

## **Burgos, Alexander N**

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**From:** Peaslee, William W  
**Sent:** Wednesday, April 19, 2023 8:40 AM  
**To:** Pfeiffer, Nadine  
**Cc:** Kinsley, Kody; Burgos, Alexander N  
**Subject:** 10A NCAC 14J .1307 Temporary  
**Attachments:** 04.2023 10A NCAC 14J .1307 Rule Return Letter.docx

Good morning,

Attached please find a letter returning the above captioned temporary rule following your email of March 20, 2022. I apologize for the tardiness of the letter. Frankly it just slipped through the cracks but since I haven't heard anything from you it appears not to have missed too much.

As always if you have any questions or concerns please feel free to contact me.

I hope you have a wonderful day.

**William W. Peaslee**  
**Rules Review Commission Counsel / Legislative Liaison**  
Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh NC, 27609  
(984) 236-1939  
[Bill.Peaslee@oah.nc.gov](mailto:Bill.Peaslee@oah.nc.gov)

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**STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS**

April 19, 2023

Nadine Pfeiffer  
North Carolina Department of Health and Human Services (DHHS)  
Division of Health Service Regulation  
Sent via email to [scjones@ncdoj.gov](mailto:scjones@ncdoj.gov)

Re: Return of 10A NCAC 14J .1307 Temporary

Dear Ms. Pfeiffer:

At its March 16, 2023, meeting, the Rules Review Commission objected to the adoption of the above captioned Rule in accordance with G.S. 150B-21.1(b1). A statement of objection was sent to the Secretary of DHHS on March 17, 2023, pursuant to G.S. 150B-21.1(b1).

On March 20, 2022, DHHS responded in accordance with the provisions of G.S. 150B-21.1(b2) stating that DHHS will not be submitting any additional findings or revisions. In accordance with G.S. 150B-21.1(b2), 10A NCAC 14J .1307 (Temporary) is being returned pursuant to this letter.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

/s/ William W. Peaslee  
William W. Peaslee  
Commission Counsel

Cc: Kody Kinsley, Secretary DHHS

**Donald Robert van der Vaart**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

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## **Burgos, Alexander N**

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**Subject:** FW: Temporary rule 10A NCAC 14J .1307

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**From:** Pfeiffer, Nadine <[nadine.pfeiffer@dhhs.nc.gov](mailto:nadine.pfeiffer@dhhs.nc.gov)>  
**Sent:** Monday, March 20, 2023 9:51 AM  
**To:** Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>  
**Cc:** Premakumar, Rajeev K <[raj.premakumar@dhhs.nc.gov](mailto:raj.premakumar@dhhs.nc.gov)>  
**Subject:** Temporary rule 10A NCAC 14J .1307

Good Morning Bill,  
On behalf of the N.C. Department of Health and Human Services, in accordance with G.S. 150B-21.1(b2) this email is to inform you that the Agency has made the decision to not revise temporary rule 10A NCAC 14J .1307 to address the objection approved by the Rules Review Commission on March 16, 2023.

Please feel free to contact me should you have questions related to this email. Thank you.

**Nadine Pfeiffer**  
Rules Review Manager  
Division of Health Service Regulation  
[NC Department of Health and Human Services](#)

Office: 919-855-3811  
Fax: 919-733-2757  
[nadine.pfeiffer@dhhs.nc.gov](mailto:nadine.pfeiffer@dhhs.nc.gov)

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## **Burgos, Alexander N**

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**From:** Peaslee, William W  
**Sent:** Friday, March 17, 2023 10:13 AM  
**To:** kody.kensley@dhhs.gov  
**Cc:** Pfeiffer, Nadine; Burgos, Alexander N  
**Subject:** Temporary Rule 10A NCAC 14J .1307 Objection Letter  
**Attachments:** 03.2023 DHHS Objection Letter 10A NCAC 14J .1307.pdf; 03.2023 DHHS 10A NCAC 14J .1307 Staff Opinion.doc

Good morning Secretary Kinsley.

Attached please find the Rules Review Commission statement of objection pursuant to G.S. 150B-21.1(b1) to the above captioned temporary rule.

As always if you have any questions or concerns, please do not hesitate to contact me.

**William W. Peaslee**  
**Rules Review Commission Counsel / Legislative Liaison**  
Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh NC, 27609  
(984) 236-1939  
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## **Burgos, Alexander N**

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**From:** Pfeiffer, Nadine  
**Sent:** Wednesday, March 8, 2023 4:39 PM  
**To:** Peaslee, William W  
**Cc:** Burgos, Alexander N  
**Subject:** RE: Staff opinion 10A NCAC 14J .1307

Great! The Assistant General Counsel at DHHS has some procedural questions. I would like to set up a Teams meeting if that is ok with you.

**Nadine Pfeiffer**  
Rules Review Manager  
Division of Health Service Regulation  
[NC Department of Health and Human Services](#)

Office: 919-855-3811  
Fax: 919-733-2757  
[nadine.pfeiffer@dhhs.nc.gov](mailto:nadine.pfeiffer@dhhs.nc.gov)

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**From:** Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>  
**Sent:** Wednesday, March 8, 2023 4:36 PM  
**To:** Pfeiffer, Nadine <[nadine.pfeiffer@dhhs.nc.gov](mailto:nadine.pfeiffer@dhhs.nc.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: Staff opinion 10A NCAC 14J .1307

Thank you for your email.

I'm not sure what there is to discuss but if you would like, sure.

**William W. Peaslee**  
**Rules Review Commission Counsel / Legislative Liaison**  
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**From:** Pfeiffer, Nadine <[nadine.pfeiffer@dhhs.nc.gov](mailto:nadine.pfeiffer@dhhs.nc.gov)>  
**Sent:** Wednesday, March 8, 2023 4:11 PM

**To:** Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: Staff opinion 10A NCAC 14J .1307

Thank you, Bill. Would you be available to speak to us by phone about this tomorrow at 11:30am?

**Nadine Pfeiffer**  
Rules Review Manager  
Division of Health Service Regulation  
[NC Department of Health and Human Services](http://www.ncdhhs.gov)

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**From:** Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>  
**Sent:** Wednesday, March 8, 2023 3:29 PM  
**To:** Pfeiffer, Nadine <[nadine.pfeiffer@dhhs.nc.gov](mailto:nadine.pfeiffer@dhhs.nc.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** Staff opinion 10A NCAC 14J .1307

Good afternoon,

Attached please find the staff opinion on the above captioned temporary rule.

As always if you have any questions or concerns please do not hesitate to contact me.

**William W. Peaslee**  
**Rules Review Commission Counsel / Legislative Liaison**  
Office of Administrative Hearings  
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