

Burgos, Alexander N

From: Niehaus, Virginia
Sent: Tuesday, May 6, 2025 10:27 AM
To: Wiggs, Travis C
Cc: Burgos, Alexander N; Collins, Devon
Subject: RE: Periodic Review 10A NCAC 45

Thank you, Travis.

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: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Tuesday, May 6, 2025 10:21 AM
To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Collins, Devon <devon.collins@dhhs.nc.gov>
Subject: RE: Periodic Review 10A NCAC 45

Good morning,

I'm satisfied with your proposed readoption timeline. We will add the deadline of September 1, 2027 to the May 29, 2025 meeting agenda for a vote by the RRC.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Sent: Tuesday, May 6, 2025 10:11 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Collins, Devon <devon.collins@dhhs.nc.gov>
Subject: RE: Periodic Review 10A NCAC 45

Hi Travis,

We agree with your proposed readoption deadline of September 1, 2027 for 10A NCAC 45. There are no rulemaking priorities that we have determined to be relevant to the timeline of readoption, as we are in agreement with RRC's proposed deadline.

Pursuant to [Rule 26 NCAC 05 .0212](#), below is the planned timeline for readoption:

May 2025 – October 2026

- Engage staff in the readoption process
- Identify which rules will require substantive changes and which could be readopted without substantive changes
- Draft updated rule language
- Consult with the Office of State Budget and Management regarding development and approval of fiscal note(s) (if needed)

November 2026 – September 1, 2027

- Agency approval to commence rulemaking; agency approval of fiscal note(s) (if applicable)
- Submit to OAH for publication
- Provide notice to the public and interested persons
- Accept public comments (including holding a public hearing, if necessary)
- Fully consider all public comments received
- Adoption by agency
- Allow time for republication (if needed)

Submit to RRC within 30 days of adoption

Please let me know if you have any questions.

Regards,
Virginia

Virginia R. Niehaus, JD, MPH
Director of Regulatory and Legal Affairs
Division of Public Health
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From: Niehaus, Virginia
Sent: Wednesday, March 5, 2025 1:32 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Collins, Devon <devon.collins@dhhs.nc.gov>
Subject: RE: Periodic Review 10A NCAC 45

Hi Travis,

I am acknowledging receipt. We will provide the requested information by May 6.

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: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Tuesday, March 4, 2025 4:16 PM
To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: FW: Periodic Review 10A NCAC 45

Good afternoon,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the “Necessary” 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 May 6, 2025. As a starting point, I would recommend a September 1, 2027, readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Please reply to confirm receipt of this email. 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

From: McGhee, Dana <dana.McGhee@oah.nc.gov>
Sent: Tuesday, March 4, 2025 3:45 PM
To: Niehaus, Virginia <virginia.niehaus@dhhs.nc.gov>
Cc: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Subject: Periodic Review 10A NCAC 45

Good afternoon,

The determinations in the attached periodic review report for 10A NCAC 45 were effective February 19, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date.

Let me know if you have any questions.

Dana McGhee
Publications Coordinator
Office of Administrative Hearings
984-236-1937
dana.mcghee@oah.nc.gov

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