



North Carolina Department of Public Safety

Alarm Systems Licensing Board

Roy Cooper, Governor
Eddie M. Buffaloe, Jr., Secretary

Caroline Brown, Chair
Paul Sherwin, Director

MINUTES OF THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

Date: July 18, 2024
Time: 5:13 p.m.
Location: Hilton Raleigh North Hills
3415 Wake Forest Rd.
Raleigh, NC 27609

Board Members Present

Robert “Wike” Graham
Mack Donaldson
Caroline Brown
Jamie Brown
Mary Wood
Tommy Whisnant
Thomas Vermillion

Board Members Absent

None

Board Staff Present

Director Paul Sherwin
Deputy Director Ray Bullard
Attorney Jeff Gray
Field Services Supervisor Kim Odom
ASLB Board Secretary Syconda Marrow

Visitors (26 in person)

Thomas Bryant	Tim Chrisman	Shawn Dickison
Ze Surratt II	Stephen Wheeler	Robert Sehen
Joseph Adames	Jason Lindquist	Johnny Bolangia
Stephen Tarr	Eric Christian	Billie Poulton
Joe Tranfaglia	Paramjot Garcha	Paul Raymond
Keith Macon	Kent Gibson	David Sperber
Indermohan Garcha	Aaron Rusk	Anthony Whorley
David Sperber	John Lloyd	George Garvin
Duncan Hubbard		

Call to Order

The July 18, 2024, meeting of the North Carolina Alarm Systems Licensing Board was called to order by Vice Chair Caroline Brown at 5:13 p.m.

State Ethics Law

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and the appearance of conflict. If any Member has any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today, please identify the conflict or appearance of conflict and refrain from the deliberation and vote in that matter."

Welcome Guests

Vice Chair Caroline Brown welcomed all guests.

New Board Member Welcome

Ms. Brown introduced newly appointed Board members Tommy Whisnant, of CPI Security Systems, Inc., and Tom Vermillion, of Down East Protection Systems. Mr. Whisnant and Mr. Vermillion were appointed to the Board by the N.C. House of Representatives and their terms expire June 30, 2027.

Final Agency Decision(s)

Attorney Gray reported there were no final agency decisions this month.

Approval of the May 2024 Meeting Minutes

Motion: Jamie Brown motioned to accept the May 2024 Board meeting minutes. Robert Graham seconded. The motion carried unanimously.

Committee Reports

Grievance Committee: Grievance Committee members Caroline Brown and Robert Graham met on July 18, 2024, from 1:45 p.m. to 3:45 p.m. and heard six cases. Committee Chair Caroline Brown presented the Grievance Committee report.

Motion: Jamie Brown motioned to accept the Grievance Committee report. Robert Graham seconded. The motion carried unanimously.

See the attachment for the full Grievance Committee report.

Screening Committee: Screening Committee members Caroline Brown, Robert Graham, Mack Donaldson, Mary Wood, Jamie Brown, Tommy Whisnant and Tom Vermillion met on July 18, 2024, from 3:56 p.m. to 5:02 p.m. to review 13 license applications. Committee Chair Caroline Brown presented the Screening Committee report.

Motion: Tommy Whisnant motioned to accept the Screening Committee report. Jamie Brown seconded. The motion carried unanimously.

See the attachment for the full Screening Committee report.

Training and Education Committee: Committee Chair Mack Donaldson presented the Training and Education Committee report. Mr. Donaldson reported the Committee reviewed 20 applications for new continuing education courses and two applications to renew continuing education courses. The Committee recommended approving all course applications.

Motion: Mary Wood motioned to approve the Training and Education Committee report. Robert Graham seconded. The motion carried unanimously.

See the attachment for the full Training and Education Committee report.

Board Elections

Attorney Jeff Gray opened the nominations to elect new Board officers.

Board Chair

Motion: Robert Graham motioned to nominate Caroline Brown for Board chair. Jamie Brown seconded.

No additional nominations were made.

Motion: Mack Donaldson motioned to close nominations for Board chair. Robert Graham seconded.

Caroline Brown was unanimously elected as Board chair.

Board Vice Chair

Motion: Caroline Brown motioned to nominate Robert Graham for Board vice chair. Jamie Brown seconded.

No additional nominations were made.

Motion: Mack Donaldson motioned to close nominations for Board vice chair. Caroline Brown seconded.

Robert Graham was unanimously elected as Board vice chair.

Grievance Committee Chair

Motion: Caroline Brown motioned to nominate Mack Donaldson for Grievance Committee chair. Robert Graham seconded.

No additional nominations were made.

Motion: Jamie Brown motioned to close nominations for Grievance Committee chair. Tommy Whisnant seconded.

Mack Donaldson was unanimously elected as Grievance Committee chair.

Legislative Committee Chair

Motion: Caroline Brown motioned to nominate Tommy Whisnant for Legislative Committee chair. Mack Donaldson seconded.

No additional nominations were made.

Motion: Tom Vermillion motioned to close nominations for Legislative Committee chair. Mack Donaldson seconded.

Tommy Whisnant was unanimously elected as Legislative Committee chair.

Finance Committee Chair

Motion: Caroline Brown motioned to nominate Jamie Brown for Finance Committee chair. Tom Vermillion seconded.

No additional nominations were made.

Motion: Tommy Whisnant motioned to close nominations for Finance Committee chair. Mack Donaldson seconded.

Jamie Brown was unanimously elected as Finance Committee chair.

Training and Education Committee Chair

Motion: Caroline Brown motioned to nominate Tom Vermillion for Training and Education Committee chair. Robert Graham seconded.

No additional nominations were made.

Motion: Jamie Brown motioned to close nominations for Training and Education Committee chair. Robert Graham seconded.

Tom Vermillion was unanimously elected as Training and Education Committee chair.

Old Business

Director Sherwin discussed the upcoming International Association of Security and Investigative Regulators (IASIR) conference in Charlotte, N.C., October 9 – 11, 2024.

Motion: Jamie Brown motioned to approve sending Caroline Brown and Tommy Whisnant to the IASIR conference. Mary Wood seconded. The motion carried unanimously.

