



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Social Services

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

SUSAN G. OSBORNE • Asst. Secretary of County Operations

DREW T. PLEDGER • Chair

July 23, 2020

Rules Review Commission Members
c/o Amber Cronk May
Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714

Re: Request for Extension of Readoption Deadline for Periodic Review of Rules 10A NCAC 70M, 71K, 71L, 71O, 71U, 71V, and 71W.

Dear Commission Members:

The North Carolina Social Services Commission has worked diligently to meet the deadlines set by the Rules Review Commission on the 79 rules referenced above for the periodic review process. As of the date of this letter, the Commission on June 10, 2020 voted to approve the within request for extension of readoption deadline for periodic review of rules 10A NCAC 70M, 71K, 71L, 71O, 71U, 71V, and 71W.

Pursuant to the Rules Review Commission's authority under N.C. Gen. Stat. §150B-21.3A(d), the Social Services Commission respectfully requests a 12 month extension of the re-adoption deadline for the 79 rules referenced above from August 31, 2021 to August 31, 2022.

These rules cover a wide range of social service programs and issues including: adoption standards, services and assistance; problem pregnancy services; the NC Maternity Home Fund; refugee assistance services; food assistance; the low income energy assistance program; and Work First.

In order to complete the periodic review of the aforementioned rules, the Social Services Commission must work closely with employees of the divisions within the North Carolina Department of Health and Human Services ("DHHS") that administer the related programs. Additionally, some of these rules will require a fiscal impact analysis to be conducted which necessitates collaboration with the Office of State Budget and Management and that work is underway. Due to the current COVID-19 pandemic, an incredible workload has been placed on all state agencies, but in particular DHHS. With the sharp increase in unemployment due to the steps that have been taken to mitigate the pandemic, significant enrollment increases have already been seen on programs that provide food, energy and financial assistance, and it is expected that such increases will continue for the foreseeable future. The employees in the

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COMMISSION**

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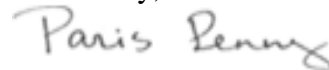
divisions managing those programs simply do not have the time to assist in the periodic review of these rules while navigating the Department's response efforts to the public health crisis we are all facing.

Prior to the COVID-19 pandemic, the Social Services Commission was working diligently on the periodic review for these rules and was on schedule. At the present time, it is impossible to estimate when the pandemic will subside and the workload of the DHHS employees will return to normal. It is also possible that the pandemic may cause the Commission or DHHS to consider modifications to the rules which might otherwise have not been contemplated. Moreover, the Social Services Commission wants the public to have a meaningful opportunity to comment during the open comment period for the rules as these programs directly impact some of our most vulnerable populations. The public's meaningful participation may be significantly diminished during the current crisis.

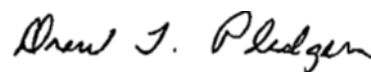
The Social Services Commission is committed to the periodic review process and will move forward when it's partners within DHHS are able to meaningfully and fully participate in the process. With a 12 month extension, the Social Services Commission will be able to get valuable input from the professionals who administer the programs and the public who benefit from them.

Thank you for your consideration. If you have any questions, please do not hesitate to contact me at 919-527-7257 or email Paris.Penny@dhhs.nc.gov.

Sincerely,



Paris Penny
Rule Making Coordinator



Drew T. Pledger
Chair, Social Services Commission