

## Burgos, Alexander N

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**Subject:** FW: [External] Request for Extension of Review of 21 NCAC 36

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**From:** Angela Ellis <[angela@ncbon.com](mailto:angela@ncbon.com)>

**Sent:** Friday, November 9, 2018 9:25 AM

**To:** Thomas, Jason S <[jason.thomas@oah.nc.gov](mailto:jason.thomas@oah.nc.gov)>

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**Subject:** [External] Request for Extension of Review of 21 NCAC 36

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The North Carolina Board of Nursing would like to request an extension for review of the Request for Technical Changes regarding 21 NCAC 36. Reasons for the request are listed below:

- The Board is re-adopting and amending 64 Rules within the Chapter in accordance with requirements of Periodic Review. The Rules were submitted to OAH on October 22<sup>nd</sup> in preparation for the November 15<sup>th</sup> RRC meeting.
- Many of the Rules submitted involve extensive re-writes, having not been reviewed in over 10+ years.
- The Board received the Request for Technical Changes from Jason Thomas on November 7<sup>th</sup> with a deadline of November 9<sup>th</sup> to respond.
- The Request for Technical Changes for the 64 Rules includes extensive questions related to statutory authority, wording, consideration of appeal and possible consultation with the Codifier.
- On initial review of the Request for Technical Changes, staff identified several Rules which will require additional time for discussions with Mr. Thomas to reach consensus.
- In collaboration with the Chief Legal Officer, it has been determined the Board cannot meet the November 9<sup>th</sup> deadline as staff do not have adequate time to address the requests from the OAH attorney for all 64 Rules.

The Board of Nursing respectfully requests the RRC grant an extension for review and schedule the Board to appear before RRC on December 13, 2018 for final review of 21 NCAC 36.

FYI, staff will attend the November 15<sup>th</sup> RRC meeting to answer any questions regarding this request.

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Chief Administrative Officer

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