charge.

(f) An application shall ordinarily be ruled upon by the Board on the basis of the evidence submitted in support thereof. However, the Board may make additional inquiries of any person or persons, or request additional evidence if it deems appropriate.

Authority: G.S. 90-270.26; 150B-42.

SECTION .0600 – DISCIPLINARY ACTION

21 NCAC 48G .0601 PROHIBITED ACTIONS

(a) Behaviors and activities which may result in disciplinary action by the Board pursuant to G.S. 90-270.36(1), (6), (7), (8) and (9) and G.S. 90-270.35(4) include, but are not limited to, the following:

(1) recording false or misleading data, measurements or notes regarding a patient;

(2) delegating responsibilities to a person when the licensee delegating knows or has reason to know that the competency of that person is impaired by physical or psychological ailments, or by alcohol or other pharmacological agents, prescribed or not;

(3) practicing or offering to practice beyond the scope permitted by law;

(4) accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform;

(5) performing, without adequate supervision, professional services which the licensee is authorized to perform only under the supervision of a licensed professional, except in an emergency situation where a person's life or health is in danger;

(6) harassing, abusing, or intimidating a patient either physically or verbally;

(7) failure to exercise supervision over persons who are authorized to practice only under the supervision of the licensed professional;
(8) exercising undue influence on the patient, with respect to recommending unnecessary treatment, supplies, or equipment; promoting an unnecessary device, treatment intervention or service for the financial gain of the practitioner or of a third party;

(9) directly or indirectly offering, giving, soliciting, or receiving or agreeing to receive, any fee or other consideration to or from a third party for the referral of a client;

(10) failure to file a report, filing a false report or failure to respond to an inquiry within 30 days, required by law or by the Board, or impeding or obstructing such filing or inducing another person to do so;

(11) revealing identifiable data, or information obtained in a professional capacity, without prior consent of the patient, except as authorized or required by law;

(12) guaranteeing that a patient will benefit from the performance of professional services;

(13) altering a license or renewal card by changing any other information appearing thereon;

(14) using a license or renewal card which has been altered;

(15) permitting or allowing another person to use his or her license or renewal card for the practice of physical therapy;

(16) delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such a person is not qualified by training, by experience, or by licensure to perform such responsibilities;

(17) violating any term of probation, condition, or limitation imposed on the licensee by the Board;

(18) kissing, fondling, touching or engaging in any activities, advances, or comments of a sexual nature with any person with whom the licensee interacts in practicing physical therapy;

(19) billing or charging for services or treatment not performed;

(20) making treatment recommendations or basing a patient's continued treatment on the extent of third party benefits instead of the patient's condition;

(21) willfully or intentionally communicating false or misleading information regarding a patient;

(22) harassing, abusing, or intimidating any person, either physically or verbally, in the presence of a patient;

(23) using a form of a license or renewal card that was not issued by the Board or is not current;

(24) failing to record patient data within a reasonable period of time following evaluation, assessment or intervention;

(25) failing to pay the costs of investigation or otherwise to comply with an order of discipline; and

(26) failing to maintain legible patient records that contain an evaluation of objective findings, a diagnosis, a plan of care including desired outcomes, the treatment record, a discharge plan including the results of the intervention, and sufficient information to identify the patient and the printed name and title of each person making an entry in the patient record.

(b) When a person licensed to practice physical therapy is also licensed in another jurisdiction and that other jurisdiction takes disciplinary action against the licensee, the North Carolina Board of Physical Therapy Examiners may summarily impose the same or lesser disciplinary action upon receipt of the other jurisdiction's actions. The licensee may request a hearing. At the hearing the issues shall be limited to:

(1) whether the person against whom action was taken by the other jurisdiction and the North Carolina licensee are the same person;

(2) whether the conduct found by the other jurisdiction also violates the North Carolina Physical Therapy Act; and

(3) whether the sanction imposed by the other jurisdiction is lawful under North Carolina law.

(c) In accordance with G.S. 150B-3(c) a license may be summarily suspended if the public health, safety, or welfare requires emergency action. This determination is delegated to the Chairman or Executive Director of the Board pursuant to G.S. 90-270.26(8). Such a finding shall be incorporated with the order of the Board of Physical Therapy Examiners and the order shall be effective on the date specified in the order or on service of the certified copy of the order at the last known address of the licensee, whichever is later, and continues to be effective during the proceedings. Failure to receive the order because of refusal of service or unknown address does not invalidate the order. Proceedings shall be commenced promptly.

(d) When the Board receives a notice from a Clerk of Superior Court that the license of a physical therapist or a physical therapist assistant has been forfeited pursuant to G.S. 15A-1331A, the licensee shall be required to surrender the license to the Board immediately and not to engage in the practice of physical therapy during the period of forfeiture. Forfeiture under this section shall not limit in any way the Board's authority to take further disciplinary action against the licensee in accordance with the Board's rules.

Authority G.S. 15A-1331A; 90-270.24; 90-270.26; 90-270.35(4); 90-270.36; 150B-3.

21 NCAC 48G .0602 SANCTIONS: REAPPLICATION
(a) The Board may, upon proof of a violation of G.S. 90-270.36 or these Rules, impose any of the following sanctions in its discretion:

(1) issue a reprimand, which is not disciplinary action;

(2) issue a warning to a licensee;
(3) place a licensee on probation;
(4) end a license, the duration of which shall be determined by the Board;
(5) revoke any license;
(6) refuse to issue or renew a license;
(7) accept a voluntary surrender of a license; and
(8) charge the reasonable costs of investigation and hearing to a licensee who is disciplined.

(b) In addition to the sanctions specified in Subparagraphs (a)(2), (3) and (4) of this Rule, the Board may also impose restrictions and/or conditions on a license as to scope of practice, place of practice, supervision of practice, duration of licensed status, or type or condition of patient or client served, including requiring a licensee to submit regular reports to the Board on matters related to the restricted license.

(c) A person whose license has been revoked or who surrenders a license:
(1) shall not be permitted to reapply for a license for a period of two years from the date of revocation or surrender;
(2) must submit as part of the reapplication process all materials requested by the Board related to the revocation or surrender and may be required to meet with the Board; and
(3) may have the restrictions specified in Paragraph (b) of this Rule imposed in conjunction with the issuance of a license.

Authority G.S. 90-270.26.
This Section includes temporary rules reviewed by the Codifier of Rules and entered in the North Carolina Administrative Code and includes, from time to time, a listing of temporary rules that have expired. See G.S. 150B-21.1 and 26 NCAC 02C .0500 for adoption and filing requirements. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.

TITeLE 15A – DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Rule-making Agency: NC Marine Fisheries Commission

Rule Citation: 15A NCAC 03O .0101

Effective Date: April 1, 2001

Findings Reviewed and Approved by: Beecher R. Gray

Authority for the rulemaking: G.S. 113-134; 143B-289.52

Reason for Proposed Action: The Fisheries Reform Act of 1997 and its amendments (House Bill 1448) required a complete review of the Marine Fisheries Laws. Section 6.10 authorizes the Marine Fisheries Commission to adopt temporary rules until all rules necessary to implement the provisions of this act have become effective. Additional rules on renewal of licenses are necessary. These additional procedures could not be determined until licenses had been issued and renewed and procedural changes identified.

Comment Procedures: Written comments are encouraged and may be submitted to the MFC, Juanita Gaskill, PO Box 769, Morehead City, NC 28557.

CHAPTER 03 – MARINE FISHERIES

SUBCHAPTER 03O – LICENSES, LEASES AND FRANCHISES

SECTION .0100 – LICENSES

15A NCAC 03O .0101 PROCEDURE AND REQUIREMENTS TO OBTAIN LICENSES, ENDORSEMENTS AND COMMERCIAL FISHING VESSEL REGISTRATIONS

(a) To obtain any Marine Fisheries licenses, endorsements, commercial fishing vessel registrations except Recreational Fishing Tournament Licenses to Sell Fish and Land or Sell Licenses, the following information is required for a proper application by the licensee, a responsible party or person holding a power of attorney:

(1) Full name, physical address, mailing address, date of birth, and signature of the licensee on the application. If the licensee is not appearing before a license agent or a representative of the Division, the licensee’s signature on the application must be notarized;

(b) To obtain a License to Land Flounder from the Atlantic Ocean:

(1) To qualify for a License to Land Flounder from the Atlantic Ocean, the applicant shall:

(A) have landed in North Carolina at least 1,000 pounds of flounder from a single vessel each year from the
Atlantic Ocean during any two of the
years for which the person had a
vessel that was licensed to land in
North Carolina; and
(B) have been licensed under G.S. 113-
152 or 113-153 during any two of the
1992-93, 1993-94, or 1994-95
license years; and
(C) hold a valid Standard or Retired
Standard Commercial Fishing
License or valid Land or Sell License.

(2) It is lawful for a person to hold Licenses to
Land Flounder from the Atlantic Ocean equal
to the number of vessels that he owns that
individually met the eligibility requirements of
Parts (b)(1)(A) and (b)(1)(B) of this Rule.

(3) The License to Land Flounder from the
Atlantic Ocean is only valid when used on the
vessel specified at the time of license issuance.

(4) At the time of issuance, the applicant for the
License to Land Flounder from the Atlantic
Ocean shall specify the name of the master of
the vessel for each License to Land Flounder
from the Atlantic Ocean issued.

(5) Applicants for a License to Land Flounder
from the Atlantic Ocean shall complete an
application form provided by the Division of
Marine Fisheries and submit it to the
Morehead City Office of the Division of
Marine Fisheries for processing.

(6) It is unlawful for the holder of the License to
Land Flounder from the Atlantic Ocean to fail
to notify the Morehead Office of the Division of
Marine Fisheries within five days of change
as to the master identified on the license.

(7) Licenses to Land Flounder from the Atlantic
Ocean are issued for the current license year
and expire on June 30.

(c) To obtain a Recreational Fishing Tournament License to Sell
Fish, the following information is required for a proper application:

(1) Full name, physical address, mailing address,
date of birth, name of the tournament
organizer, name of tournament, and dates of
tournament on the license application. If the
licensee is not appearing before a
representative of the Division, the licensee's
signature must be notarized on the application.

(2) Current picture identification of tournament
organizer; acceptable forms of picture
identification are driver's license, state
identification card, military identification card,
or passport, or if purchased by mail, a copy
thereof.

(3) The tournament organizer must apply with the
Division of Marine Fisheries at least 30 days
prior to the starting date of the tournament.

(d) To obtain a Land or Sell License, the following information
is required for a proper application:

(1) Full name, physical address, mailing address,
date of birth, and signature of the responsible
party or master for the vessel on the license
application. If the licensee is not appearing
before a representative of the Division, the
licensee's signature on the application must be
notarized on the application;

(2) Current picture identification of responsible
party or master; acceptable forms of picture
identification are driver's license, state
identification card, military identification card,
or passport or if applying by mail, a copy
thereof;

(3) Valid documentation papers or current motor
boat registration or copy thereof when
purchasing a commercial fishing vessel
registration. If an application for transfer of
documentation is pending, a copy of the
pending application and a notarized bill of sale
may be submitted.

Fees will be based on the vessel's homeport as it appears on the
U.S. Coast Guard documentation papers or the State in which
the vessel is registered.

(e) Proof of residency in North Carolina for:

(1) Standard Commercial Fishing License or
Retired Standard Commercial Fishing License
shall be:

(A) a notarized certification from the
applicant that the applicant is a
resident of the State of North
Carolina as defined by G.S. 113-
130(4); and

(B) a notarized certification from the
applicant that a North Carolina State
Income Tax Return was filed for the
previous calendar or tax year as a
North Carolina resident; or

(C) a notarized certification that the
applicant was not required to file a
North Carolina State Income Tax
Return for the previous calendar or
tax year; or

(D) military identification, military
dependent identification and
permanent change of station orders or
assignment orders substantiating
individual's active duty assignment at
a military facility in North Carolina.

(2) All other types of licenses:

(A) North Carolina voter registration
card; or

(B) Current North Carolina Driver's
License; or

(C) Current North Carolina Certificate of
Domicile; or
(D) Current North Carolina Identification Card issued by the North Carolina Division of Motor Vehicles; or

(E) Military identification, military dependent identification and permanent change of station orders or assignment orders substantiating individual’s active duty assignment at a military facility in North Carolina.

(f) Applications submitted without complete and required information will be deemed incomplete and will not be considered further until resubmitted with all required information.

(g) It is unlawful for a license or registration holder to fail to notify the Division of Marine Fisheries within 30 days of a change of address.

Licenses are available at Offices of the Division or by mail from the Morehead City Office, unless otherwise specified. In addition, Recreational Commercial Gear Licenses are available at Wildlife Service Agents who have been designated as agents of the Department.

(h) To renew any Marine Fisheries licenses, endorsements, and commercial fishing vessel registration, except Recreational Commercial Gear Licenses, the following is required for a proper renewal application by the licensee, a responsible party or person holding a power of attorney:

1. For renewal of a license, endorsement and commercial fishing vessel registration, the information required in Subparagraphs (a)(4), (a)(5), and (a)(6) of this Rule are only required if a change has occurred since the last issuance of license, endorsement or commercial fishing vessel registration;

2. For renewal of a license, endorsement and commercial fishing vessel registration, certification that articles of incorporation and list of corporate officers, if incorporated, written partnership agreement, if written partnership, and/or documentation papers or motor boat registration previously provided for initial license purchase is still valid and current for renewal;

3. Current and valid state driver's license or state identification picture identification numbers and expiration dates must be verified on mail license renewal applications or any other electronic license renewal process, otherwise the licensee must provide a photocopy for renewal by mail or visit a Division License Office and present a current and valid picture identification pursuant to Subparagraph (a)(2) of this Rule;

4. The Division of Marine Fisheries may request current copies of documentation for licenses, endorsements, commercial fishing vessel registration on renewal when necessary to verify inconsistent information or the information cannot be verified by independent sources; and

5. If the linear length of the pier has not changed for the Ocean Fishing Pier License renewal, the responsible party will certify that the length is accurate; otherwise, a Marine Patrol Officer's signature is required to certify the linear length before the license can be renewed.

History Note: Authority G.S. 113-134; 113-168; 113-168.1; 113-168.2; 113-168.3; 113-168.4; 113-168.5; 113-168.6; 113-169; 113-169.2; 113-169.3; 113-169.4; 113-169.5; 113-171.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. July 1, 1997; March 1, 1994;
Temporary Amendment Eff. July 1,1999;
Amended Eff. August 1, 2000;
This Section contains the agenda for the next meeting of the Rules Review Commission on Wednesday, April 19, 2001, 10:00 a.m. at 1307 Glenwood Avenue, Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Tuesday, April 13, 2001 at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate
Paul Powell - Chairman
Robert Saunders
Laura Devan
Jim Funderburke
David Twiddy

Appointed by House
John Arrowood - 1st Vice Chairman
Jennie J. Hayman 2nd Vice Chairman
Walter Futch
Jeffrey P. Gray
George Robinson

RULES REVIEW COMMISSION MEETING DATES

April 19, 2001
May 17, 2001
June 14, 2001
July 19, 20001
August 16, 2001

RULES REVIEW COMMISSION
February 28, 2001
MINUTES


Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Lisa Johnson.

The following people attended:

George Hurst Attorney General’s Office
Juanita Gaskill Marine Fisheries Division
Belinda Loftin Marine Fisheries Division
Gordie Blevins Forsyth Tech.
Sally Hetslar Forsyth Tech.
Wayne Woodard Private Protective Services
Charles McDarris Private Protective Services
Ellie Sprengel Department of Insurance
Charles Wilkins NC Board of Massage & Bodywork Therapy
Rick Rogen NC Board of Massage & Bodywork Therapy
Candace Frye NC Board of Massage & Bodywork Therapy
Nat Wilson NCDWR
Karen Long Department of Justice
Star Mitchell Sandhills Community College
Cindy Herndon Sandhills Community College
Ken Nash Department of Health & Human Services
Sharon Thompson Wake Tech
Emily Lee NC Department of Transportation
Billy Blackmon Information Technology Services
The meeting was called to order at 10:12 a.m. with Chairman Powell presiding. Chairman Powell introduced new Commissioner Jeffrey Gray and welcomed him to the Rules Review Commission. Commissioner Gray was reminded that he needed to file a copy of his oath with the Rules Review Commission. He also asked for any discussion, comments, or corrections concerning the minutes of the December 21, 2000, meeting. The minutes were approved as written.

FOLLOW-UP MATTERS

2 NCAC 34 .0502: Department of Agriculture Structural Pest Control Committee – No action was taken by the Commission.

2 NCAC 52B .0201: Department of Agriculture – The rewritten rule submitted by the agency was approved by the Commission.

7 NCAC 4S .0104: Department of Cultural Resources – No action was taken.

17 NCAC 7B .1303: Department of Revenue – There has been no response from the agency and no action was taken.

21 NCAC 30 .0602: State Board of Massage & Bodywork Therapy – The rewritten rule submitted by the agency was approved by the Commission.

21 NCAC 30 .0605, .0606: State Board of Massage & Bodywork Therapy – The Commission voted to rescind the approval from the December meeting and return the rules to the agency for failure to comply with the Administrative Procedures Act.

25 NCAC 1E .1605; .1606; .1607: State Personnel Commission – The rewritten rules submitted by the agency were approved by the Commission.

25 NCAC 11 .2310: State Personnel Commission – The rules were withdrawn by the agency, no action necessary.

LOG OF FILINGS

Chairman Powell presided over the review of the two logs and all rules were approved with the following exceptions:

15A NCAC 2E .0502: Environmental Management Commission - The Commission objected to the rule due to lack of statutory authority and ambiguity. The provision in (a) exempting surface water use from the permit requirements is not consistent with G.S. 143-215.15(a) which requires a permit to withdraw, obtain, or utilize surface waters or ground waters or both in areas declared by the Commission to be capacity use areas. In (c) (1) (D), it is not clear what is meant by long term declines in aquifer water levels. In (d)(4)(E), it is not clear who is an appropriate engineer or geologist. Also, there does not appear to be authority for requiring these licensees to certify the plans and analyses. There is no authority for the Commission to set occupational qualifications for persons certifying plans and analyses. In (p), it is not clear what is meant by “appropriate efforts” and “adequate water sources”.

15A NCAC 3J .0107: Marine Fisheries Commission - The Commission objected to the rule due to ambiguity. In (d), it is not clear when the 60 day time period for contesting a denial begins to run if the applicant does not receive written notice that his application is denied. In paragraph (h), the agency was requested to move the sentence beginning on line 5 to line 13.

15A NCAC 3O .0501: Marine Fisheries Commission - The Commission objected to the rule due to lack of statutory authority. There is no authority cited to allow the Division to arbitrarily set expiration dates simply by printing an expiration date on a permit with no other standards as paragraph (j) does. The agency was also requested to properly distinguish between “applicant” and “permittee”.

19A NCAC 2D .0601: Department of Transportation - The Commission objected to the rule due to lack of statutory authority and ambiguity. In the last sentence in (b), it is not clear what standards the Department will use in determining if a surety bond will be
required. In addition, there is no authority to require a surety bond in this situation. Insurance would cover this type of damage, not a 
surety bond. The agency was also requested to clarify in (a)(1) that this must be a law enforcement officer with jurisdiction. This 
objection applies to existing language in the rule.

19A NCAC 2D .0602: Department of Transportation – This rule was withdrawn by agency.

19A NCAC 2D .0607: Department of Transportation - The Commission objected to the rule due to lack of statutory authority and 
ambiguity. In (a), it is not clear what design and color of the reflective extenders have been approved by the Department of 
Transportation. The second paragraph in (a) contains a waiver provision without the specific guidelines required by G.S. 150B -19(6). 
In (b) (1) and (2), the list presumably gives maximum weights, yet a number of them have a weight range. It is not clear what the 
maximum would be for those. In (c) (1), contains a waiver provision without specific guidelines. In (e), it is not clear what 
constitutes a “properly marked overhang.” In (k), there does not appear to be any authority cited for creating a certification program 
for escort drivers and requiring such certification. This objection applies to existing language in the rule.

The meeting was adjourned at 11:35 a.m. for a short break.

The meeting reconvened at 11:45 a.m.

Log 173

11 NCAC 08 .1305: Home Inspector Licensure Board – The rule was approved conditioned upon receiving a technical change by the 
end of the day. That technical change was subsequently received.

11 NCAC 08 .1329: Home Inspector Licensure Board – The rule was approved conditioned upon receiving a technical change by the 
end of the day. The technical change was subsequently received.

11 NCAC 8 .1337: Home Inspector Licensure Board – The Commission objected to the rule due to ambiguity. In (b), it is not clear 
what is meant by “improper conduct.”

11 NCAC 08 .1346: Home Inspector Licensure Board – The rule was approved conditioned upon receiving a technical change by the 
end of the day. That technical change was subsequently received.

Commissioner Gray recused himself at the beginning of discussion of the rules from the NC Private Protective Services Board and the 
NC Alarm Systems Licensing Board from any discussion, comment, or voting on those rules. Charles McDarris, a partner in 
Commissioner Gray’s law firm, represents both those agencies.

12 NCAC 7D .0104: NC Private Protective Services Board - The Commission returned the rule due to failure to comply with the 
Administrative Procedures Act.

12 NCAC 11 .0103: Alarm Systems Licensing Board - The Commission returned the rule due to failure to comply with the 
Administrative Procedures Act.

12 NCAC 11 .0502: Alarm Systems Licensing Board The Commission objected to the rule due to ambiguity. The rule specifies that 
continuing education courses used to satisfy another licensing Board’s educational requirements shall not be used to also satisfy this 
Board’s requirements. The attorney for the Board indicated that it was the Board’s intention to allow licensees to use any course that 
had been approved by the Board, regardless of whether it also met another agency’s continuing education requirements. The language 
of the rule contradicts the intent of the rule and thus the rule is unclear.

15A NCAC 7J .0404: Coastal Resources Commission - The Commission objected to the rule due to ambiguity. In (b)(5), it is unclear 
what is meant by “…normal construction practices….”

COMMISSION PROCEDURES AND OTHER BUSINESS

Mr. DeLuca repeated to the Commission that there would be no meeting in March since two logs were reviewed at this meeting. 
Since so few rules were filed the meeting was combined so that expenses would be kept at a minimum. Mr. DeLuca reminded the 
Commissioners to consider electronic method of payment for reimbursement of their travel and subsistence.

There is no new information to report as to the status of the Pharmacy Board lawsuit. Mr. Carmichael indicated to Mr. DeLuca in a 
social conversation that it was on a final trial calendar and the chief resident superior court judge would be informed of the status. No
answer has been filed or is even due until Judge Osmond Smith gives his order on the previously heard motions. Mr. DeLuca also discussed publishing the Rules Review Commission’s rules in the NCAC. Commissioner Gray felt that all of the Rules Review Commission’s policies and procedures should be in rule form.

The next meeting will be on Thursday, April 19, 2001.

The meeting adjourned at 1:10 p.m.

Respectfully submitted,
Lisa Johnson

---

**AGENDA**  
**RULES REVIEW COMMISSION**  
**April 19, 2001**

1. Call to Order and Opening Remarks

2. Review of minutes of last meeting

3. Follow Up Matters
   
   A. Department of Agriculture Structural Pest Control Committee– 2 NCAC 34 .0502: Objection on 12/21/00 (DeLuca)  
   B. Department of Cultural Resources – 7 NCAC 4S .0104 Objection on 12/21/00 (DeLuca)  
   C. Home Inspector Licensure Board - 11 NCAC 08 .1337: Objection on 02/28/01 (Bryan)  
   D. NC Private Protective Services Board – 12 NCAC 11 .0502: Objection on 02/28/01 (DeLuca)  
   E. DENR/Environmental Management Commission – 15A NCAC 2E .0502: Objection on 02/28/01 (Bryan)  
   F. Marine Fisheries Commission – 15A NCAC 3J .0107: Objection on 02/28/01 (Bryan)  
   G. Marine Fisheries Commission – 15A NCAC 3O .0501: Objection on 02/28/01 (Bryan)  
   H. Coastal Resources Commission – 15A NCAC 7J .0404: Objection on 02/28/01 (DeLuca)  
   I. Department of Revenue – 17 NCAC 7B .1303: Extend Period of Review on 12/21/00 (DeLuca)  
   J. Department of Transportation – 19A NCAC 2D .0601; .0607: Objection on 02/28/01 (Bryan)

4. Review of rules (Log Report #174)

5. Commission Business

6. Next meeting: Thursday, May 17, 2001
This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina’s Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: http://www.ncoah.com/hearings.

