

Burgos, Alexander N

From: Benjamin, Alisha
Sent: Monday, June 16, 2025 12:18 PM
To: Ascher, Seth M
Cc: Burgos, Alexander N
Subject: RE: Periodic Review - 11 NCAC 18, 20, 21

Thanks Seth!

Please include an invite to Malik.gordon@ncdoi.gov for the July RRC meeting.

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, June 16, 2025 10:55 AM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Periodic Review - 11 NCAC 18, 20, 21

Alisha,

Thank you for the prompt response.

I will recommend the June 1, 2027 readoption deadline at the upcoming RRC meeting. The RRC will formally consider the date at its meeting on Thursday, June 26, 2025, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

From: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Sent: Friday, June 13, 2025 3:25 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: RE: Periodic Review - 11 NCAC 18, 20, 21

Hi Seth,

My apologies on this oversight and thank you so much for following up! We'll go ahead and accept the newly proposed readoption deadline of June 1, 2027, for the rules found in 11 NCAC 18, 20 and 21.

Given the amount of agency rules falling under the current periodic review schedule, please find a broad, tentative timeline pursuant to 26 NCAC 05 .0212 as follows:

- January 2026 – May 2027
 - Review rules and identify potential need for substantive changes for readoption of all rules in chapters 18, 20 and 21 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

At this time, DOI has not identified any specific rulemaking priorities that would be relevant to the above readoption timeline.

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

Thanks!

Alisha Benjamin
Assistant General Counsel



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Raleigh, NC 27699-1202
919.807.6654

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Thursday, June 12, 2025 2:40 PM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Subject: Re: Periodic Review - 11 NCAC 18, 20, 21

Good afternoon,

I am following up because in reviewing my records it appears I did not receive a response to my consultation request, as discussed in the below email. Please let me know where you stand on this.

At this point, I am inclined to recommend a June 2027 readoption deadline for these rules, but am open to your input if that does not meet the needs of your agency.

Seth Ascher

Counsel to the North Carolina Rules Review Commission
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(984) 236-1934

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, February 24, 2025 4:08 PM
To: McGhee, Dana <dana.McGhee@oah.nc.gov>; Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Subject: Re: Periodic Review - 11 NCAC 18, 20, 21

Good afternoon,

The attached periodic review reports have been finalized. 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.

It appears that the deadline for your agency to provide this information is April 25, 2025. As a starting point, I would recommend a May 1, 2027 readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Seth Ascher

Counsel to the North Carolina Rules Review Commission
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From: McGhee, Dana <dana.McGhee@oah.nc.gov>
Sent: Thursday, February 20, 2025 2:28 PM
To: Benjamin, Alisha <alisha.benjamin@ncdoi.gov>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review - 11 NCAC 18, 20, 21

Good afternoon,

The determinations in the attached periodic review report for 11 NCAC 18, 20, and 21 were effective January 26, 2025. Commission Counsel Seth Ascher will reach out to you to discuss setting the readoption date for the rules in the report.

Let me know if you have any questions.

Dana McGhee
Publications Coordinator
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