

Burgos, Alexander N

Subject: FW: Periodic Review 10A NCAC 97

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

Sent: Wednesday, October 1, 2025 2:41 PM

To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>

Cc: Penny, Paris <paris.penny@dhhs.nc.gov>; Poke-Stewart, Marionna C <Marionna.Poke-Stewart@dhhs.nc.gov>

Subject: RE: Periodic Review 10A NCAC 97

Thank you Seth for your prompt response.

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

Office: 919-855-4980

Mobile: 919-219-0528

Fax: 919-715-0364

Misty.Piekaar@dhhs.nc.gov

Mail:

2101 Mail Service Center

Raleigh, NC 27699-2101

Physical:

1915 Health Services Way, 8th Floor (9/13 and after)

Raleigh, NC 27607

[Twitter](#) [YouTube](#)

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort, is prohibited by law. If you have received this e-mail in error, please notify the sender immediately and delete all records of this e-mail. Please print responsibly.

From: Ascher, Seth M <seth.ascher@oah.nc.gov>

Sent: Wednesday, October 1, 2025 2:40 PM

To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Cc: Penny, Paris <paris.penny@dhhs.nc.gov>; Poke-Stewart, Marionna C <Marionna.Poke-Stewart@dhhs.nc.gov>
Subject: Re: Periodic Review 10A NCAC 97

Misty,

Thank you for your timely response.

Based on what you have outlined and the current scheduling of rule readoptions, I am going to recommend a readoption deadline of August 1st, 2028. Let me know if you have any questions or concerns.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

From: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Sent: Wednesday, October 1, 2025 1:43 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Cc: Penny, Paris <paris.penny@dhhs.nc.gov>; Poke-Stewart, Marionna C <Marionna.Poke-Stewart@dhhs.nc.gov>;
Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Subject: RE: Periodic Review 10A NCAC 97

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 97 rules, by October 14, 2025. Below is what is being proposed as a timeline for the 10A NCAC 97 rules pursuant to the periodic review process. Please let me know if this is acceptable.

I have added Paris, the other rule-making coordinator for SSC, and Marionna, director of Office of Economic Opportunity.

-
-
- **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 – December 2027** – write rules which implement the OAA final rules
 - **December 2027** – Seek approval from various state commissions and NC Department of Health & Human Services Secretary for proposed rule amendment approvals
 - **February 2028** – Notice sent to state register, notice of intent to make rules posted on agency and commission websites
 - **March & April 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 to determine if the Commission counsel will recommend approval
 - **July 2028** – appear before the NC Rules Review Commission to have them approve rules
 - **August 1, 2028** – effective earliest date (mandated by state law)

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

Office: 919-855-4980
Mobile: 919-219-0528
Fax: 919-715-0364
Misty.Piekaar@dhhs.nc.gov

Mail:
2101 Mail Service Center
Raleigh, NC 27699-2101
Physical:
1915 Health Services Way, 8th Floor (9/13 and after)
Raleigh, NC 27607

[Twitter](#) [YouTube](#)

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort, is prohibited by law. If you have received this e-mail in error, please notify the sender immediately and delete all records of this e-mail. Please print responsibly.

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, August 15, 2025 1:36 PM
To: Julie B. Eddins <julie.eddins@oah.nc.gov>; Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Subject: Re: Periodic Review 10A NCAC 97

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 July 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
Office of Administrative Hearings
(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Thursday, May 22, 2025 8:32 AM
To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review 10A NCAC 97

Good Morning,

The determinations in the attached periodic review report for 10A NCAC 97 were effective April 30, 2025. Commission Counsel Seth Ascher 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



Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.