**OFFICE OF ADMINISTRATIVE HEARINGS**

**Chief Administrative Law Judge**

JULIAN MANN, III

**Senior Administrative Law Judge**

FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Sammie Chess Jr.
Beecher R. Gray
Melissa Owens Lassiter
James L. Conner, II
Beryl E. Wade
A.B. (Butch) Elkins

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>CASE NUMBER</th>
<th>ALJ</th>
<th>DATE OF DECISION</th>
<th>PUBLISHED DECISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALCOHOL BEVERAGE CONTROL COMMISSION</td>
<td>99 ABC 0366</td>
<td>Mann</td>
<td>05/30/00</td>
<td>15:03 NCR 340</td>
</tr>
<tr>
<td></td>
<td>99 ABC 1541</td>
<td>Morrison</td>
<td>06/15/00</td>
<td>15:08 NCR 879</td>
</tr>
<tr>
<td></td>
<td>99 ABC 1641</td>
<td>Conner</td>
<td>08/31/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>99 ABC 1746</td>
<td>Lassiter</td>
<td>05/01/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 ABC 0302</td>
<td>Gray</td>
<td>08/21/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 ABC 0326</td>
<td>Lassiter</td>
<td>10/20/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 ABC 0598</td>
<td>Wade</td>
<td>08/23/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 ABC 0619</td>
<td>Mann</td>
<td>08/08/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 ABC 0965</td>
<td>Mann</td>
<td>02/05/01</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 ABC 1026</td>
<td>Gray</td>
<td>12/19/00</td>
<td>15:14 NCR 1390</td>
</tr>
<tr>
<td>BOARD OF MORTUARY SCIENCE</td>
<td>99 BMS 1180</td>
<td>Lassiter</td>
<td>11/27/00</td>
<td></td>
</tr>
<tr>
<td>CRIME CONTROL AND PUBLIC SAFETY</td>
<td>00 BMS 0564</td>
<td>Wade</td>
<td>10/13/00</td>
<td></td>
</tr>
<tr>
<td>HEALTH AND HUMAN SERVICES</td>
<td>98 CRA 1054</td>
<td>Lassiter</td>
<td>06/20/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 CRA 0278</td>
<td>Wade</td>
<td>06/30/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 CRA 0648</td>
<td>Wade</td>
<td>08/23/00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 CRA 1759</td>
<td>Gray</td>
<td>01/16/01</td>
<td></td>
</tr>
<tr>
<td></td>
<td>00 CRA 1769</td>
<td>Conner</td>
<td>02/14/01</td>
<td></td>
</tr>
</tbody>
</table>

**Child Support Enforcement Section**

Steven M. Helms v. Department of Health & Human Services
98 CSE 1634
Gray
07/13/00

David R. North v. Department of Health & Human Services
99 CSE 0408
Ches
10/25/00

Michael A. Cameron v. Department of Health & Human Services
99 CSE 0424
Mann
09/25/00