New Business

Director Sherwin presented to the Board the proposed meeting schedule for 2025:

- January 16, 2025 - Raleigh, NC
- March 20, 2025 - Raleigh, NC
- May 15, 2025 - Raleigh, NC
- July 17, 2025 - Raleigh, NC
- September 18, 2025 - Raleigh, NC
- November 20, 2025 - Raleigh, NC

Motion: Caroline Brown motioned to accept the proposed meeting dates, on the condition the May and July meeting dates and locations remain flexible to accommodate coordinating with the NCSLVA annual convention and ADI Expo – Raleigh. Robert Graham seconded. The motion carried unanimously.

Director Sherwin presented three applications for the Board's Training and Education grant.

Timothy Chrisman, an official from School of Lock and Electronic Security, LLC, was present to answer questions about his grant application.

Motion: Robert Graham motioned to award a grant of up to \$5,000.00 to School of Lock and Electronic Security, LLC. Tom Vermillion seconded. The motion carried unanimously.

Director Sherwin presented the grant application from Laurel Rudd and the International Association of Security and Investigative Regulators.

Motion: Robert Graham motioned to award a grant of up to \$5,000.00 to the International Association of Security & Investigative Regulators. Jamie Brown seconded. The motion carried unanimously.

Thomas Bryant, an official from Circuit 13 Technology LLC, was present to answer questions about his grant application.

Motion: Robert Graham motioned to deny a grant to Circuit 13 Technology LLC. Tommy Whisnant seconded. The motion carried unanimously.

Director's Report

Director Paul Sherwin presented the Director's Report. The report included information about personnel changes, the status of the Board's active licensees and registrants, and a Board finances update.

Motion: Jamie Brown motioned to accept the Director's Report. Caroline Brown seconded. The motion carried unanimously.

See the attachment for the full Director's Report.

Attorney's Report

Attorney Jeff Gray presented his Attorney's Report, which included updates about the status of consent agreements, pending administrative rules changes, and legislative updates.

Attorney Gray further explained that the Board needed to give final approval to amendments to five administrative rules (14B NCAC 17 .0201, .0203, .0301, .0302 and .0306) to accommodate Permitium's proposed fee increase from \$4.00 per transaction to \$5.00 per transaction.

Motion: Jamie Brown motioned to approve the amendments to Rules .0201, .0203, 0301., 0302 and .0306. Tommy Whisnant seconded. The motion carried unanimously.

Motion: Tommy Whisnant motioned to accept the Attorney's Report. Robert Graham seconded. The motion carried unanimously.

See the attachment for the full Attorney's Report.

Good of the Order and Public Comment

Ms. Brown presented service awards to former Board members Stephen Wheeler and Jim Crabtree, whose terms on the Board expired June 30, 2024.

A meeting guest asked the Board what could be done to encourage young people to enter the alarm industry. Ms. Brown answered that alarm companies may hire 16- and 17-year-olds to work as apprentices. Director Sherwin said anyone interested in hiring an apprentice should contact Board staff for more information.

A meeting guest expressed concern about the alarm industry due to the potential problems associated with an aging licensee population. The guest said the N.C. State Board of Examiners of Electrical Contractors had recently changed its licensing standards to reduce barriers to entry into the profession and said the Alarm Systems Licensing Board may want to consider doing the same.

Motion: Robert Graham motioned to adjourn the meeting. Seconded by Tommy Whisnant. Motion carried unanimously.

Meeting adjourned at 6:16 p.m.

Paul Sherwin, Director

Syconda Marrow, Board Secretary

ASLB Grievance After Report for July 18, 2024 9:00 am

Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
1. 2024-ASLB-001	Garrett Langley Flock Safety 1170 Howell Mill Road Unit 210 Atlanta, GA 30318	NCGS 74D-2	No violation.	Accepted
2. 2024-ASLB-008	Christopher Green Visual Concepts Systems 4054 Uppergate Lane Charlotte, NC 28215	NCGS 74D-2	No violation.	Accepted
3. 2024-ASLB-010	Austin Fleming Summit Property Innovations 355 Peachtree Mountain Estates Rd Murphy, NC 28906	NCGS 74D-2	Find a violation of NCGS 74D-2. Continue the cease-and-desist order previously issued to Austin Fleming and Summit Property Innovations. Refer this matter to the Screening Committee should Austin Fleming or Summit Property Innovations apply for an alarm license.	Accepted

	Name Company Address	License	Committee Recommendation	Board Action
11.	Chad Austin Tyler Total Security Systems LLC 3404A NC Hwy 211 W Lumberton, NC 28360	Alarm	Approve	Accepted
12.	Kurt Woodbury Weinhagen National Network Services, LLC 10 Hillcrest Rd Asheville, NC 28806	Alarm	Approve	Accepted
13.	Robert Michael Willis Griffith's Inc. 357 1st ave nw Hickory, NC 28601	Alarm	Approve	Accepted



North Carolina Alarm Systems Licensing Board Continuing Education Committee Report - July 2024

