

Burgos, Alexander N

Subject: FW: Periodic Review 11 NCAC 01, 17

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, September 2, 2025 4:45 PM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Periodic Review 11 NCAC 01, 17

Alisha,

Thanks for your prompt follow up. I will get these subchapters on the September 25, 2025 agenda to have their readoption deadline of July 1, 2027 approved.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Sent: Tuesday, September 2, 2025 4:36 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: RE: Periodic Review 11 NCAC 01, 17

Hi Seth,

After checking emails, it appears these rules were not addressed back in June but readoption deadlines were set for 3 other chapters that our agency were discussing simultaneously, those being 11 NCAC 18, 20 and 21.

At this time, we would like to accept the previously proposed readoption deadline of July 1, 2027, for the rules found in 11 NCAC 01 and 17.

Given the amount of agency rules falling under the current periodic review schedule, please find a broad, tentative timeline pursuant to 26 NCAC 05 .0212 as follows:

- January 2026 – June 2027
 - Review rules and identify potential need for substantive changes for readoption of all rules in chapters 01 and 17 of title 11 of the NCAC
 - Communicate with the Office of State Budget Management for fiscal notes if necessary
 - File Notice of Text within the second quarter
 - Schedule Publication in accordance with 2026 RRC Publication schedule
 - Notify interested parties
 - Hold Public Comment period in accordance with G.S. 150B-21.2(e)
 - Hold Public Hearing if necessary
 - Review all public comments received by agency
 - Adoption of rules in accordance with G.S. 150B-21.2(g)
 - Submission of rules to RRC within 30 days of adoption

At this time, DOI has not identified any specific rulemaking priorities that would be relevant to the above readoption timeline.

Please let me know if any more is needed for the abovementioned rules under review.

Thank you.

Alisha Benjamin
Assistant General Counsel



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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, September 2, 2025 4:14 PM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Subject: Re: Periodic Review 11 NCAC 01, 17

Alisha,

According to my records, I am still waiting on a response regarding the readoption deadline for these two subchapters. Can you either correct me if I've missed something, or take the steps outlined in the email below at your earliest convenience?

Sincerely,

Seth Ascher

Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, April 25, 2025 12:44 PM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Subject: Re: Periodic Review 11 NCAC 01, 17

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 June 24, 2025. As a starting point, I would recommend a July 1, 2027 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: Thursday, April 17, 2025 12:38 PM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review 11 NCAC 01, 17

Good afternoon,

The determinations in the attached periodic review report for 11 NCAC 01, 17 were effective April 2, 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



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