15:18
NORTH CAROLINA REGISTER
March 15, 2001
Charles Jr. Lotharp v. Department of Health & Human Services 99 CSE 0026 Lasstier 02/09/01
Marcus James Ward v. Department of Health & Human Services 99 CSE 0784 Wade 09/29/00
Omer D. & Marina A. Potter v. Department of Health & Human Services 99 CSE 0798 Chess 10/25/00
Anthony R. McRae Sr. v. Department of Health & Human Services 99 CSE 0812 Morrison 12/20/00
Richard Cook v. Department of Health & Human Services 99 CSE 0873 Chess 10/27/00
Richard Cook v. Department of Health & Human Services 99 CSE 1244 Mann 08/16/00
John Ray McCarroll v. Department of Health & Human Services 99 CSE 1272 Lasstier 08/16/00
Loany Centeno v. Department of Health & Human Services 99 CSE 1325 Chess 06/29/00
Craig D. McLeod v. Department of Health & Human Services 99 CSE 1369 Lasstier 08/29/00
Jermaine L. Covington v. Department of Health & Human Services 99 CSE 1408 Lasstier 11/01/00
Joseph E. Toothman v. Department of Health & Human Services 99 CSE 1428 Gray 09/27/00
Kenneth W. Freeman, Jr. v. Department of Health & Human Services 99 CSE 1455 Wade 10/31/00
Darryl Glenn Cannady v. Department of Health & Human Services 99 CSE 1457 Gray 07/27/00
Michael A. Whitlow v. Department of Health & Human Services 99 CSE 1482 Gray 07/11/00
Susan Marie Grier v. Department of Health & Human Services 99 CSE 1484 Mann 06/02/00
David R. McDonal v. Department of Health & Human Services 99 CSE 1486 Lasstier 10/03/00
Larry N. McLan v. Department of Health & Human Services 99 CSE 1488 Lasstier 08/16/00
Randy Gillespie v. Department of Health & Human Services 99 CSE 1491 Gray 08/22/00
Tony R. Wood v. Department of Health & Human Services 99 CSE 1501 Gray 01/12/01
Samuel E. Massenberg, Jr. v. Department of Health & Human Services 99 CSE 1513 Morrison 09/27/00
Nina Maer v. Department of Health & Human Services 99 CSE 1541 Gray 07/28/00
Edward J. Lucero v. Department of Health & Human Services 99 CSE 1542 Mann 10/31/00
Ronald E. Davis, Jr. v. Department of Health & Human Services 99 CSE 1554 Gray 07/28/00
Almiron J. Deis v. Department of Health & Human Services 99 CSE 1589 Mann 10/31/00
Kenneth Jones v. Department of Health & Human Services 99 CSE 1590 Gray 08/22/00
Anthony C. Lambert v. Department of Health & Human Services 99 CSE 1699 Gray 06/05/00
Richard Cook v. Department of Health & Human Services 00 CSE 0053 Chess 01/10/00
Wendy Gosnel v. Department of Health & Human Services 00 CSE 0073 Mann 06/14/00
Matthew Gibson v. Department of Health & Human Services 00 CSE 0076 Mann 10/31/00
Dwight Dion Hallman v. Department of Health & Human Services 00 CSE 0098 Mann 06/14/00
Davis, Donald George v. Department of Health & Human Services 00 CSE 0107 Wade 06/08/00
Davis, Donald George v. Department of Health & Human Services 00 CSE 0108 Wade 06/08/00
Thomas Jackson v. Department of Health & Human Services 00 CSE 0165 Chess 07/27/00
Albertus Shav III v. Department of Health & Human Services 00 CSE 0176 Gray 06/05/00
Linwood Morris v. Department of Health & Human Services 00 CSE 0178 Mann 06/14/00
John H. Jones v. Department of Health & Human Services 00 CSE 0181 Morrison 08/25/00
Eddie J. Sykes v. Department of Health & Human Services 00 CSE 0192 Lasstier 06/13/00
Andrew S. McKenzie v. Department of Health & Human Services 00 CSE 0193 Wade 06/08/00
Darryl K. Anderson v. Department of Health & Human Services 00 CSE 0200 Gray 06/09/00
John V. Wiber, Jr. v. Department of Health & Human Services 00 CSE 0211 Mann 06/23/00
William Jerry Gibbs v. Department of Health & Human Services 00 CSE 0213 Gray 06/22/00
Gregory L. Pinetk v. Department of Health & Human Services 00 CSE 0214 Wade 10/31/00
Joseph D. Turnage v. Department of Health & Human Services 00 CSE 0220 Morrison 11/16/00
Izell Anthony Twiggs v. Department of Health & Human Services 00 CSE 0226 Gray 06/07/00
Don Fitzgerald Harris v. Department of Health & Human Services 00 CSE 0230 Mann 08/01/00
Benjamin E. Walker v. Department of Health & Human Services 00 CSE 0232 Morrison 07/31/00
Randy Keith Beddard v. Department of Health & Human Services 00 CSE 0236 Lasstier 06/20/00
Delinda Guthrie Montague v. Department of Health & Human Services 00 CSE 0237 Mann 08/01/00
Lavarr Sharpe v. Department of Health & Human Services 00 CSE 0240 Mann 06/26/00
Timothy Holtzclaw v. Department of Health & Human Services 00 CSE 0245 Gray 09/14/00
Melton Tillery v. Department of Health & Human Services 00 CSE 0246 Lasstier 06/20/00
Darla Judith v. Department of Health & Human Services 00 CSE 0254 Chess 08/23/00
Christopher Mark Boyette v. Department of Health & Human Services 00 CSE 0262 Lasstier 11/01/00
Ronald L. Long, Jr. v. Department of Health & Human Services 00 CSE 0265 Mann 08/31/00
David Lee Jones v. Department of Health & Human Services 00 CSE 0269 Conner 09/27/00
Walker Witherspoon v. Department of Health & Human Services 00 CSE 0268 Chess 06/19/00
Frederica LaShon Smith v. Department of Health & Human Services 00 CSE 0279 Wade 06/08/00
John Wayne Chambers v. Department of Health & Human Services 00 CSE 0280 Mann 06/30/00
George Fuller v. Department of Health & Human Services 00 CSE 0283 Morrison 06/28/00
Robert G. Wilson v. Department of Health & Human Services 00 CSE 0285 Lasstier 05/25/00
Gary Frank Ramsey v. Department of Health & Human Services 00 CSE 0292 Mann 06/29/00
Pierce Foster Williams, Jr., v. Department of Health & Human Services 00 CSE 0297 Conner 09/26/00
Shylaton Copeland v. Department of Health & Human Services 00 CSE 0316 Mann 06/26/00
Isaac L. McCoy v. Department of Health & Human Services 00 CSE 0324 Lasstier 06/29/00
Robert Boening v. Department of Health & Human Services 00 CSE 0341 Mann 06/26/00
Joseph Patrick Santana v. Department of Health & Human Services 00 CSE 0344 Morrison 06/07/00
Hilton R. Shaw v. Department of Health & Human Services 00 CSE 0346 Lasstier 07/07/00
Glennie Mae Jones v. Department of Health & Human Services 00 CSE 0349 Mann 10/03/00
Anthony B. Bryant v. Department of Health & Human Services 00 CSE 0351 Wade 07/19/00
Michael Shelton DeBerry v. Department of Health & Human Services 00 CSE 0353 Gray 06/22/00
Leroy L. Allford v. Department of Health & Human Services 00 CSE 0354 Mann 06/26/00
Michael A. Tarach v. Department of Health & Human Services 00 CSE 0357 Morrison 07/26/00
Jeffrey T. Daye v. Department of Health & Human Services 00 CSE 0369 Lasstier 07/07/00
Michael Powell v. Department of Health & Human Services 00 CSE 0389 Conner 07/27/00
Jerry M. Thurmond v. Department of Health & Human Services 00 CSE 0390 Wade 06/30/00
Donald E. Church v. Department of Health & Human Services 00 CSE 0394 Gray 07/11/00
Ricky Barrett v. Department of Health & Human Services 00 CSE 0415 Mann 07/17/00
Kenneth Ray Smith v. Department of Health & Human Services 00 CSE 0416 Morrison 05/31/00
Juan M. Acosta v. Department of Health & Human Services 00 CSE 0417 Lasstier 06/24/00
<table>
<thead>
<tr>
<th>Name</th>
<th>Department of Health &amp; Human Services</th>
<th>Case Number</th>
<th>决定日期</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ronald T. Palmer</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0422</td>
<td>10/31/00</td>
</tr>
<tr>
<td>Stanley Ray Allison</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0425</td>
<td>07/11/00</td>
</tr>
<tr>
<td>James T. Graham</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0426</td>
<td>06/08/00</td>
</tr>
<tr>
<td>Rufus Mitchell Simmons, Jr. v.</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0431</td>
<td>06/27/00</td>
</tr>
<tr>
<td>James Howard Alexander</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0433</td>
<td>06/26/00</td>
</tr>
<tr>
<td>Steve A. Haywood</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0435</td>
<td>07/14/00</td>
</tr>
<tr>
<td>Ronnie N. Morgan</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0446</td>
<td>01/17/01</td>
</tr>
<tr>
<td>Leonard Gabriel</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0450</td>
<td>06/29/00</td>
</tr>
<tr>
<td>Patrick L. Moore</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0463</td>
<td>06/19/00</td>
</tr>
<tr>
<td>Gregory Lee Bell</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0464</td>
<td>06/29/00</td>
</tr>
<tr>
<td>Tamika B. Jenkins</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0466</td>
<td>06/19/00</td>
</tr>
<tr>
<td>William R. Parker</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0467</td>
<td>06/26/00</td>
</tr>
<tr>
<td>Vernon Ledbetter</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0468</td>
<td>06/14/00</td>
</tr>
<tr>
<td>Garry L. Studer</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0471</td>
<td>07/31/00</td>
</tr>
<tr>
<td>Johnnie Green</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0472</td>
<td>08/09/00</td>
</tr>
<tr>
<td>Roger Shuler</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0478</td>
<td>07/25/00</td>
</tr>
<tr>
<td>William A. Toney</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0480</td>
<td>06/19/00</td>
</tr>
<tr>
<td>Larry O. Anthony</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0484</td>
<td>06/26/00</td>
</tr>
<tr>
<td>Johnny Daye</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0485</td>
<td>06/22/00</td>
</tr>
<tr>
<td>Jose A. Seijo</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0491</td>
<td>06/26/00</td>
</tr>
<tr>
<td>Randy Hammonds</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0495</td>
<td>06/20/00</td>
</tr>
<tr>
<td>Shawn F. Moser Sr.</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0511</td>
<td>08/14/00</td>
</tr>
<tr>
<td>Timothy Franklin Clowney</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0512</td>
<td>08/09/00</td>
</tr>
<tr>
<td>Clarence Evans</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0513</td>
<td>07/28/00</td>
</tr>
<tr>
<td>Rynick L. Gullidge</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0545</td>
<td>07/28/00</td>
</tr>
<tr>
<td>Damion Barnes Jr.</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0558</td>
<td>06/26/00</td>
</tr>
<tr>
<td>William A. Bell</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0589</td>
<td>08/21/00</td>
</tr>
<tr>
<td>Robert Lee Thompson</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0592</td>
<td>08/10/00</td>
</tr>
<tr>
<td>William T. Hutto</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0594</td>
<td>09/07/00</td>
</tr>
<tr>
<td>Julian Orlando Fernandez</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0599</td>
<td>08/21/00</td>
</tr>
<tr>
<td>Bryan Keith Wilkerson</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0607</td>
<td>08/03/00</td>
</tr>
<tr>
<td>Rodney A. Hopper</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0613</td>
<td>08/23/00</td>
</tr>
<tr>
<td>Tabitha Angley</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0614</td>
<td>07/27/00</td>
</tr>
<tr>
<td>Douglas M. Coker</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0622</td>
<td>07/11/00</td>
</tr>
<tr>
<td>Mark Christopher Smith</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0627</td>
<td>08/21/00</td>
</tr>
<tr>
<td>Rhonda Styers</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0639</td>
<td>10/30/00</td>
</tr>
<tr>
<td>Terrence L. Holder</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0640</td>
<td>08/18/00</td>
</tr>
<tr>
<td>Anthony L. Reid</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0647</td>
<td>01/16/01</td>
</tr>
<tr>
<td>Mikal M. Mussain</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0651</td>
<td>08/28/00</td>
</tr>
<tr>
<td>Jose D. Rivas</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0658</td>
<td>06/07/00</td>
</tr>
<tr>
<td>Benny G. Bowen</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0666</td>
<td>12/11/00</td>
</tr>
<tr>
<td>Valerie A. Simpson</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0673</td>
<td>07/07/00</td>
</tr>
<tr>
<td>James H. Hopper, Jr.</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0677</td>
<td>12/29/00</td>
</tr>
<tr>
<td>Joseph I. Woodcock</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0684</td>
<td>07/07/00</td>
</tr>
<tr>
<td>Kenneth R. Harker</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0686</td>
<td>09/11/00</td>
</tr>
<tr>
<td>Justine Roberts</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0694</td>
<td>08/28/00</td>
</tr>
<tr>
<td>Dana E. Grice</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0709</td>
<td>09/08/00</td>
</tr>
<tr>
<td>Alfred R. Swain</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0718</td>
<td>06/28/00</td>
</tr>
<tr>
<td>Tyrone K. Anthony</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0741</td>
<td>10/31/00</td>
</tr>
<tr>
<td>James C. Martin, Jr.</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0751</td>
<td>10/30/00</td>
</tr>
<tr>
<td>Wade A. Burgess</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0757</td>
<td>09/02/00</td>
</tr>
<tr>
<td>Donald Daniel Harmon</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0758</td>
<td>09/10/00</td>
</tr>
<tr>
<td>Parnell Douglass Sparks</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0761</td>
<td>06/06/00</td>
</tr>
<tr>
<td>Kevin S. Tate</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0764</td>
<td>09/11/00</td>
</tr>
<tr>
<td>Jeffrey Ottis Hair</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0766</td>
<td>07/17/00</td>
</tr>
<tr>
<td>Ricky A. Phillips</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0777</td>
<td>08/01/00</td>
</tr>
<tr>
<td>Catherine A. Odom</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0792</td>
<td>08/31/00</td>
</tr>
<tr>
<td>George Franklin Anderson</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0793</td>
<td>08/09/00</td>
</tr>
<tr>
<td>Raymond Thomas Carpenter, Jr. v.</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0810</td>
<td>09/25/00</td>
</tr>
<tr>
<td>Darrell Johnson</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0811</td>
<td>09/29/00</td>
</tr>
<tr>
<td>Ronald Owen Goodwin</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0831</td>
<td>08/03/00</td>
</tr>
<tr>
<td>Jean M. Brown</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0848</td>
<td>08/28/00</td>
</tr>
<tr>
<td>Richard B. Malloy</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0849</td>
<td>10/02/00</td>
</tr>
<tr>
<td>Ronald R. Lemmons</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0865</td>
<td>08/21/00</td>
</tr>
<tr>
<td>Gregory C. Tweed</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0876</td>
<td>01/25/01</td>
</tr>
<tr>
<td>St. Clair Sladey</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0890</td>
<td>10/06/00</td>
</tr>
<tr>
<td>Kenneth Duncan</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0896</td>
<td>09/27/00</td>
</tr>
<tr>
<td>Kelvin Hardesty</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0901</td>
<td>09/22/00</td>
</tr>
<tr>
<td>Michael Anthony Wright</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0922</td>
<td>10/17/00</td>
</tr>
<tr>
<td>Cyrus V. Perry</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0924</td>
<td>09/29/00</td>
</tr>
<tr>
<td>Jamey Johnson</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0925</td>
<td>10/11/00</td>
</tr>
<tr>
<td>Marvin A. Smith</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0932</td>
<td>09/21/00</td>
</tr>
<tr>
<td>Chris Michael Moore</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0945</td>
<td>10/17/00</td>
</tr>
<tr>
<td>James C. Boyce</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0946</td>
<td>12/01/00</td>
</tr>
<tr>
<td>Matthew Russell Schmidt</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0963</td>
<td>10/04/00</td>
</tr>
<tr>
<td>Keith Stephenson</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 0979</td>
<td>10/25/00</td>
</tr>
<tr>
<td>Walter R. Spencer</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 1010</td>
<td>10/27/00</td>
</tr>
<tr>
<td>Keith D. Meredith</td>
<td>Department of Health &amp; Human Services</td>
<td>00 CSE 1011</td>
<td>09/19/00</td>
</tr>
</tbody>
</table>
CONTESTED CASE DECISIONS