Item #	Course Sponsor	Course Title	New or Renewal	# CEU's	Course Format	Committee Recommends	Comments
1	Michelle Carpenter/ JADE Learning	Fire Alarm Prevention for the Alarm Technician	Renewal	3 Hours	Online		ASLB-12-776
2	Michelle Carpenter/ JADE Learning	Remote-Control, Signaling, and Power-Limited Conductors	Renewal	3 Hours	Online		ASLB-18-618
3	Kaleb Brashear/Elite CEU, Inc.	Network Fortification: Safeguarding Low-voltage and Electronic Systems	New	1 Hour	Online		ASLB-24-017
4	Kaleb Brashear/Elite CEU, Inc.	Guarding the Grid: Cybersecurity for Low Voltage and Electronic Security	New	1 Hour	Online		ASLB-24-018
5	Kaleb Brashear/Elite CEU, Inc.	Digital Armor: Strengthening Security Awareness	New	1 Hour	Online		ASLB-24-019
6	Kaleb Brashear/Elite CEU, Inc.	Cybersecurity 101: An Introduction to Digital Security	New	1 Hour	Online		ASLB-24-020
7	Kaleb Brashear/Elite CEU, Inc.	OSHA Competent Person Scaffolding Training	New	2 Hours	Online		ASLB-24-021
8	Kaleb Brashear/Elite CEU, Inc.	OSHA Fall Protection	New	2 Hours	Online		ASLB-24-022
9	Kaleb Brashear/Elite CEU, Inc.	OSHA Excavation and Trenching	New	2 Hours	Online		ASLB-24-023
10	Kaleb Brashear/Elite CEU, Inc.	OSHA Electrical Safety	New	2 Hours	Online		ASLB-24-024
11	Kaleb Brashear/Elite CEU, Inc.	OSHA Blood Borne Pathogens	New	2 Hours	Online		ASLB-24-025
12	Kaleb Brashear/Elite CEU, Inc.	OSHA Personal Protective Equipment	New	2 Hours	Online		ASLB-24-026
13	Kaleb Brashear/Elite CEU, Inc.	OSHA Lock Out Tag Out	New	2 Hours	Online		ASLB-24-027
14	Roy Pollack/Stay Safe Ventures, LLC	Lockout Tagout	New	1 Hour	Online/Classroom		ASLB-24-028
15	Roy Pollack/Stay Safe Ventures, LLC	Network Video	New	1 Hour	Online/Classroom		ASLB-24-029
16	Roy Pollack/Stay Safe Ventures, LLC	Power, Electricity and Batteries	New	1 Hour	Online/Classroom		ASLB-24-030
17	Roy Pollack/Stay Safe Ventures, LLC	Tool Safety and OSHA	New	1 Hour	Online/Classroom		ASLB-24-031
18	Roy Pollack/Stay Safe Ventures, LLC	The Importance of Mathematics	New	1 Hour	Online/Classroom		ASLB-24-032
19	Roy Pollack/Stay Safe Ventures, LLC	Business Practices	New	1 Hour	Online/Classroom		ASLB-24-033



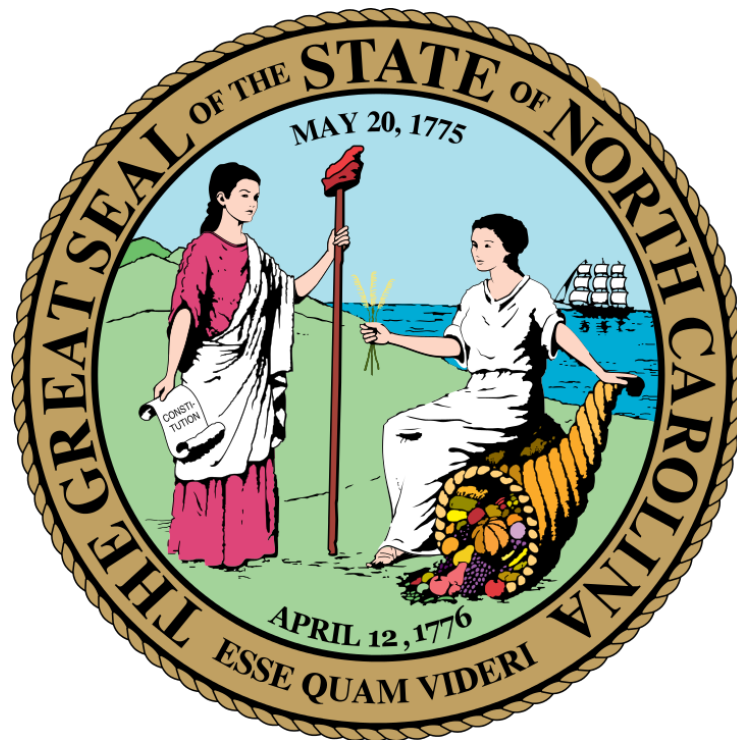
North Carolina Alarm Systems Licensing Board Continuing Education Committee Report - July 2024

Item #	Course Sponsor	Course Title	New or Renewal	# CEU's	Course Format	Committee Recommends	Comments
20	Roy Pollack/Stay Safe Ventures, LLC	False Alarm Prevention and Alarm Management	New	1 Hour	Online/Classroom	ASLB-24-034	
21	Thomas Bryant	NEC Complaint Low Voltage Installations	New	4 Hours	Online Webinar	ASLB-24-035	
22	Timothy Chrisman/School of Lock and Electronic Security, LLC	Entry Level/Advanced- Electronic Security Technician	New	14 Hours	Classroom	ASLB-24-036	

NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

July 18, 2024

DIRECTOR'S REPORT



Paul Sherwin, Director

DIRECTOR'S REPORT

- I. PPS information and updates, page 3**
- II. Registration and licensing summary, page 5**
- III. Budget summary, page 6**

PPS INFORMATION AND UPDATES

Personnel

Private Protective Services currently has three vacant positions:

- Registration Processor (x2) – Hiring in progress
- Receptionist

Robert Battle was hired May 20, 2024, as an intern to redesign the ASLB and PPSB websites. Robert recently completed his sophomore year at N.C. State, and he will resume his studies in computer science at UNC this fall. His internship ends July 25, 2024.

Operations

Registration Unit

- Registration applications received year-to-date: 2,385
 - Same period 2023: 2,388
 - Same period 2022: 2,237
 - Same period 2021: 2,296
 - Same period 2020: 1,952
 - Same period 2019: 2,678

Licensing Unit

- License applications received year-to-date: 211
 - Same period 2023: 235
 - Same period 2022: 194
 - Same period 2021: 252
 - Same period 2020: 206
 - Same period 2019: 268

Investigations Unit

- New license applicant background investigations completed year-to-date: 35
 - Same period 2023: 35
 - Same period 2022: 38
 - Same period 2021: 31
 - Same period 2020: 56
 - Same period 2019: 60
- Complaint investigations completed year-to-date: 17
 - Same period 2023: 19
 - Same period 2022: 14
 - Same period 2021: 19
 - Same period 2020: 13

- Same period 2019: 17

OTHER

Officials with DPS Internal Audit began the annual audit of Private Protective Services on June 10, 2024. The audit is expected to conclude in late July. This is a routine audit that will examine fee collections, travel reimbursements, invoice payments, operational policies and procedures, and more.

