

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Friday, October 10, 2025 2:55 PM
To: Piekaar, Misty L
Cc: Burgos, Alexander N
Subject: RE: Periodic Review 10A NCAC 06P, 06R, 06S, 06T, 06U, 06W, 06X

Good afternoon,

I believe part of the confusion is with the use of “adoption” (See 26 NCAC 02C .0102(3)). On the line highlighted “**May 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 **August 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 1:42 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 06P, 06R, 06S, 06T, 06U, 06W, 06X

Now until

May 2028
Approval from NC DHHS

June 2028
Submit to RRC

July 2028
RRC Meeting

August 1 2028

Readoption

Travis –

Does this suffice? See highlighted text below adding when the agency would approve the rules.

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
- **September-December 2027** – Seek approval from NC Department of Health & Human Services Secretary and the Social Services Commission 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 -April 2028** – Public comment period, public hearing and notice in state register required by state law
- **May 2028** – Seek approval from agency to submit to RRC
- **June 2028** – submit the rules for review by the Rules Review Commission counsel
- **July 2028** – appear before the NC Rules Review Commission to have them approve rules
- **August 1, 2028** – effective earliest date/readoption date

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 4:16 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 06P, 06R, 06S, 06T, 06U, 06W, 06X

Your agency must adopt each rule prior to review by the RRC. Please read subsection (g) and resubmit a proposed timeline that includes each step in the permanent rulemaking process.

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 3:59 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 06P, 06R, 06S, 06T, 06U, 06W, 06X

Travis-

Thanks for your email. August 1, 2028, would be our proposed readoption date. Items mentioned in NCGS 150B-21.2 such as public comment period and hearing would occur in February and March 2028, as indicated below. Given that I have clarified that August 1, 2028, would be our proposed readoption date, please let me know if the proposed timeline below is acceptable.

Misty L. Piekaar-McWilliams, JD
[Consumer Affairs Program Manager](#)
[Legal Assistance Developer](#)
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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 3:43 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 06P, 06R, 06S, 06T, 06U, 06W, 06X

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 3:28 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 06P, 06R, 06S, 06T, 06U, 06W, 06X

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 06P, 06R, 06S, 06T, 06U, 06W, 06X, 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

- **September-December 2027** – Seek approval from NC Department of Health & Human Services Secretary and the Social Services Commission 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
- **June 2028** – submit the rules for review by the Rules Review Commission counsel
- **July 2028** – appear before the NC Rules Review Commission to have them approve rules
- **August 1, 2028** – effective earliest date

Please let me know if this is acceptable.

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

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From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, August 11, 2025 2:49 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 06P, 06R, 06S, 06T, 06U, 06W, 06X

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 **August 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 10:52 AM
To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Cc: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Subject: Periodic Review 10A NCAC 06P, 06R, 06S, 06T, 06U, 06W, 06X

Good afternoon,

The determinations in the attached periodic review report for 10A NCAC 06P, 06R, 06S, 06T, 06U, 06W, 06X 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*](mailto:julie.eddins@oah.nc.gov)



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