

**21 NCAC 36 .0121            PETITIONING FOR RULEMAKING**

(a) Any person wishing to submit a petition to the Board requesting the adoption, amendment, or repeal of a rule shall file the petition with the Board's chief executive officer. Petitions shall be mailed to the Board at Post Office Box 2129, Raleigh, NC 27602-2129.

(b) The petition shall contain the following information:

- (1) a proposed draft of the rule to be adopted, amended, or a citation to the rule to be repealed;
- (2) a statement of the reason for the proposal including statutory authority;
- (3) effect of the proposed rule change on the practice of nursing;
- (4) any data supporting the proposal including cost factors; and
- (5) name, address, and telephone number of each petitioner.

(c) The Board shall determine whether the public interest would be served by the adoption, amendment, or repeal of the requested rule. Prior to making this determination, the Board may:

- (1) request additional information from the petitioner;
- (2) contact interested persons or those likely to be affected by the proposed rule and request comments; and
- (3) use any other method for obtaining information on which to base its determination. It shall consider all the contents of the petition submitted plus any other information obtained by the means described herein.

(d) The Board shall act on a petition within the timeframe outlined in G.S. 150B-20.

*History Note:*     *Authority G.S. 150B-20; 90-171.23(b)(3);*  
                         *Eff. November 1, 2020.*