REGISTRATION AND LICENSING SUMMARY

Total active in Permitium: 7,732
(+3% from May 2024 meeting)

Registration		
	Alarm Registrant	6,682
Registration Total		6,682
License		
	Burglar Alarm Business	1,050
License Total		1,050

FINANCIAL REPORTS

Alarm Systems Licensing Board Financial Report

Fiscal Year 2023-2024

July 1, 2023 - May 31, 2024

ASLB Operating Fund Revenue and Expenditures

FY24 Revenue	\$ 519,014.27
FY24 Expenditures	\$ (550,848.29)
FY24 Fund Balance Increase/(Decrease)	\$ (31,834.02)

ASLB Operating Fund Cash Flow

Beginning Balance (July 1, 2023)	\$ 960,258.90
FY24 Revenue	\$ 519,014.27
FY24 Expenditures	\$ (550,848.29)
Current Fund Balance	\$ 928,424.88

ASLB Education Fund Revenue and Expenditures

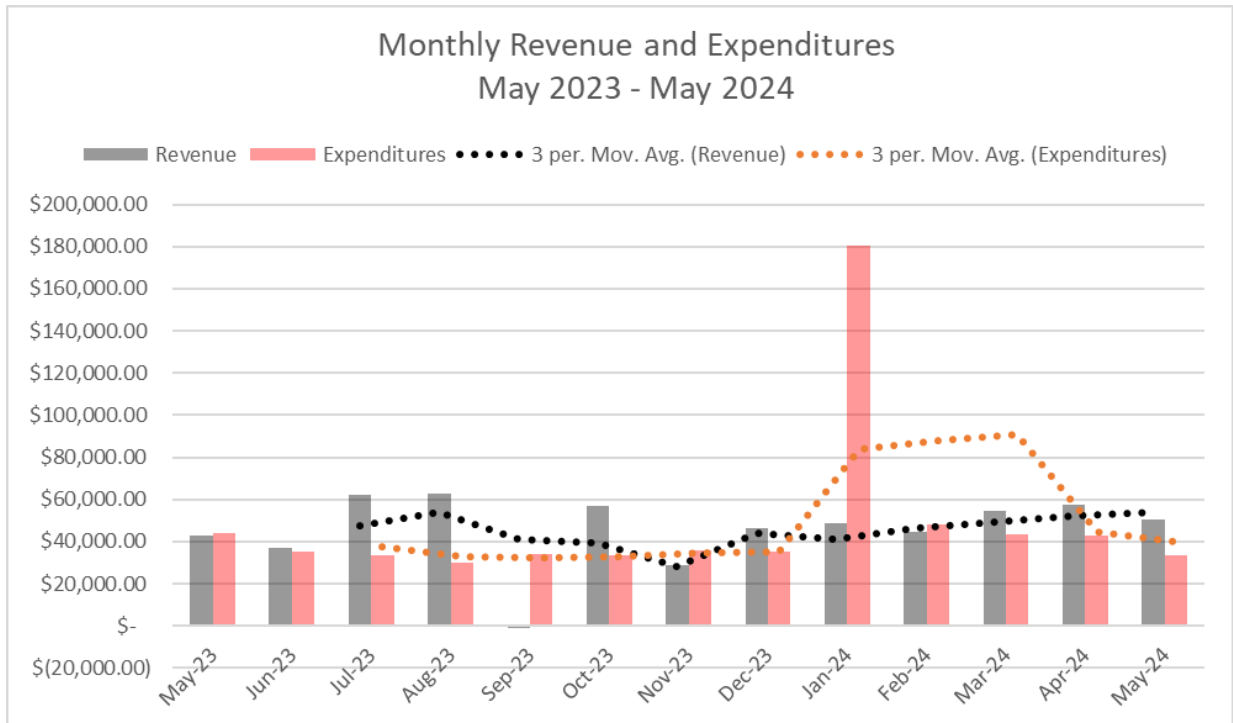
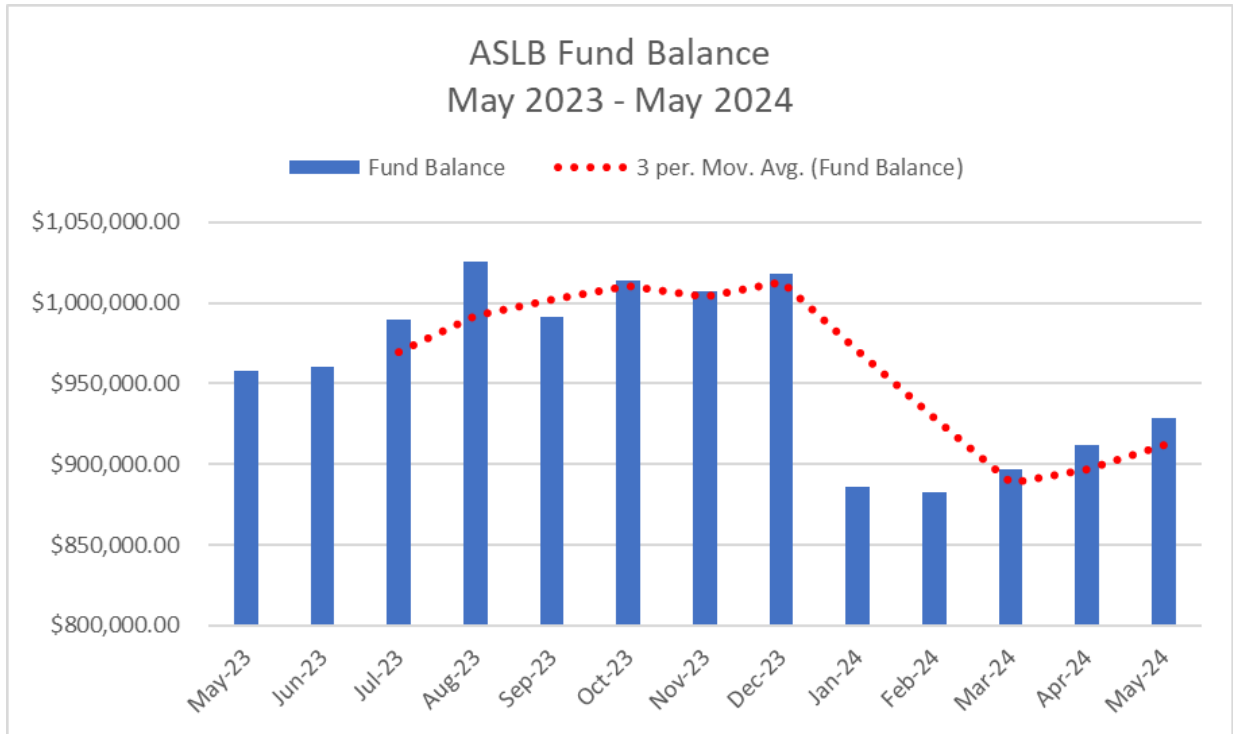
FY24 Revenue	\$ 2,300.00
FY24 Expenditures	\$ (6,059.61)
FY24 Fund Balance Increase/(Decrease)	\$ (3,759.61)

