

**G.S. 150B-21.3A Report for 10A NCAC 26A, RULES OF PROCEDURE**

Agency - DHHS - Commission for Mental Health/DD/SAS

Comment Period - December 13, 2024 - February 11, 2025

Date Submitted to APO - April 25, 2025

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 26A – RULES OF PROCEDURE	SECTION .0100 – RULEMAKING PROCEDURES	10A NCAC 26A .0101	AVAILABILITY OF THESE RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0102	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0103	PETITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0104	NOTICE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0105	HEARINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0106	JUSTIFICATION OF RULE-MAKING DECISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0107	RECORD OF RULE-MAKING PROCEEDINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0108	FEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - CONTESTED CASES	10A NCAC 26A .0201	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0202	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0203	DETERMINATION OF CONTESTED CASE HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - DECLARATORY RULINGS	10A NCAC 26A .0301	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0302	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0303	AUTHORITY TO MAKE DECLARATORY RULINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0304	PROCEDURES FOR REQUESTING DECLARATORY RULINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0305	ACTION ON REQUEST FOR DECLARATORY RULING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0306	PROCEDURES FOR ISSUING DECLARATORY RULINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 10A NCAC 26A, RULES OF PROCEDURE**

Agency - DHHS - Commission for Mental Health/DD/SAS

Comment Period - December 13, 2024 - February 11, 2025

Date Submitted to APO - April 25, 2025

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 26A .0307	RECORD OF DECLARATORY RULING PROCEEDINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 26A .0308	NOTIFICATION OF COMMISSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 20, 2015.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt