

## Burgos, Alexander N

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**Subject:** FW: [External] Re: Periodic Review 21 NCAC 01

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**From:** Mike Tadych <mike@smvt.com>

**Sent:** Monday, March 10, 2025 2:00 PM

**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Cc:** pat@smvt.com; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>

**Subject:** Re: [External] Re: Periodic Review 21 NCAC 01

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Thank you and for your help!

## Burgos, Alexander N

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**Subject:** FW: [External] Re: Periodic Review 21 NCAC 01

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Sent:** Monday, March 10, 2025 12:56 PM

**To:** Mike Tadych <mike@smvt.com>

**Cc:** pat@smvt.com; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>

**Subject:** RE: [External] Re: Periodic Review 21 NCAC 01

Good afternoon,

I'm satisfied with your proposed timeline. I intend to recommend that the RRC approve the October 1, 2027 readoption deadline at the March 27<sup>th</sup> meeting.

Thanks,

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

## Burgos, Alexander N

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**Subject:** FW: [External] Re: Periodic Review 21 NCAC 01  
**Attachments:** NCALB proposed rules readoption timeline 10 March 2025.pdf

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**From:** Mike Tadych <mike@smvt.com>  
**Sent:** Monday, March 10, 2025 12:21 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** pat@smvt.com; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>  
**Subject:** Re: [External] Re: Periodic Review 21 NCAC 01

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Here it is again without my typo.

On Mon, Mar 10, 2025 at 12:19 PM Mike Tadych <[mike@smvt.com](mailto:mike@smvt.com)> wrote:

All:

Please see the attached proposed timeline.

Thank you.



**VIA EMAIL ONLY**

TO: Travis C. Wiggs, Rules Review Commission Counsel ([travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov))  
FROM: Michael J. Tadych, NCALB Rulemaking Coordinator ([mike@smvt.com](mailto:mike@smvt.com))  
CC: Alexander Burgos ([alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)); [oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov); Pat Pritchard ([pat@smvt.com](mailto:pat@smvt.com))  
DATE: 10 March 2025

Proposed timeline for Permanent Rulemaking/Periodic Review of Rules from the North Carolina Acupuncture Licensing Board for 21 NCAC 01 and 01S pursuant to 26 NCAC 05 .0212.

Deadline	Process
1 December 2026	Review rules and propose possible amendments.
1 March 2027	File rules with OAH for publication in NC Register.
1 March 2027	Post proposed rule amendments on Board's website.
1 March 2027 to 1 May 2027	Public comment period.
1 June 2027	Public hearing on proposed rule amendments.
1 August 2027	Final determination by NCALB.
August 2027	Submit final determination to RRC for review.
September 2027	RRC meeting.
1 October 2027	Effective date of rule amendments.
October 2027	RRC will establish a deadline for readoption per 26 NCAC 05 .0212.

Post Office Box 10686  
Raleigh NC 27605  
919.821.3008  
Fax 919.833.5743

## Burgos, Alexander N

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**Subject:** FW: [External] Re: Periodic Review 21 NCAC 01

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**From:** Mike Tadych <[mike@smvt.com](mailto:mike@smvt.com)>  
**Sent:** Monday, March 10, 2025 12:21 PM  
**To:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Cc:** [pat@smvt.com](mailto:pat@smvt.com); Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>; Rules, Oah <[oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov)>  
**Subject:** Re: [External] Re: Periodic Review 21 NCAC 01

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Here it is again without my typo.

On Mon, Mar 10, 2025 at 12:19 PM Mike Tadych <[mike@smvt.com](mailto:mike@smvt.com)> wrote:

All:

Please see the attached proposed timeline.

Thank you.

On Mon, Mar 10, 2025 at 11:36 AM Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)> wrote:

Thank you for the reply. I've attached an example of a readoption timeline from a different agency. Your timeline should be an itemized breakdown of when your agency intends to complete each step in the readoption process. This is essentially following the procedures for adopting a permanent rule in 150B-21.2. All rules your agency designated as "Necessary" will need to be readopted during this process.

Please create your timeline working with a proposed deadline of **October 1, 2027**.

Thanks,

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** Mike Tadych <[mike@smvt.com](mailto:mike@smvt.com)>

**Sent:** Monday, March 10, 2025 10:55 AM

**To:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>

**Cc:** [pat@smvt.com](mailto:pat@smvt.com); Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>

**Subject:** [External] Re: Periodic Review 21 NCAC 01

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Hi Travis!

We're working on this. Would you kindly send us an example or two? The NCALB doesn't get any state money so at least one which doesn't need a fiscal note would be greatly appreciated. Also, at least four of the NCALB's rules were readopted effective 1 April 2018. Do they need to be readopted early?

Thank you!

On Mon, Mar 10, 2025 at 9:25 AM Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)> wrote:

Good morning,

I'm writing to remind you about the email below. **The deadline to provide the required information is today.**

Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC. The Rule essentially requires every agency to submit a general timeline of when your agency intends to complete each step in the permanent rulemaking process.

There are several factors your agency should consider when setting the readoption deadline. Please be mindful of 26 NCAC 05.0212(c)(2) that requires agencies to file rules with the RRC within 30 days of adoption. Remember to consider whether your agency will need to prepare any fiscal notes as required by G.S. 150B-21.4. Also, please account for whether your agency will want to amend any rules after the public comment period and rulemaking hearing that may constitute a substantial change under 150B-21.2(g).

Please let me know if you have any questions or concerns. Thank you.

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** Wiggs, Travis C  
**Sent:** Monday, January 13, 2025 9:34 AM  
**To:** [pat@smvt.com](mailto:pat@smvt.com)  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** FW: Periodic Review 21 NCAC 01

Good morning,

The attached periodic review report became effective November 26, 2024. 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.

**The deadline for your agency to provide this information is March 10, 2025.** As a starting point, I would recommend a readoption deadline of April 1, 2027, but I am open to considering a different recommendation based on the needs of your agency.

I apologize for the delay in sending this email. Your agency's report was sent to an incorrect email address on December 9, 2024 (see below). 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](mailto:travis.wiggs@oah.nc.gov)

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**From:** McGhee, Dana <[dana.McGhee@oah.nc.gov](mailto:dana.McGhee@oah.nc.gov)>

**Sent:** Monday, December 9, 2024 11:58 AM

**To:** cathe <[cathe@ncbarch.org](mailto:cathe@ncbarch.org)>

**Cc:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>

**Subject:** Periodic Review 21 NCAC 01

Good morning,

The determinations in the attached periodic review report for 21 NCAC 01 were effective November 26, 2024. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date for the rules in the reports.

Let me know if you have any questions



***Dana McGhee***

*Publications Coordinator*

*Office of Administrative Hearings*

*984-236-1937*

[dana.mcghee@oah.nc.gov](mailto:dana.mcghee@oah.nc.gov)

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Best Regards,

Mike

Stevens Martin Vaughn & Tadych, PLLC

2225 W. Millbrook Road

Raleigh, NC 27612

Telephone: (919) 582-2300

Email: [mike@smvt.com](mailto:mike@smvt.com)

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Best Regards,

Mike

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Attorney/Member/Manager  
Stevens Martin Vaughn & Tadych, PLLC  
2225 W. Millbrook Road  
Raleigh, NC 27612  
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Mobile: (919) 614-8805  
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Website: [www.smvt.com](http://www.smvt.com)

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Best Regards,

Mike

Stevens Martin Vaughn & Tadych, PLLC  
2225 W. Millbrook Road  
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Email: [mike@smvt.com](mailto:mike@smvt.com)