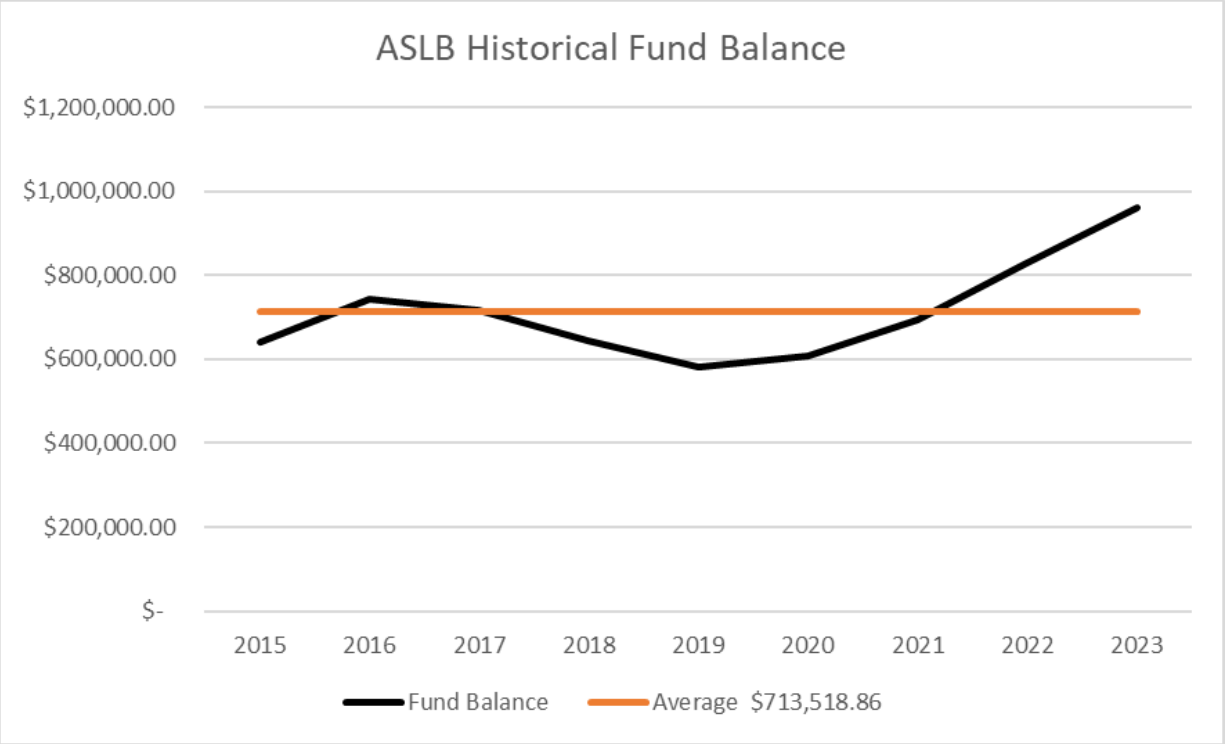
ASLB Education Fund Cash Flow

Beginning Balance (July 1, 2023)	\$ 97,834.68
FY24 Revenue	\$ 2,300.00
FY24 Expenditures	\$ (6,059.61)
Current Fund Balance	\$ 94,075.07

Note: The Education Fund has expended only \$6,000 in Fiscal Year 2024. An erroneous expenditure of \$59.61 was charged to the Education Fund in in May 2024 and it is being corrected.

BUDGET GRAPHICS



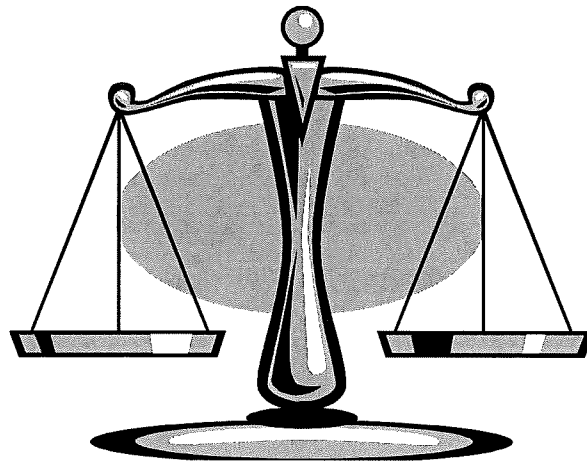


ALARM SYSTEMS LICENSING BOARD

Raleigh, North Carolina

July 18, 2024

ATTORNEY'S REPORT



ALARM SYSTEMS LICENSING BOARD

Raleigh, North Carolina

July 18, 2024

I. CONSENT AGREEMENTS & CIVIL PENALTIES

On May 13, 2024, Jacob Maness and San Lee Security, Inc. entered into a Consent Agreement in the amount of \$3,922.00 for registration violations. Payment has been received. (PAID IN FULL)

On May 23, 2024, Norris Lamb and ADT, LLC entered into a Consent Agreement in the amount of \$1,708.50 for registration violations. Payment has been received. (PAID IN FULL)

II. OFFICE OF ADMINISTRATIVE HEARINGS

See, Hearings List (attachment 1.)

