

Burgos, Alexander N

Subject: FW: Periodic Review - 04 NCAC 16

From: Hairston, Marlika D <mhairston@nccob.gov>
Sent: Wednesday, April 23, 2025 8:13 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Rice, Kristin A <krice@nccob.gov>
Subject: RE: Periodic Review - 04 NCAC 16

Good morning, Seth,

Yes, that will work.

Thank you,
Marlika

Marlika D. Hairston

NC Certified Paralegal
Division of Legal Affairs
Office of the Commissioner of Banks
4309 Mail Service Center
Raleigh, NC 27699-4309
Main: 919.733.3016
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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, April 22, 2025 11:32 AM
To: Hairston, Marlika D <mhairston@nccob.gov>
Cc: Rice, Kristin A <krice@nccob.gov>
Subject: Re: Periodic Review - 04 NCAC 16

Marlika,

I think that your proposed timeline is reasonable and would recommend a readoption deadline of April 1, 2027 based on it. Does that work for you?

Note that to ease our administrative burden, we are setting all readoption deadlines for the 1st of a month.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Hairston, Marlika D <mhairston@nccob.gov>

Sent: Tuesday, April 22, 2025 9:26 AM

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

Cc: Rice, Kristin A <krice@nccob.gov>

Subject: RE: Periodic Review - 04 NCAC 16

Good morning, Attorney Ascher,

We have agreed to the following timeline with readoption in May 2027:

June 2025 – January 2026

Finalize proposed rule amendments.

January – September 2026

SBC Approval (FAD) for Preliminary adoption of Rules and Proposed amendments.

December 2026

Rule Submitted to NC Register for Publication

Posted on OCOB Website

Notice to interested Parties

January 2026 – March 2027

Submit to NC Register for Publication

60 Day comment period (Respond to comments)

Hold public hearing (late Jan. Early February)

March 2027

Submit to RRC

April 2027

RRC Meeting

May 2027

Earliest Effective date

**We will not have to consult with the Office of State budget management as we will not have rule amendments with substantive changes.*

Please let me know if you have suggestions or amendments.

Thank you,
Marlika

Marlika D. Hairston

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From: Hairston, Marlika D

Sent: Wednesday, March 12, 2025 9:58 AM

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

Subject: RE: Periodic Review - 04 NCAC 16

Good morning Attorney Ascher,

Would April 25 serve as the consultation date as well ?

Thank you,
Marlika

Marlika D. Hairston

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, February 24, 2025 4:10 PM
To: Hairston, Marlika D <mhairston@nccob.gov>
Subject: Re: Periodic Review - 04 NCAC 16

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 April 25, 2025. As a starting point, I would recommend a May 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

Office of Administrative Hearings

(984) 236-1934

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From: McGhee, Dana <dana.McGhee@oah.nc.gov>
Sent: Thursday, February 20, 2025 2:25 PM
To: Hairston, Marlika D <mhairston@nccob.gov>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review - 04 NCAC 16

Good afternoon,

The determinations in the attached periodic review report for 04 NCAC 16 were effective January 26, 2025. Commission Counsel Seth Ascher will reach out to you to discuss setting the readoption date for the rules in the report.

Let me know if you have any questions.

Dana McGhee
Publications Coordinator
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984-236-1937
dana.mcghee@oah.nc.gov

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