

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Monday, February 10, 2025 2:51 PM
To: Benjamin, Alisha
Cc: Burgos, Alexander N; NCDOLRulemaking; Moore, Raheema I
Subject: RE: Periodic Review 11 NCAC 10

Good afternoon,

I'm satisfied with your proposed timeline. I intend to recommend that the RRC approve your agency's April 1, 2027 readoption deadline at the February 27, 2025 meeting.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Sent: Monday, February 10, 2025 2:33 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; NCDOLRulemaking <NCDOLRulemaking@ncdoi.gov>; Moore, Raheema I <raheema.moore@ncdoi.gov>
Subject: RE: Periodic Review 11 NCAC 10

Good afternoon, Travis.

The Department of Insurance accepts the readoption deadline of April 1, 2027 for the rules found in 11 NCAC 10. Additionally, there are no rulemaking priorities relevant to the readoption timeline that we have identified at this time.

Please find a tentative timeline pursuant to 26 NCAC 05 .0212 as follows:

- January 2026 – March 2027
 - Review rules and identify potential need for substantive changes for readoption of all rules in chapter 10 of title 11 of the NCAC
 - Communicate with the Office of State Budget Management for fiscal notes if necessary
 - File Notice of Text within the second quarter
 - Schedule Publication in accordance with 2026 RRC Publication schedule
 - Notify interested parties
 - Hold Public Comment period in accordance with G.S. 150B-21.2(e)
 - Hold Public Hearing if necessary
 - Review all public comments received by agency
 - Adoption of rules in accordance with G.S. 150B-21.2(g)
 - Submission of rules to RRC within 30 days of adoption

While we are confident that we can complete the readoption process of these rules sooner than April 1, 2027, we understand the voluminous rules before the RRC during Periodic Review and will accept the newly proposed April 1, 2027 deadline extended.

Please let me know if any more is needed from the agency at this time.

Thank you.

Alisha Benjamin
Assistant General Counsel



N.C. Department of Insurance
1201 Mail Service Center
Raleigh, NC 27699-1202
919.807.6654

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, February 10, 2025 9:04 AM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Periodic Review 11 NCAC 10

Good morning,

I'm writing to remind you about the email below. The deadline to provide the required information is today. Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC. The Rule essentially requires every agency to submit a general timeline of when your agency intends to complete each step in the permanent rulemaking process.

The Periodic Review/Readoption process is taking place over a 10-year period and involves all the state agencies subject to rulemaking. My colleague and I are attempting to spread the rules out as much as possible while doing our best to accommodate the needs and priorities of each agency.

Since I sent you the email below on December 9, 2024, we have scheduled 157 rules that are set for readoption by February 1, 2027. Thus, I'm proposing that your agency's readoption deadline now be set for **April or June 1, 2027**.

Please reply as soon as possible to confirm the readoption deadline of **April or June 1, 2027** for your agency.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings

Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Wiggs, Travis C
Sent: Monday, December 9, 2024 12:08 PM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: FW: Periodic Review 11 NCAC 10

Good afternoon,

The attached periodic review report became effective November 26, 2024. The next step is to set a deadline for the readoption of these rules. Pursuant to G.S. 150B-21.3A and 26 NCAC 05 .0212, the RRC sets this deadline after consultation with the agency, and this email serves as the RRC's request for that consultation. Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC, and the deadlines for doing so.

The deadline for your agency to provide this information is February 10, 2025. As a starting point, I would recommend a February 1, 2027, readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Let me know if you have any questions. Thank you.

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: McGhee, Dana <dana.McGhee@oah.nc.gov>
Sent: Monday, December 9, 2024 11:46 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Subject: FW: Periodic Review 11 NCAC 10

I forgot to copy you.

Dana McGhee
Publications Coordinator
Office of Administrative Hearings
984-236-1937
dana.mcghee@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: McGhee, Dana
Sent: Monday, December 9, 2024 11:44 AM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Subject: Periodic Review 11 NCAC 10

Good morning,

The determinations in the attached periodic review report for 11 NCAC 10 were effective November 26, 2024. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date for the rules in the reports.

Let me know if you have any questions.

Dana McGhee

Publications Coordinator

Office of Administrative Hearings

984-236-1937

dana.mcghee@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.