Chastity Pipkin v. Department of Health & Human Services 00 DCS 0838 Gray 09/11/00
Joyce Staley v. Department of Health & Human Services 00 DCS 0842 Conner 09/12/00
Bessie B. Hampton v. Department of Health & Human Services 00 DCS 0845 Morrison 08/29/00
Beverly Singleton v. Department of Health & Human Services 00 DCS 0846 Lasitter 08/18/00
Kerry Lynn Morgan v. Department of Health & Human Services 00 DCS 0850 Conner 09/12/00
Bonnie D. Drew v. Department of Health & Human Services 00 DCS 0906 Morrison 08/28/00
Amy W. Hill v. Department of Health & Human Services 00 DCS 0974 Lasitter 09/08/00
Amelia B. Bradshaw v. Department of Health & Human Services 00 DCS 0996 Mann 09/13/00
Deborah Gray v. Department of Health & Human Services 00 DCS 1068 Morrison 09/19/00
Kimberly D. Mays v. Department of Health & Human Services 00 DCS 1099 Gray 10/27/00
Jennifer C. Dillard v. Department of Health & Human Services 00 DCS 1119 Wade 09/29/00
Johnny K. Moore v. Department of Health & Human Services 00 DCS 1179 Morrison 10/04/00
Latisha Eason Parker v. Department of Health & Human Services 00 DCS 1195 Wade 10/31/00
Jannai Neal v. Department of Health & Human Services 00 DCS 1227 Conner 10/24/00
Sheila Foy v. Department of Health & Human Services 00 DCS 1238 Gray 10/27/00
Reta M. Dixon v. Department of Health & Human Services 00 DCS 1381 Conner 12/04/00
Benita Hopkins v. Department of Health & Human Services 00 DCS 1444 Lasitter 12/18/00
Mary Springer v. Department of Health & Human Services 00 DCS 1459 Conner 12/20/00
Tameca Grant v. Department of Health & Human Services 00 DCS 1533 Wade 01/12/01
Della T. Austin v. Christopher Moore v. Dept. of Health & Human Svcs. 00 DCS 1740 Lasitter 01/31/01
Michael Anthony Bowden v. Department of Health & Human Services 00 DCS 2050 Lasitter 01/31/01
Sanja S. Whittington v. Department of Health & Human Services 00 DCS 2084 Morrison 02/12/01

Albemarle Mental Health Center, Developmental Disabilities: Substance Abuse Services v. NC Dept. of Health & Human Services, Division of Medical Assistance and NC Council of Community Mental Health, Developmental Disabilities and Substance Abuse Programs, Inc. Estelle Roberta Allison Teague and Marlene Allison Creary v. Department of Health & Human Services 99 DHR 0120 Reilly 05/15/00
Philistine Thompson v. Department of Health & Human Services 99 DHR 0741 Gray 08/22/00
Ruth L. Johnson v. Department of Health & Human Services 99 DHR 0952 Chess 05/27/00
Lakircher McFadden v. Department of Health & Human Services 99 DHR 1631 Conner 09/08/00
Carrie Jenkins, by and through her Guardian, John Jenkins v. NC Dept. of Health & Human Services 00 DHR 0119 Wade 02/14/01
Mary Johnson McClure v. Department of Health & Human Services 00 DHR 0368 Lasitter 06/19/00
Barry Arthur Kelly, Linda Snipes Kelley v. Department of Health and Human Services 00 DHR 0038 Gray 09/15/00
Vonda Scales Shore v. Department of Health & Human Services 00 DHR 0500 Lasitter 10/06/00
Ann Marie & Daniel Short v. Department of Health & Human Services 00 DHR 0574 Reilly 05/22/00
Lynell Holton Walton v. DHHS, (Health Care Personnel Registry & Investigations) 00 DHR 0605 Chess 08/15/00
Deborah A. Shands v. Butner Adolescent Treatment Center 00 DHR 0695 Mann 07/27/00
Larry E. Cummings MD, PI Case #1999-1752 v. Div. of Medical Assistance, Kim Meymandi, Chief Hearing Officer 00 DHR 0797 Lasitter 08/01/00
Larry E. Cummings MD, PI Case #1999-1117 v. Div. of Medical Assistance, Kim Meymandi, Chief Hearing Officer 00 DHR 0798 Lasitter 08/01/00
Robert and Shirley Harmon on behalf of Gary Harmon v. Crossroads Behavioral Healthcare Center and the NC Div of Mental Health, Dev. Disabilities and Substance Abuse Services 00 DHR 0955 Chess 09/07/00
Walter W. Griswold for Kimberly Griswold v. Crossroads Behavioral Healthcare Center and the NC Div of Mental Health, Dev. Disabilities and Substance Abuse Services 00 DHR 1025 Chess 09/07/00
Carolyn W. Cooper and Happy Days Child Care v. DHHS, Div of Child Development 00 DHR 1031 Gray 08/31/00
Lamettra D. Noel v. NC Department of Human Services 00 DHR 1327 Chess 10/06/00
Chawona Lynn Emmanuel v. Department of Health & Human Services 00 DHR 1360 Gray 01/31/01
Lee T. Wilson v. NC DHHS, Office of the Controller 00 DHR 1371 Gray 01/09/01
Tracy McLeod v. First Health Richmond Cty Home Health, DHR-DOFS 00 DHR 1382 Gray 11/21/00
Lee T. Wilson v. NC DHHS, Office of the Controller 00 DHR 1383 Gray 01/09/01
Penny Jean Leary for Hyaeaka Okamoto v. Div. of Medical Assistance 00 DHR 1400 Gray 01/11/01
Reshea Devon Pierce v. Department of Health & Human Services 00 DHR 1516 Morrison 12/18/00
William C. Wetmore v. DHHS, Health Care Personnel Registry Investig. Barbara Hayes v. Sampson Co Dept of Social Services, Sarah W. Bradshaw, Director & NC DHHS 00 DHR 1744 Mann 02/08/01
00 DHR 2040 Gray 02/21/01
Beatrice Harper v. NC Human & Health Services 00 DHR 2048 Gray 02/06/01
Melissa M. Hale v. State of NC Office of Administrative Hearings 00 DHR 2077 Chess 01/26/01
James Crosland and wife, Carolyn Crosland v. Polk County Dept. of Social Services 00 DHR 2130 Gray 01/04/01

