

**RULES REVIEW COMMISSION SPECIAL MEETING
MINUTES
November 26, 2018**

The Rules Review Commission met for a Special Telephonic Meeting on Monday, November 26, 2018. Commissioners present were: Andrew Atkins, Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeanette Doran, Garth Dunklin, Brian LiVecchi, Jeff Poley, and Paul Powell. The telephonic meeting was broadcast in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina.

Staff members present were Alex Burgos and Commission Counsel Amber May.

The meeting was called to order at 2:01 p.m. with Chairman Dunklin presiding.

Chairman Dunklin read the notice required by G.S. 163A-159 and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts of interest.

At 2:02 p.m., upon a motion and second, and unanimous vote, the Commission ended the public meeting of the Rules Review Commission and called the meeting into closed session pursuant to G.S. 143-318.11(a)(3) to discuss the lawsuit filed by the Department of Health and Human Services and the Commission for Public Health against the Rules Review Commission.

The Commission came out of closed session and reconvened at 2:24 p.m.

During the telephonic closed session meeting, Commissioner LiVecchi disconnected from the telephonic meeting and did not participate in the remainder of the meeting.

Upon a motion and second, and unanimous vote, the Commission voted to adopt the following language for proposed legislative action:

The rules adopted by the Commission for Public Health, codified in 15A NCAC 18A, which rules were determined to expire pursuant to G.S. 150B-21.3A(b) on November 15, 2018 by decision of the Rules Review Commission (such decision having been stayed by Consent Temporary Restraining Order entered in Wake County Superior Court (18 CVS 13854) shall not expire pursuant to G.S. 150B-21.3A(b), provided that the Commission for Public Health shall conduct the review process under G.S. 150B-21.3A(c), preserving comments made in the prior public comment period per G.S. 150B-21.3A(c)(1), and submit the report to the Rules Review Commission on or before the 15th of April 2019 to be reviewed at the Rules Review Commission meeting in May 2019. In the event that the report is not submitted to the Rules Review Commission on or before the 15th of April 2019, the rules adopted by the Commission for Public Health, codified in 15A NCAC 18A, shall expire and shall be removed from the Code.

The meeting adjourned at 2:26 p.m.

The next regularly scheduled meeting of the Commission is December 13th at 9:00 a.m.

Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:
Garth Dunklin, Chair