III. PENDING LITIGATION

After numerous attempts to resolve a licensure issue informally, the Board instructed me at its February 2023 meeting to file a Complaint for Injunctive Relief against Flock Group, Inc. d/b/a Flock Safety for unlicensed activity. It was filed on March 3, 2023.

On the Friday before the Monday April 10th hearing on my Motion for Temporary Restraining Order the attorney for Flock Safety assured me his client would consent to the TRO. Based on those assurances I advised the presiding Judge that a consent order was forthcoming and the matter was continued. Thereafter, Flock Safety refused to sign the Consent Order for TRO, which its attorney drafted(!) and I agreed to.

Defendant Flock Group filed its Answer on May 2, 2023.

Thereupon representatives of Flock Group Inc., its in-house legal counsel and its North Carolina attorney, met in Closed Session with the Board at its May meeting and presumedly resolved the issue of licensure through a Consent Order, however Flock Safety refused to sign the Consent Order and has

blatantly failed to abide by the handwritten version of the agreement signed at the Board's May meeting.

It also failed to meet the agreed application deadline (but applied late) and by every indicator had no intention of completing the application process as agreed. At its September 21, 2023 meeting, following a Closed Session, the Board voted to withdraw the offer of settlement.

Having learned through media reports and other sources that Flock Safety had recently signed at least two more contracts for installations I re-calendared the Motion for Temporary Restraining Order, which was granted. On October 30, 2023 a Wake County Superior Court Judge granted a partial Preliminary Injunction barring Flock Safety from any further installations or servicing of its camera systems.

Flock Safety withdrew its application for licensure on December 12, 2023.

A "status report" was calendared for February 5, 2024, and following that Court appearance I proceeded with calendaring the hearing on the merits, which was set for Wednesday, March 27, 2024.

The attorneys for Flock Safety met with the Board on March 21st and this matter was resolved by entry of a Consent Order which, among other things, extended the Preliminary Injunction on certain conditions.

A new application was received on April 19, 2024 and that application was considered by the Screening Committee earlier today.

IV. ADMINISTRATIVE RULES

Permitium is increasing its transaction fee by \$1.00, from \$4.00 to \$5.00, effective September 1, 2024. This increase necessitates an amendment to five administrative rules. Those proposed amendments were attached as Attachment 3 to my March 21, 2024, Attorney's Report and the Board voted to approve these amendments.

The Notice of Text was filed the following day (March 22nd). The Public Hearing was held on Tuesday, April 30, 2024, at 2:00 p.m. at the Board's office. The Public Comment Period ended June 14, 2024. There were no comments oral or written.

A copy of these rule amendments is attached as Attachment 2. A vote to approve is in order for today.

Barring any unforeseen circumstances the Board can meet Permitium's deadline.

V. LEGISLATION

a. The Board's bill, the "Alarm Systems Licensing Act Modernization," was introduced on March 2, 2023 by Senator Warren Daniel as Senate Bill 345. A copy was attached as Attachment 2 to my May 2023 Attorney's Report.

It passed the Senate State and Local Government Committee with a favorable report and referred to the Senate Finance Committee where it was amended with an unrelated provision regarding the Machinery Act and received a favorable report.

It passed the Senate on June 28, 2023, on a vote of 46-0 and was referred to the House Rules Committee. It did not pass prior to the legislature's adjournment on October 30, 2023, however, it remained eligible for consideration in the "short session" this year.

Susanna Davis, Legislative Liaison for the Department of Public Safety, has diligently pushed for enactment. On June 26th Ms. Davis was successful in having the language from SB 345 amended in a bill that had already passed the Senate, Senate Bill 640, in a process called a "committee substitute." It passed the House later the same day and was referred to the Senate Committee on Rules. Unfortunately, the legislature adjourned two days later before it could be heard.

So, the Board's bill (along with some other language) is now **Senate Bill 640**. It is still eligible for consideration.

b. House Bill 385, "Regulation of Battery-Charged Security Fences," would prohibit counties and cities from adopting certain ordinances, rules, and regulations related to battery-charged security fences and defines and establishes requirements for those fences. A copy was attached as Attachment 3 to my May Attorney's Report.

This bill passed the House on April 25, 2023 and was referred to the Senate Committee on Rules and remains eligible for consideration.

V. FINAL AGENCY DECISIONS

Nathan Orion Taylor (*See*, Attachment 2.)

1.

**ASLB
MASTER HEARINGS LIST
as of July 10, 2024**

OAH HEARING DATE	PETITIONER	TYPE OF APPLICATION	FAD HEARING DATE
November 28, 2017	Daniel Carl Hagerty / Guardian Eagle Security, LLC d/b/a AVSX Technologies 17 DOJ 06331	Letter of Reprimand (business license)	FAD served April 12, 2018. Petition for Judicial Review filed in Wake County Superior Court May 25, 2018.
February 27, 2024	Nathan Orion Taylor 24 DOJ 00314	Suspension of Alarm Systems Business License	May 2, 2024
February 27, 2024	Steven Daniel Smith 24 DOJ 00396	Suspension of Alarm Systems Business License	May 2, 2024
May 9, 2024	Seth Brewer Beddes/Alder Holdings, LLC 23 DOJ 02590	Suspension of Alarm Systems Business License	

2.

Reason for Proposed Action:

Amendments to 14B NCAC 05B .0201 will remove the grant application period, application deadline, and application requirements to more closely align with federal grant application cycles, which occur at different times throughout the year and include varying application eligibility requirements and deadlines.

The adoption of 14B NCAC 05B .0501 will authorize the DPS Secretary to waive any rule in Subchapter 05B that is not statutorily required based on specific factors.

