



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

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6714

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

February 3, 2014

Delores Joyner  
Office of State Human Resources  
1331 Mail Service Center  
Raleigh, NC 27699-1331

Re: 25 NCAC – All Temporary Rules Filed

Dear Ms. Joyner:

At its January 31, 2014 meeting, the Rules Review Commission objected to the above-captioned rules in accordance with G.S. 150B-21.1 and -21.9.

The Commission objected to these rules based on ambiguity. Based on the lack of proper formatting throughout these rules and their failure to comply with the Office of Administrative Hearings formatting requirements they are not suitable for inclusion in the NC Administrative Code at this time. At the same time there are discrepancies between filings that the agency has made and what they indicated they intended to file on a chart submitted with the filings. There is also a discrepancy in that the agency submitted filings of different versions of the same rule in a number of instances and it is unclear which version the agency intended to file. Based on all these problems the rules are deemed ambiguous and need necessary revisions.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Joseph J. DeLuca, Jr.  
Commission Counsel

JJD:jab

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103