

1 10A NCAC 15 .0210 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 15 .0210 ~~OTHER PROHIBITED ACTIVITIES~~ **MODIFICATIONS: REVOCATION:**
4 **TERMINATION OF REGISTRATIONS****

5 ~~(a) No person registered pursuant to Rule .0205 of this Section for x ray sales or installations shall make, sell, lease,~~
6 ~~transfer, lend, assemble, or install radiation machines or equipment used in connection with such machines unless~~
7 ~~such machines and equipment when placed in operation shall meet the applicable requirements of these Rules.~~

8 ~~(b) No person, in any advertisement, shall refer to the fact that he or his facility is registered with the agency~~
9 ~~pursuant to the provisions of Rule .0203 or .0205 of this Section and no person shall state or imply that any activity~~
10 ~~under such registration has been approved by the agency.~~

11 ~~(c) No person registered pursuant to Rule .0205 of this Section shall install radiation machines which are subject to~~
12 ~~provisions of Section .0600 of this Chapter unless the registrant first determines that the agency has issued written~~
13 ~~acknowledgement of receipt of any facility and shielding design required in Rule .0603 of this Chapter.~~

14 (a) The terms and conditions of all registrations are subject to amendment, revision or modification and all
15 registrations are subject to suspension or revocation by reason of:

16 (1) rules adopted pursuant to provisions of the Act; or

17 (2) orders issued by the agency pursuant to provisions of the Act and rules adopted pursuant to
18 provisions of the Act.

19 (b) Any registration may be revoked, suspended, or modified in whole or in part:

20 (1) for any material false statement in the application or in any statement of fact required by
21 provisions of this Section;

22 (2) because of conditions that would warrant the agency to refuse to grant a registration on the
23 original application revealed by:

24 (A) the application;

25 (B) any statement of fact;

26 (C) any report, record, inspection, or other means; or

27 (3) for violations of, or failure to observe any of the terms and conditions of the Act, the registration,
28 the rules of this Chapter, or the order of the agency.

29 (c) Except in cases of willfulness or those in which the public health, interest, or safety requires otherwise, prior to
30 the institution of proceedings for modification, revocation, or suspension of a registrant, the agency shall:

31 (1) call to the attention of the registrant in writing the facts or conduct which may warrant these
32 actions, and

33 (2) provide an opportunity for the registrant to demonstrate or achieve compliance with all lawful
34 requirements.

35 (d) Before any order is entered suspending, revoking, or modifying a registration, the agency shall give notice and
36 grant a hearing as provided in Chapter 150B of the North Carolina General Statutes.

37 (e) The agency may terminate a registration upon written request submitted by the registrant to the agency.

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*History Note: Authority G.S. 104E-7; ~~104E-20~~; 104E-13;
Eff. February 1, 1980;
Amended Eff. May 1, 1993; June 1, 1989;
Transferred and Recodified from 15A NCAC 11 .0210 Eff. February 1, ~~2015~~; 2015;
Readopted Eff. May 1, 2025.*