

TITLE 21 – OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 25 – INTERPRETER AND TRANSLITERATOR LICENSING BOARD

Notice is hereby given in accordance with G.S. 150B-19.1(c), 150B-21.2, and G.S. 150B-21.3A that the North Carolina Interpreter and Transliterotor Licensing Board intends to re-adopt the rule cited as 21 NCAC 25 .0501. See further below for the text of the proposed rule.

Link to agency website pursuant to G.S. 150B-19.1(c): www.ncitlb.org

Proposed Effective Date: June 1, 2018

Public Hearing:

Date: February 23, 2018

Time: 10:00 a.m.

Location: Paragon Bank, 3535 Glenwood Avenue, Raleigh, NC 27612

Explanation of the Proposed Rule and Reason for the Proposed Rule: N.C. Gen. Stat. 90D-11 (License Renewal) requires “written proof of satisfactory completion of continuing education requirements adopted by the Board.” Rule 21 NCAC 25 .0501 requires licensees to earn two Continuing Education Units (“CEUs”) per licensure year and paragraph (b) thereof currently prohibits carrying over extra CEUs earned to the next licensure year. To allow licensees to take longer, more detailed CEU courses and seminars, which tend to be more expensive, the Board has proposed amending the Rule (paragraph (b) only) to allow carryover of CEUs to the next licensure year. The extra expense of longer, more detailed CEU courses can be better justified by the licensees if the Rule allows them to use the CEUs earned for two licensure years. The Board notes that the North Carolina State Bar allows attorneys to carry over continuing education hours to the next year, so there is precedence for this allowance.

Oral or Written Comments on, including any objections to, the Proposed Revised Rule may be submitted to: Ms. Caitlin Schwab-Falzone, Board Administrator, NCITLB, P.O. Box 20963, Raleigh, NC 27619, phone (919) 779-5709, fax (919) 779-5642, email ncitlb@caphill.com

Comment period ends: March 2, 2017

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 written objections to the Rules Review Commission after the adoption of the Rule. 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 those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- State funds affected
- Environmental permitting of DOT affected
- Analysis submitted to Board of Transportation
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required by G.S. 150B-21.3A(d)(2)

Note: The federal certification referenced in G.S. 150B-19.1(c) and (g) is not required for this proposed amended rule because it is not being proposed for any of the reasons stated in G.S. 150B-19.1(g).

THE TEXT OF THE PROPOSED RULE:

SECTION .0500 – CONTINUING EDUCATION

21 NCAC 25 .0501 CONTINUING EDUCATION REQUIREMENTS

(a) A licensee shall earn at least two continuing education units (“CEUs”) each licensure year. At least 1.0 of those CEUs shall be earned in professional studies and at least 1.0 of those CEUs shall be earned in a setting in which three or more persons come together at the same location at the same time as a group to listen to a lecture, to view a demonstration, to participate in group discussions, or to learn through any combination of these or similar activities.

(b) ~~Surplus CEUs shall not be carried forward from the licensure year in which they were earned to any subsequent licensure year.~~ A licensee may carry over up to two (2) surplus CEUs earned in one licensure year to the next licensure year to meet the requirements of

Paragraph (a) of this Rule. To lessen the Board's administrative review time and costs, the licensee shall provide sufficient proof of the CEU credits sought to be carried over in the licensee's license renewal application packet submitted for the carry over year in order to receive credit therefore. Except as specifically provided hereby, surplus CEUs shall only be carried forward from the licensure year in which they were earned to the next subsequent licensure year, and not beyond.

(c) A licensee may not earn CEUs while interpreting, whether or not the licensee is compensated for his or her services.

(d) The Board shall waive the continuing education requirements in this Section for any individual who is currently licensed by and in good standing with the Board if the individual is serving in the armed forces of the United States and if G.S. 105-249.2 grants the individual an extension of time to file a tax return. The waiver shall be in effect for any period that is disregarded under Section 7508 of the Internal Revenue Code in determining the taxpayer's liability for a federal tax.

*History Note: Authority G.S. 90D-6; 90D-8; 90D-11; 93B-15;
Eff. March 21, 2005;
Amended Eff. May 1, 2011; August 1, 2007.*