

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Friday, October 10, 2025 2:54 PM
To: Piekaar, Misty L
Cc: Burgos, Alexander N
Subject: RE: Periodic Review 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q

Good afternoon,

I believe part of the confusion is with the use of “adoption” (See 26 NCAC 02C .0102(3)). On the line highlighted “**April 2028**”, please replace “approval” with “adoption”. The desired “effective date” should be listed in the History Note of each rule when it’s submitted to the RRC.

I’m otherwise satisfied with the proposed readoption timeline submitted by your agency. The RRC will plan to vote on the agreed readoption deadline of **July 1, 2028** at its meeting on October 30, 2025 at 10am.

Please let me know if you have any questions.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Sent: Friday, October 10, 2025 1:49 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Subject: RE: Periodic Review 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q

Travis –

See below incorporating that we intend to submit the agency rules for agency approval in April 2028. Does this proposed timeline work?

- **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 management (OBSM) 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 2027** – Seek approval from NC Department of Health & Human Services Secretary for proposed rule amendment approvals
- **December 2027** – Notice sent to state register, notice of intent to make rules posted on agency and commission websites

- **Late Jan- March 2028** – Public comment period, public hearing and notice in state register required by state law
- **April 2028** – Submit rules to agency for approval
- **May 2028** – submit the rules for review by the Rules Review Commission to determine if the Commission counsel will recommend approval
- **June 2028** – appear before the NC Rules Review Commission to have them approve rules
- **August 1, 2028** – effective earliest date/readoption date (Note, the agency would submit the rules to RRC prior to July 1, 2028, with submission being in June 2028, and as requested in your email below, but is asking the effective date (readoption date) to be the same as the other rules located in 10A NCAC 06 since they deal with the same issue. However, we would be before RRC prior to July 1, 2028, as requested below.)

Misty L. Piekaar-McWilliams, JD
[Consumer Affairs Program Manager](#)
[Legal Assistance Developer](#)
[Rule-Making Coordinator](#)
[Division of Aging](#)
 NC Department of Health and Human Services

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From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, October 9, 2025 3:44 PM
To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q

Good afternoon,

When does your agency intend to adopt its rules (150B0-21.2)? This needs to be added to the timeline and in compliance with the APA.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Sent: Thursday, October 9, 2025 3:25 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Subject: RE: Periodic Review 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q

Travis-

Please know I am responding to your email dated August 11, 2025, which requested the agency provide you with a readoption timeline. For the following rules, 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q, I propose the following. 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 management (OBSM) 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
 - **May 2028** – submit the rules for review by the Rules Review Commission to determine if the Commission counsel will recommend approval
 - **June 2028** – appear before the NC Rules Review Commission to have them approve rules
 - **August 1, 2028** – effective earliest date (Note, the agency would submit the rules to RRC prior to July 1, 2028, with submission being in June 2028, and as requested in your email below, but is asking the effective date to be the same as the other rules located in 10A NCAC 06 since they deal with the same issue.)

Please let me know if this is acceptable.

Misty L. Piekaar-McWilliams, JD
[Consumer Affairs Program Manager](#)
[Legal Assistance Developer](#)

[Rule-Making Coordinator](#)

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From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>

Sent: Monday, August 11, 2025 2:41 PM

To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: Periodic Review 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q

Good afternoon,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the "Necessary" 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.

The deadline for your agency to provide this information is **October 10, 2025**. As a starting point, I would recommend a **July 1, 2028**, readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Please reply to confirm receipt of this email. Let me know if you have any questions. Thank you.

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: travis.wiggs@oah.nc.gov

From: Julie B. Eddins <julie.eddins@oah.nc.gov>

Sent: Friday, August 8, 2025 10:49 AM

To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>

Cc: Wiggs, Travis C <travis.wiggs@oah.nc.gov>

Subject: Periodic Review 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q

Good afternoon,

The determinations in the attached periodic review report for 10A NCAC 06A, 06B, 06C, 06D, 06E, 06F, 06G, 06H, 06I, 06K, 06Q were effective June 25, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date.

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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