

Burgos, Alexander N

Subject: FW: Periodic Review 10A NCAC 05

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, October 13, 2025 4:33 PM
To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Periodic Review 10A NCAC 05

Misty,

Thank you for your response. Based on this information, I will recommend a May 1, 2028 readoption deadline for these rules.

The Commission will vote on this readoption deadline at its October 30 meeting, beginning at 10:00 AM. Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Sent: Thursday, October 9, 2025 3:11 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Cc: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Subject: RE: Periodic Review 10A NCAC 05

Good afternoon, Seth-

Thank you for your email. I am responding to your email to report back to you regarding a timeline for the 10A NCAC 05 rules, by October 14, 2025. Below is what is being proposed as a timeline for the 10A NCAC 05 rules pursuant to the periodic review process. Please let me know if this is acceptable.

- **Current - July 1, 2026** - Evaluate existing policies and amend to serve as a foundation for our rules
- **July 1, 2026**-Notify state office of budget regarding proposed changes so that governor's recommended budget for 2027 can effectuate the changes that need to occur
- **July 1, 2026 – October 2027** – write rules to comply with periodic review process
- **November-December 2027** – Seek approval from NC Department of Health & Human Services Secretary for proposed rule amendment approvals
- **January 2028** – Notice sent to state register, notice of intent to make rules posted on agency and commission websites
- **February & March 2028** – Public comment period, public hearing and notice in state register required by state law
- **April 2028** – submit the rules for review by the Rules Review Commission to determine if the Commission counsel will recommend approval
- **May 2028** – appear before the NC Rules Review Commission to have them approve rules
- **June 1, 2028** – effective earliest date

Misty L. Piekaar-McWilliams, JD

[Consumer Affairs Program Manager](#)

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, August 15, 2025 1:39 PM
To: Julie B. Eddins <julie.eddins@oah.nc.gov>; Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Subject: Re: Periodic Review 10A NCAC 05

Good afternoon,

The attached periodic review reports have been finalized. The next step is to set a deadline for the readoption of these rules. Pursuant to G.S. 150B-21.3A and 26 NCAC 05 .0212, the RRC sets this deadline after consultation with the agency, and this email serves as the RRC's request for that consultation. Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC, and the deadlines for doing so.

It appears that the deadline for your agency to provide this information is October 14, 2025. As a starting point, I would recommend a May 1, 2028 readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Seth Ascher

Counsel to the North Carolina Rules Review Commission
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From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Friday, August 8, 2025 10:33 AM
To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review 10A NCAC 05

Good afternoon,

The determinations in the attached periodic review reports for 10A NCAC 05 were effective May 28, 2025. Commission Counsel Seth Ascher will reach out to you to discuss setting the readoption date for the rules in the report designated necessary.

The rules designated, as unnecessary expired effective May 28, 2025.

Let me know if you have any questions.

Julie B. Eddins

Publications Coordinator

NC Office of Administrative Hearings

*Phone 984-236-1937 (direct) – **new number effective March 14, 2025***

julie.eddins@oah.nc.gov



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