Division of Facility Services
Angela Denise Headen v. DHHS, Division of Facility Services 99 DHR 0107 Wade 04/11/00 15:01 NCR 41
Ruth Mae Wiley v. NC DHHS, Division of Facility Services 99 DHR 0331 Chess 05/27/00
Elyse Glover v. DHHS, Div of Facility Svcs., Personnel Registry Case 99 DHR 0366 Lasitter 06/29/00
Sharon J. Saxe v. DHHS, Division of Facility Services 99 DHR 1169 Lasitter 11/16/00 15:14 NCR 1396
Crystal Sherman Byers v. DHHS, Division of Facility Services 00 DHR 0217 Mann 06/07/00
Rhonda Gail Andrew v. DHHS, Division of Facility Services 00 DHR 0282 Chess 09/21/00
Camille Fausten v. DHHS, Division of Facility Services 00 DHR 0298 Smith 06/28/00
David Jordan v. DHHS, Division of Facility Services 00 DHR 0311 Lasitter 06/19/00
Nancy Yarbrough Allen v. DHHS, Division of Facility Services 00 DHR 0356 Gray 06/23/00

NORTH CAROLINA REGISTER March 15, 2001
1621
<table>
<thead>
<tr>
<th>Case Title</th>
<th>Docket Number</th>
<th>Decision Date</th>
<th>Location</th>
<th>Case Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greensboro Heart Center, LLC v. NC DHHS, Division of Facility Services,</td>
<td>00 DHR 0375</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Certificate of Need Section &amp; The Moses H. Cone Memorial Hospital</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&amp; The Moses H. Cone Memorial Hospital Operating Corporation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lester Lee Huskins v. DHHS, Division of Facility Services</td>
<td>00 DHR 0391</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charlene Jenkins v. DHHS, Div. of Facility Svcs., Health Care</td>
<td>00 DHR 0531</td>
<td>Wade</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel, Registry Section</td>
<td>00 DHR 0578</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Helen Ramsey v. DHHS, Division of Facility Services</td>
<td>00 DHR 0606</td>
<td>Morrison</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cynthia Renee Cajuste v. DHHS, Division of Facility Services</td>
<td>00 DHR 0636</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Celestine L. Bristol v. DHHS, Division of Facility Services</td>
<td>00 DHR 0685</td>
<td>Gray</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Violet Anne Berliner v. DHHS, Division of Facility Services</td>
<td>00 DHR 0743</td>
<td>Morrisson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MariaGoretti Adaguro Obuolav v. DHHS, Div. of Facility Services</td>
<td>00 DHR 0780</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Huelva Dale Corbett v. DHHS, Division of Facility Services</td>
<td>00 DHR 0802</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phoebe Visconti Sanders v. DHHS, Div. of Facility Services</td>
<td>00 DHR 0835</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michelle E. Lee v. DHHS, Division of Facility Services</td>
<td>00 DHR 0869</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Betty Jean Ellis v. DHHS, Division of Facility Services</td>
<td>00 DHR 0880</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harts Stallings v. DHHS, Division of Facility Services</td>
<td>00 DHR 1037</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Desiree P. Garay v. DHHS, Division of Facility Services</td>
<td>00 DHR 1038</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lauren Hoodenpyle v. DHHS Division of Facility Services</td>
<td>00 DHR 1045</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jacqueline Alexander v. DHHS, Division of Facility Services</td>
<td>00 DHR 1126</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debra Brown v. DHHS, Division of Facility Services</td>
<td>00 DHR 1136</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tracy Smith v. DHHS, Division of Facility Services</td>
<td>00 DHR 1236</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michele Carver v. DHHS, Div. of Facility Services, Health Care</td>
<td>00 DHR 1289</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sherie Moran Hinson Edwards v. DHHS, Division of Facility Services</td>
<td>00 DHR 1299</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mary Carmon Williams v. DHHS, Division of Facility Services</td>
<td>00 DHR 1308</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ruby L. Laughter v. DHHS, Division of Facility Services</td>
<td>00 DHR 1346</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lakiya S Mewborn v. DHHS, Division of Facility Services</td>
<td>00 DHR 1437</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jonathan L. Merrell &amp; Judith A. Merrell, and Eyring Realty, Inc. v. DHHS,</td>
<td>00 DHR 1461</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Division of Facility Services &amp; S &amp; R Healthcare, Inc.</td>
<td>00 DHR 1465</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms Erman M Patterson v. DHHS, Division of Facility Services</td>
<td>00 DHR 1500</td>
<td>Conner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elise Little v. DHHS, Division of Facility Services</td>
<td>00 DHR 1790</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Janet Stephens v. DHHS, Division of Facility Services</td>
<td>01 DHR 0008</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Octavia L Hill v. WispersPines Nursing Home of Fayetteville and DHHS</td>
<td>01 DHR 0009</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEPARTMENT OF AGRICULTURE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norman Dudgeon dba Mountain Vista Growers v. NC Department of Agriculture</td>
<td>00 DAG 0076</td>
<td>Gray</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ENVIRONMENT AND NATURAL RESOURCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ronnie L. Sturdivant v. Dept. of Environment &amp; Natural Resources</td>
<td>98 EHR 1222</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dan M. Eichenbaum v. DENR &amp; Harrison Construction Division of</td>
<td>99 EHR 0191</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>APAC-Tennessee, Inc.</td>
<td>99 EHR 0395</td>
<td>Wade</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dixie Lumber Company of Cherryville, Inc. v. Department of</td>
<td>99 EHR 1136</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shettle Cleaning Service, Inc., Phillip Allen (Owner) v. Dept. of</td>
<td>99 EHR 1167</td>
<td>Reilly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environment &amp; Natural Resources</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murphy Family Farms v. Department of Environment &amp; Natural Resources</td>
<td>99 EHR 1181</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William A. Weston, Jr. v. Dept. of Environment &amp; Natural Resources</td>
<td>99 EHR 1538</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William F. McBrayer, Jr. v. Dept. of Environment &amp; Natural Resources</td>
<td>99 EHR 1566</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Howard L. Hardy, Kenneth &amp; Vester Freeman v. Department of</td>
<td>99 EHR 1600</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environment &amp; Natural Resources</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Tilley, Trustee v. Dept. of Environment &amp; Natural Resources</td>
<td>99 EHR 1627</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gregory Marc Edwards v. Department of Environment &amp; Natural Resources</td>
<td>99 EHR 1655</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leonard F. Sutton v. Division of Forest Resources</td>
<td>00 EHR 0072</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>David Sinclair v. Dept. of Environment &amp; Natural Resources</td>
<td>00 EHR 0126</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jerry D. Phillips v. Department of Environment &amp; Natural Resources</td>
<td>00 EHR 0151</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Samuel A. Perrella v. Div. of Environmental Health, New Bern, NC</td>
<td>00 EHR 0219</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amos Walter Jackson v. Dept. of Environment &amp; Natural Resources</td>
<td>00 EHR 0568</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Archie D. Fellner, Jr. v. CAMA</td>
<td>00 EHR 0836</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turnbull Company LLC v. NC Dept of Environment &amp; Natural Resources</td>
<td>00 EHR 0881</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carolina Mountain Construction, Inc. v. Dept. of Env. &amp; Natural Resources</td>
<td>00 EHR 0902</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peter Pallas v. New Hanover County Board of Health</td>
<td>00 EHR 1149</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jerry J. Fowler v. Department of Environment &amp; Natural Resources</td>
<td>00 EHR 1154</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William A. Sergeant Lot 9 v. Dept. of Environment &amp; Natural Resources</td>
<td>00 EHR 1210</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scotty's Mobile Village, Larry G. Scott v. Dept. of Env. &amp; Natural Resources</td>
<td>00 EHR 1266</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Randy Graham v. Environmental Health of Alamance County</td>
<td>00 EHR 1393</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chris &amp; Senja Shumater v. Dept. of Environment &amp; Natural Resources</td>
<td>00 EHR 1584</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lisa King v. Brunswick County Health Department</td>
<td>00 EHR 1778</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robert H. Bihro v. DENER/Division of Coastal Management</td>
<td>00 EHR 1843</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Levi Moore, Jr. v. Brunswick County Health Department</td>
<td>00 EHR 1853</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal Resources Commission</td>
<td>00 EHR 1438</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Division of Air Quality</td>
<td>00 EHR 1088</td>
<td>Lasster</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina Register</td>
<td>March 15, 2001</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
VXIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. State of North Carolina, Dept. of Environment and Natural Resources, Division of Air Quality
Billy V. Cain v. NC DENR, Division of Air Quality
00 EHR 0227 Conner 08/31/00

