



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6700

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

July 20, 2017

Carlotta Dixon, Rulemaking Coordinator
Social Services Commission
Sent via email only: Carlotta.Dixon@dhhs.nc.gov

Re: Objection to Rule 10A NCAC 70I .0308

Dear Ms. Dixon:

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

The Commission objected to the Rule based upon ambiguity. Specifically, the Commission found that the policies and procedures required by this Rule address application, documentation, and training regarding a “reasonable and prudent parent standard.” This standard is not defined in the cited statute or elsewhere within the Subchapter. Therefore, the Rule is unclear as written, because this standard is not defined, and the Rule purports to require enforcement of this unknown standard.

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 actions, please let me know.

Sincerely,

Amanda J. Reeder
Commission Counsel

cc: Nancy Dunn, Attorney General

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
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Social Services Commission

Sent via email only: Carlotta.Dixon@dhhs.nc.gov

Re: Extension of the Period of Review for Rules 10A NCAC 70I .0101, .0201, .0202, .0302, .0305, .0306, .0405, .0503, .0504, .0506, .0601, .0604, .0609, .0613, and .0614.

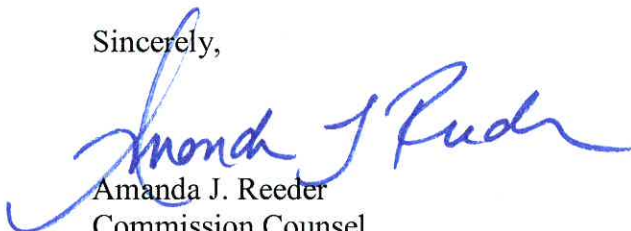
Dear Ms. Dixon:

At this morning's meeting, the Rules Review Commission extended the period of review for the above-captioned rules in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow the agency to complete requested technical changes and submit the rewritten rules at a later meeting.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

Should you have any questions regarding the Commission's actions, please let me know.

Sincerely,



Amanda J. Reeder
Commission Counsel

cc: Nancy Dunn, Attorney General

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Social Services Commission
Sent via email only: Carlotta.Dixon@dhhs.nc.gov

Re: Objection to Rules:
10A NCAC 97B .0401, .0402, .0403; and
10A NCAC 97C .0104, .0106, .0108, .0109, and .0111

Dear Ms. Dixon:

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

The Commission objected to the Rules based upon lack of statutory authority, as none of the Rules as submitted to the Commission for review provided any statutory authority for the Social Services Commission to promulgate them.

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 actions, please let me know.

Sincerely,


Amanda J. Reeder
Commission Counsel

cc: Nancy Dunn, Attorney General

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