

Burgos, Alexander N

Subject: FW: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Monday, December 16, 2024 6:16 PM
To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hemingway, Hyrum <hhemingway@ncdoj.gov>
Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

OK, thanks, Virginia. Will do.

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: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Sent: Monday, December 16, 2024 5:39 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hemingway, Hyrum <hhemingway@ncdoj.gov>
Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

Hi Brian,

Yes, full-time is defined in the context of the standard work week of the local health department, which is flexible to the local health department. I hope this helps. Please let us know if you have additional questions.

Regards,
Virginia

Virginia R. Niehaus, JD, MPH
Director of Regulatory and Legal Affairs
Division of Public Health
[NC Department of Health and Human Services](#)
Pronouns: she/her/hers

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From: Liebman, Brian R <brian.liebman@oah.nc.gov>

Sent: Monday, December 16, 2024 5:02 PM

To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>

Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hemingway, Hyrum <hhemingway@ncdoj.gov>

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So, "full-time" doesn't necessarily mean 40 hours/week, it means whatever hours the local health department works?

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From: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>

Sent: Monday, December 16, 2024 4:27 PM

To: Liebman, Brian R <brian.liebman@oah.nc.gov>

Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hemingway, Hyrum <hhemingway@ncdoj.gov>

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Hi Brian,

This is intended to be a standard work week of the local health department. It is meant to be flexible to the local health department, so that during the hours that the local health department is open, it is staffed. Please let us know if you have additional questions.

Thanks,
Virginia

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From: Liebman, Brian R <brian.liebman@oah.nc.gov>

Sent: Monday, December 16, 2024 4:01 PM

To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>

Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hemingway, Hyrum <hhemingway@ncdoj.gov>

Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

Hi Virginia,

Sorry to hear you can't make it to the meeting. Hope all is well.

Going back to the rule, I've received a question from one of the Commissioners, that I hope you can answer. On p.1, line 13, is there a definition of "standard work week"?

Thanks,
Brian

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Burgos, Alexander N

Subject: FW: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

From: Liebman, Brian R <brian.liebman@oah.nc.gov>

Sent: Monday, December 16, 2024 4:01 PM

To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>

Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Hemingway, Hyrum <hhemingway@ncdoj.gov>

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Thanks,

Brian

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Burgos, Alexander N

From: Niehaus, Virginia
Sent: Sunday, December 15, 2024 9:13 PM
To: Liebman, Brian R
Cc: CPHComment; Burgos, Alexander N; Hemingway, Hyrum
Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

Hi Brian,

Unfortunately, I will be out of the office on December 19. Hyrum Hemingway, Assistant AG, will be attending in my place, in case there are any questions. I expect he will be there in person, but he may also appreciate a WebEx link. I have CCed him on this email. Please also send a Webex link to Dr. Susan Little (susan.little@dhhs.nc.gov).

I hope the meeting goes well. Happy holidays!

Virginia

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From: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Sent: Tuesday, December 3, 2024 4:48 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

Thank you, Brian! That would be great.

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From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Tuesday, December 3, 2024 3:59 PM
To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

Hi Virginia,

Thanks for making the changes. I think you've satisfied any concerns I had, and I believe I can recommend approval of the rule at the December meeting.

Unless you have an objection, I'll forward the last version you sent over to Dana and Alex for filing.

Best,
Brian

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From: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Sent: Tuesday, December 3, 2024 11:45 AM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

Hi Brian,

I hope you had a nice Thanksgiving.

I have attached responses to the request for technical changes and the revised rule. Please let me know if you have any further questions on this rule.

Thank you for your assistance!

Regards,
Virginia

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From: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Sent: Thursday, November 21, 2024 4:27 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: December 2024 RRC - Request for Changes - CPH 10A NCAC 46 .0301

Hi Brian,

Thank you for your feedback on this rule. We will review the request for changes and respond by December 9.

Regards,
Virginia

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From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Thursday, November 21, 2024 3:11 PM
To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Cc: CPHComment <cphcomment@dhhs.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
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Good afternoon,

I'm the attorney who reviewed the Rules submitted by the Commission for the December 2024 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, December 19, 2024, at 10:00 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 Rules and forms to me via email, no later than 5 p.m. on Monday, December 9, 2024.

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

Thanks,

Brian

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