Division of Land Resources
James Carlis Reavis and Melinda D. Reavis v. NC DENR, Division of Land Resources
98 EHR 1292 Gray 10/16/00

Division of Water Quality
Fred J. McPherson v. DENR, Division of Water Quality
Town of Wallace v. NCDENR, Division of Water Quality
Frederick Holland, Hervie S. Honeycut, and Mary Jane P. Osborne v. NCDENR, Division of Water Quality
00 EHR 0160 Morrison 09/01/00
00 EHR 0247 Lassiter 10/05/00
00 EHR 0332 Conner 09/18/00

Division of Waste Management
A. J. Lancaster, Jr. v. NC DENR, Div. of Waste Management
99 EHR 0994 Mann 07/27/00 15:05 NCR 636

JUSTICE

Alarm Systems Licensing Board
John Martin Canter v Alarm Systems Licensing Board
Kenneth Waits Putnam v. Alarm Systems Licensing Board
James Thomas Wagg v. Alarm Systems Licensing Board
Edwin Moore Stevens v. Alarm Systems Licensing Board
Brain Craig Glass v. Alarm Systems Licensing Board
99 DOI 0531 Reilly 09/14/00
99 DOI 1479 Reilly 04/10/00
99 DOI 1716 Conner 07/05/00

Education and Training Standards Division
Peter A. Davis v. Sheriffs' Education & Training Standards Comm.
Juan Montez Jones v. N.C. Criminal Justice Education & Training
Standards Commission
99 DOI 0931 Reilly 04/10/00
99 DOI 1479 Reilly 04/10/00
99 DOI 1716 Conner 07/05/00

Private Protective Services Board
Leisa M Roberts v. Private Protective Services Board
Charles A. Joyce and Carolina Security Patrol, Inc. v. Private Protective Services Board
George Thomas Bond v. Private Protective Services
Robert V. Croom and Robert V. Wooster v. Private Protective Services Board
Sharon Blackstock v. Private Protective Services Board
Samuel G. Slater v. Private Protective Services Board
Keith Lewis v. Private Protective Services Board
Tammy Goforth Nichols v Private Protective Services Board
John W. Fromm v. Private Protective Services Board
Jason Stewart Deckert v. Private Protective Services Board
Shannon Ray Nance v. Private Protective Services Board
Franklin Delano Gann, Jr. v. Private Protective Services Board
William Junior Holmes v. Private Protective Services Board
Michael Burt v. Private Protective Services Board
Jason William Kane v. Private Protective Services Board
Anthony Queen Williams v. Private Protective Services Board
Calvin Earl McCrae v. Private Protective Services Board
Richard Asiedu v. Private Protective Services Board
99 DOI 0112 Conner 02/14/01
99 DOI 0004 Conner 08/14/00
00 DOI 0014 Conner 05/11/00
00 DOI 0058 Morrison 05/16/00
00 DOI 0059 Morrison 05/16/00
00 DOI 0090 Morrison 05/12/00
00 DOI 0113 Conner 06/07/00
00 DOI 2051 Gray 02/09/01
00 DOI 0570 Conner 06/07/00
00 DOI 0572 Gray 06/07/00
00 DOI 0609 Gray 06/07/00
00 DOI 0670 Morrison 06/15/00
00 DOI 0671 Morrison 06/15/00
00 DOI 0672 Morrison 06/15/00
00 DOI 0952 Wade 09/08/00
00 DOI 1005 Morrison 09/01/00
00 DOI 0736 Morrison 08/02/00
01 DOI 0012 Gray 02/07/01

PUBLIC INSTRUCTION
Doris G. Branch v. NC Department of Public Instructions
Stacia R. Parker v. Charlotte-Mecklenburg Board of Education
Charlie Lee Richardson v. Department of Public Instruction
Dale Y. Farmer v. Department of Public Instruction
Cumberland County Board of Education v. Mr. and Mrs. Wesley Waters
Kings Mountain Board of Education, Larry Allen, Melony Bolin, Ronald
98 EDC 0368 Gray 15:13 NCR 1233
99 EDC 0389 Gray 08/23/00
99 EDC 0788 Reilly 04/11/00
00 EDC 0373 Gray 05/26/00
00 EDC 0465 Wade 08/11/00
00 EDC 0800 Morrison 06/26/00 15:04 NCR 492

15:18 NORTH CAROLINA REGISTER March 15, 2001
Steven Allen Slocum v. NC Dept. of Crime Control and Public Safety, 00 OSP 1203 Conner 12/28/00
Division of State Highway Patrol
Robert J. Lane v. Jim Webb, NC Special Care Center (DHR) 00 OSP 1241 Gray 01/23/01
Pamela R. Smith v. NC Department of Public Instruction 00 OSP 1229 Conner 11/09/00
Wayne M. Wise v. NCCU-WNCU 00 OSP 1269 Gray 01/09/01
Dora P. Pettiford v. NC Department of Health & Human Services 00 OSP 1279 Lassiter 09/25/00
David A. Greats v. NC Department of Correction 00 OSP 1282 Conner 11/09/00
Ronald Dennis "Butch" Long v. Western Carolina University 00 OSP 1307 Chess 02/02/01
Wayne Davis v. Shelby City Schools 00 OSP 1402 Lassiter 12/20/00
Larry Joel Williams v. Durham Co. Gov't, The Durham Center 00 OSP 1417 Gray 01/24/01
Mary Ann Suprenant v Randolph County Mental Health 00 OSP 2089 Morrison 02/14/01
Erthel Hines v. NC Agricultural & Technical State University 00 OSP 2139 Morrison 12/21/00

STATE TREASURER
Jean C. Burkhart v. NC Dept. of State Treasurer, Retirement Systems Division 99 DST 1475 Mann 05/30/00 15:05 NCR 633

DEPARTMENT OF REVENUE
Eddie B. Thomas v. NC Department of Revenue 00 REV 0530 Gray 08/24/00
Samuel W. Hinshaw v. NC Department of Revenue 00 REV 1008 Gray 12/20/00

SECRETARY OF STATE
Pamela J. Rollefson v. Secretary of State (Notary Division) 00 SOS 1470 Conner 01/26/01

UNIVERSITY OF NORTH CAROLINA
Theresa T. Godfrey v. UNC Hosp. at Chapel Hill, Dept of Pharm. Billing 00 UNC 0763 Lassiter 09/08/00
Betty S. Matheson v. UNC Hospitals, Patient Accounting Department, OR Services 00 UNC 1020 Gray 10/09/00
Ande West v. UNC Hospitals 00 UNC 1267 Conner 12/14/00
Lisa Morelli v. SODCA Representative, UNC Hospitals 00 UNC 1328 Gray 12/28/00

NC BOARD OF ETHICS
H. Michael Poole, Ph.D v. Perry Newsome, Exec. Dir. NC Board of Ethics 00 EBD 0696 Lassiter 08/25/00