

## **Burgos, Alexander N**

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**Subject:** FW: [External] 21 NCAC 32A .0115 Request for Changes - November 2022 RRC  
**Attachments:** RRC - 21 NCAC 32A.0115-technical changes.docx

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**From:** Liebman, Brian R <brian.liebman@oah.nc.gov>  
**Sent:** Thursday, November 10, 2022 10:32 PM  
**To:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Cc:** Rules, Oah <oah.rules@oah.nc.gov>; Wanda Long <Wanda.Long@NCMEDBOARD.ORG>  
**Subject:** FW: [External] 21 NCAC 32A .0115 Request for Changes - November 2022 RRC

Good evening,

Attached, please find the final version of the Rule for RRC review.

Thanks,  
Brian

Brian Liebman  
Counsel to the North Carolina Rules Review Commission  
Office of Administrative Hearings  
(984)236-1948  
[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)

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## Burgos, Alexander N

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**From:** Liebman, Brian R  
**Sent:** Thursday, November 10, 2022 5:33 PM  
**To:** Wanda Long; Rules, Oah  
**Cc:** Marcus B. Jimison; Leigh Anne Satterwhite; Burgos, Alexander N  
**Subject:** RE: [External] 21 NCAC 32A .0115 Request for Changes - November 2022 RRC

Hi Ms. Long,

Thanks for your responses. I think the revised rule is good, and I will recommend approval next week.

Unless you have an objection, I'll send this off to Alex and Dana as the final version of the Rule.

Thanks,  
Brian

Brian Liebman  
Counsel to the North Carolina Rules Review Commission  
Office of Administrative Hearings  
(984)236-1948  
brian.liebman@oah.nc.gov

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**From:** Wanda Long <Wanda.Long@NCMEDBOARD.ORG>  
**Sent:** Wednesday, November 9, 2022 4:34 PM  
**To:** Rules, Oah <oah.rules@oah.nc.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>  
**Cc:** Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>  
**Subject:** [External] 21 NCAC 32A .0115 Request for Changes - November 2022 RRC

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Mr. Liebman,

Attached is our response to the Request for technical changes.  
Have a good evening.

Thank you.

**Wanda A. Long, NCCP**  
Paralegal, Legal Department  
Victim Services Coordinator  
North Carolina Medical Board  
**P** 800.253.9653 x212 **W** [www.ncmedboard.org](http://www.ncmedboard.org)  
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1 21 NCAC 32A .0115 is adopted, **with changes**, as published in 37:01 NCR page 28 as follows:

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**21 NCAC 32A .0115 PETITION FOR RULE-MAKING**

(a) Any person submitting a petition to adopt, amend, or repeal a rule by the Board shall address a petition to the Board’s Rule Making Coordinator at the office address in 21 NCAC 32A .0101.

- (1) The petition shall contain the following:
  - ~~[(a)](A)~~ for petitions to adopt or amend a rule, a draft of the proposed rule or amendment;
  - ~~[(b)](B)~~ a statement of the effect of the requested rule ~~change;~~ **change, including any effect of the new rule on existing rules;** and
  - ~~[(c)](C)~~ the name and address of the petitioner.

- (2) The petition may contain the following:
  - ~~[(a)](A)~~ the reason for the proposal; ~~or~~
  - ~~[(b)]~~ **the effect of the new rule on existing rules; or**
  - ~~[(c)](B)~~ any data supporting the rule proposal.

(b) Within 120 days of submission of the petition, the Board shall render a final decision. If the decision is to grant the petition, the Board shall initiate a rule-making proceeding by issuing a notice as provided for in G.S. 150B-20(c). If the decision is to deny the petition, the Board shall send the petitioner written notice of the decision. The notice shall state the reasons for denying the petition and refer to the appeal rights set forth in ~~[G.S. 150B-20(d)]~~ **G.S. 150B-20(d).**

*History Note: Authority G.S. **90-5.1**; 150B-20;  
Eff. December 1, 2022.*

## Burgos, Alexander N

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**From:** Liebman, Brian R  
**Sent:** Wednesday, October 26, 2022 3:11 PM  
**To:** Wanda Long  
**Cc:** Burgos, Alexander N  
**Subject:** 21 NCAC 32A .0115 Request for Changes - November 2022 RRC  
**Attachments:** 11.2022 - Med Board - Request for Changes 21 NCAC 32A .0115.docx

Good afternoon,

I'm the attorney who reviewed the Rules submitted by the Medical Board for the November 2022 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, November 17, 2022, at 9:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get closer to the meeting. If there are any other representatives from your agency who will want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Please submit the revised Rule and forms to me via email, no later than 5 p.m. on Wednesday, November 9, 2022.

In the meantime, please do not hesitate to reach out via email with any questions or concerns.

Thanks,

Brian

Brian Liebman  
Counsel to the North Carolina Rules Review Commission  
Office of Administrative Hearings  
(984)236-1948  
brian.liebman@oah.nc.gov

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