Comments may be submitted to: Margaret McDonald, 512 North Salisbury Street, Raleigh, NC 27604; email margaret.mcdonald@ncdps.gov

Comment period ends: June 14, 2024

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
Local funds affected
Substantial economic impact (>= \$1,000,000)
Approved by OSBM
No fiscal note required

CHAPTER 05 - GOVERNOR'S CRIME COMMISSION

SUBCHAPTER 05B - GRANT ADMINISTRATION

SECTION .0200 - PROGRAM GRANTS

14B NCAC 05B .0201 APPLICATIONS FOR GRANTS

(a) The Executive Director of the Commission shall designate requirements for submission of grant applications. The grant application period shall begin on November 1 of each year and end on January 31. Funding priorities, as determined by the Commission, shall be listed on the Commission's website prior to the opening of an application period.

(b) Grant application submission dates shall be announced on the Commission website, https://www.ncdps.gov/about-dps/boards-

and-commissions/governors-crime-commission/grant-process not less than 90 days before the application is due.

(c) Grant applications shall be electronically submitted to the Commission through the Grants Management System (GMS) on or before the date announced on the Commission website.

(d) To be considered for funding, applicants shall complete the grant application, which shall may include the following information:

- (1) names, mailing addresses, telephone numbers, and signatures of the applicant;
(2) project information, including the following:
(A) a description of the project, its goals and objectives, and outcomes;
(B) the issues or problems addressed by the project;
(C) project operation and activities; and
(D) a sustainability plan;
(3) a proposed budget;
(4) a project time line;
(5) an explanation of how the project's results will be monitored and evaluated;
(6) any other information required by these Rules or requested by the Section in order to make a decision on the grant proposal; and
(7) a description of how the objectives of the proposed project are consistent with the outcomes and guidelines set forth in a State or federal grant program.

(e)(d) Applicants seeking funding for a two-year project shall submit the information required by Paragraph (d) with the requirements of Part (d)(2)(A), Part (d)(2)(C), and Subparagraph (d)(5) written to address the two-year grant period. Applicants shall also submit two one-year budgets.

Authority G.S. 143B-1103. 143B-1104.

SECTION .0500 - EXCEPTIONS

14B NCAC 05B .0501 WAIVER

The Secretary may waive any rule in this Subchapter that is not statutorily required. Factors the Secretary shall use in determining whether to waive a rule are:

- (1) the need to comply with a legislatively mandated or other off cycle grant;
(2) the nonrecurring use of expiring funds;
(3) a declared emergency; or
(4) when the Commission is acting solely as a fiscal agent.

Authority G.S. 143B-602(5); 143B-602(8)(b).

CHAPTER 17 - ALARM SYSTEMS LICENSING BOARD

Notice is hereby given in accordance with G.S. 150B-21.2 that the Alarm Systems Licensing Board intends to amend the rules cited as 14B NCAC 17 .0201, .0203, .0301, .0302 and .0306.

PROPOSED RULES

Link to agency website pursuant to G.S. 150B-19.1(c):
<https://www.ncdps.gov/dps-services/permits-licenses/alarm-system-licensing-board>

Proposed Effective Date: August 1, 2024

Public Hearing:

Date: April 30, 2024

Time: 2:00 p.m.

Location: Conference Room, ASLB Office, 3101 Industrial Drive, Suite 104 Raleigh, NC 27609

Reason for Proposed Action: *The Board's on-line application vendor is increasing its transaction fee effective September 1, 2024. To avoid having to amend five rules again in the future for further increases, and since this fee is set by the vendor and not retained by the Board, the rules are being amended accordingly.*

Comments may be submitted to: Paul Sherwin, 3101 Industrial Dr., Suite 104, Raleigh, NC 27609; phone (919) 788-5320; email paul.sherwin@ncdps.gov

Comment period ends: June 14, 2024

Procedure for Subjecting a Proposed Rule to Legislative Review:

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Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (>= \$1,000,000)
- Approved by OSBM
- No fiscal note required

SECTION .0200 – PROVISIONS FOR LICENSEES

14B NCAC 17 .0201 APPLICATION FOR LICENSE

(a) Each applicant for a license shall submit an online application on the website provided by the Board. When this online application is submitted, it shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of

classifiable fingerprints on an F.B.I. fingerprint card provided by the Board and mailed separately to the Board's office;

- (2) one head and shoulders digital photograph of the applicant in JPG format of sufficient quality for identification, taken within six months prior to the online submission;
- (3) statements of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided within the preceding 60 months;
- (4) a minimum of three letters attesting to the good character and reputation of the applicant using the online character letter submission process; and
- (5) the applicant's application fee, along with a ~~four dollar (\$4.00)~~ the convenience fee charged by the third-party Board's on-line application vendor and the credit card transaction fee charged by the applicant's credit card provider and collected online.

(b) Each applicant shall upload evidence of high school graduation either by diploma, G.E.D. certificate, or other equivalent documentation.

(c) Each applicant for a license shall meet personally with either a Board investigator, the Screening Committee, the Director, or a Board representative designated by the Director prior to being issued a license. The applicant shall discuss the provisions of G.S. 74D and the administrative rules in this Chapter during the personal meeting. The applicant shall sign a form provided by the Board stating that the applicant has reviewed the information with the Board's representative and that the applicant understands G.S. 74D and the administrative rules in this Chapter. During a national or State declared state of emergency that restricts or prohibits travel, the personal meeting requirement may be waived if requested by the applicant in favor of alternative means of communication.

(d) Each applicant for a branch office license shall submit an online application on the website provided by the Board. This online application shall be accompanied by the branch office application fee.

(e) All photographs, record checks, proof of insurance, explanations of criminal charges, explanations of credit history, or requested documents shall be submitted online through the Board's website by any applicant for a permit, license, registration, or certificate within 60 days of the Board's receipt of the application form or a request from Board staff, whichever is later. Any failure to submit required or requested documents to complete the application process within this 60-day period shall void the application and require re-application.

Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8.

14B NCAC 17 .0203 FEES FOR LICENSE

(a) Application license fees are as follows plus a ~~four dollar (\$4.00)~~ the convenience fee charged by the third-party Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online:

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- (1) one hundred fifty dollars (\$150.00) non-refundable initial application fee.
- (2) five hundred dollar (\$500.00) biennial fee for a new or renewal license.
- (3) one hundred fifty dollars (\$150.00) branch office license fee.
- (4) one hundred dollars (\$100.00) late renewal fee to be paid in addition to the renewal fee if the license has not been renewed on or before the expiration date.

(b) Fees shall be paid by credit card, or electronic funds transfer.

Authority G.S. 74D-7.

SECTION .0300 – PROVISIONS FOR REGISTRANTS

14B NCAC 17 .0301 APPLICATION FOR REGISTRATION

(a) Each licensee or qualifying agent shall submit an online application for the registration of his or her employee on the website provided by the Board. When this online application is submitted, it shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on a standard F.B.I. fingerprint card mailed separately to the Board's office;
- (2) one original signed S.B.I. release of information form uploaded online and the original mailed separately to the Board's office;
- (3) one head and shoulders digital photograph of the applicant of sufficient quality for identification, taken within six months prior to online submission, and uploaded with the application submission;
- (4) statements of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided within the preceding 60 months;
- (5) the registration fee required by Rule .0302 of this Section, along with a four dollar (\$4.00) the convenience fee charged by the third-party provider Board's on-line application vendor and the credit card transaction fee charged by the applicant's credit card provider and collected online; and
- (6) a completed affidavit form attesting to the truth of the information provided and public notice statement form.

(b) The employer of an applicant who is currently registered with another alarm business shall complete an online application form provided by the Board. This form shall be accompanied by the applicant's multiple registration fee along with a four dollar (\$4.00) the convenience fee charged by the third-party provider Board's on-line application vendor and the credit card transaction fee charged by the applicant's credit card provider and collected

online. This online application shall be accompanied by a completed affidavit form and public notice statement form.

(c) The employer of each applicant for registration shall print and retain a copy of the applicant's online application in the individual applicant's personnel file in the employer's office.

Authority G.S. 74D-2.1; 74D-5; 74D-8.

14B NCAC 17 .0302 FEES FOR REGISTRATION

(a) Registration fees are as follows, plus a four dollar (\$4.00) the convenience fee charged by the third-party Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online.

- (1) Fifty dollar (\$50.00) non-refundable biennial registration fee.
- (2) Ten dollar (\$10.00) non-refundable fee for registration of an employee who changes employment to another licensee.
- (3) Ten dollar (\$10.00) non-refundable annual multiple registration fee.
- (4) Twenty dollar (\$20.00) late renewal fee to be paid for an application submitted no more than 30 days from the date the registration expires and to be paid in addition to the renewal fee.

(b) Fees shall be paid by credit card, or electronic funds transfer.

Authority G.S. 74D-7.

14B NCAC 17 .0306 RENEWAL OR REREGISTRATION OF REGISTRATION

(a) Each applicant for renewal of a registration identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not less than 90 days prior to expiration of the applicant's current card and shall be accompanied by:

- (1) one digital head and shoulders color photograph of the applicant of acceptable quality for identification and made within 90 days of the application uploaded online with application submission;
- (2) statements of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided within the preceding 24 months; and
- (3) the applicant's renewal fee, along with the ~~four dollar (\$4.00)~~ convenience fee charged by the third-party Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online.

(b) Each licensee shall provide each applicant for registration or re-registration a copy of the online submitted application form provided by the Board. This form shall be submitted to the Board online and accompanied by:

- (1) one digital head and shoulders color photograph of the applicant of acceptable quality for identification and made within 90 days of the

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(2) application uploaded online with the application submission; and the applicant's registration fee, along with the four-dollar (\$4.00) convenience fee charged by the third-party Board's on-line application vendor and credit card transaction fee charged by the applicant's credit card provider and collected online.

(c) The employer of each applicant for a registration renewal or reregistration shall give the applicant a copy of the online application which will serve as a record of application for renewal and shall retain a copy of the applicant's online renewal application in the individual's personnel file in the employer's office.

(d) Members of the armed forces whose registrations are in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the registration renewal fee and to complete the continuing education requirements prescribed by Section .0500 of this Chapter. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

Authority G.S. 74D-7; 74D-8; 93B-15.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 46 - BOARD OF PHARMACY

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Pharmacy intends to amend the rule cited as 21 NCAC 46 .2504.

Link to agency website pursuant to G.S. 150B-19.1(c): www.ncbop.org/rulemakings.htm

Proposed Effective Date: August 1, 2024

Public Hearing:

Date: May 21, 2024

Time: 9:30 a.m.

Location: North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill, North Carolina 27517

Reason for Proposed Action: The principal purpose of the amendment is to clarify the rule. The existing rule addresses patient history information requirements, drug utilization reviews, offers to counsel and counseling in a non-chronological and circuitous fashion. The amended rule would address these topics in a sequential work-flow order. It further would clarify how the rule operates, and may differ, in different practice settings. Substantively, the amendment would provide for initial general counseling to take place through recorded technological means, in cases where that is appropriate.

Comments may be submitted to: Jay Campbell, 6015 Farrington Rd Ste 201, Chapel Hill, NC 27517; email ncboprulemaking@ncbop.org

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SECTION .2500 - MISCELLANEOUS PROVISIONS

21 NCAC 46 .2504 PATIENT COUNSELING

(a) "Patient Counseling" shall mean the effective communication of information, as defined in this Rule, to the patient or representative in order to improve therapeutic outcomes by maximizing proper use of prescription medications, devices, and medical equipment. All provisions of this Rule shall apply to device and medical equipment permit holders, except Subparagraph (a)(8) of this Rule and except where otherwise noted. Specific areas of patient counseling include, but are not limited to, those matters listed in this Rule that in the exercise of the pharmacist's or device and medical equipment permit holder's professional judgment are considered significant:

- (1) name, description, and purpose of the medication;
(2) route, dosage, administration, and continuity of therapy;
(3) special directions for use by the patient;
(4) common severe side or adverse effects or interactions and therapeutic contraindications that may be encountered, including their avoidance, and the action required if they occur;
(5) techniques for self-monitoring drug therapy;
(6) proper storage;
(7) prescription refill information; and
(8) action to be taken in the event of a missed dose.