



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

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September 25, 2017

Ms. Denise Baker  
3004 Mail Service Center  
Raleigh, NC 27699-3004

Sent via electronic mail to: [denise.baker@dhhs.nc.gov](mailto:denise.baker@dhhs.nc.gov)

Re: Rules 10A NCAC 27H .0205 and .0206

Dear Ms. Baker:

At the September 21, 2017 Rules Review Commission Meeting, the Rules Review Commission reviewed rewritten Rules in response to June 15, 2017 objections. At that time, the Commission continued their objections to .0205 and .0206 in accordance with G.S. 150B-21.9.

Please note that the Rules Review Commission approved Rules 10A NCAC 27H .0202, .0203, and .0204 at the September 21, 2017 meeting. In accordance with 26 NCAC 05 .0114, The Rules Review Commission made their approval of .0203 contingent upon a technical change to Item (5). On Friday, September 22, 2017, the agency submitted a revised Rule to satisfy the contingency.

The Rules Review Commission objected to 10A NCAC 27H .0205, finding that the Commission for MH/DD/SAS lacked the statutory authority regarding (a), (e), (f), and (g).

The Rules Review Commission also objected to 10A NCAC 27H .0206, finding that (b) was ambiguous as written.

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

Sincerely,

Amber C. May  
Commission Counsel

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