



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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December 19, 2013

Charles P. Wilkins
NC Board of Occupational Therapy
PO Box 2280
Raleigh NC 27602

Re: Rules 21 NCAC 38 .0301 and .0802

Dear Charles:

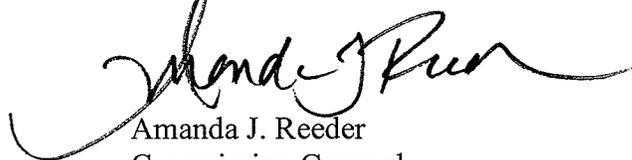
At its meeting today, the Rules Review Commission objected to the above-captioned rules in accordance with G.S. 150B-21.10.

The Commission objected to Rule 21 NCAC 38 .0301 based on ambiguity. As written, the Rule does not specify how a licensee may request an exemption, under what circumstance the Board will grant the request and how the Board will notify the licensee of its decision.

The Commission objected to Rule 21 NCAC 38 .0802 based upon a lack of statutory authority for the Board to require the \$50 fee proposed in Paragraph (f) in the Rule.

Please respond to this letter in accordance with the provisions of G.S. 150B-21.12. If you have any questions regarding the Commission's action, please let me know.

Sincerely,



Amanda J. Reeder
Commission Counsel

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