



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

August 22, 2022

Nadine Pfeiffer
North Carolina Medical Care Commission
Sent via email only to: Nadine.pfeiffer@dhhs.nc.gov

Re: Objection to 10A NCAC 13B .3801, .3903, .4103, .4104, .4106, .4305, .4603, .4801, .4805, .5102, .5105, .5406, .5408, .5411

Dear Ms. Pfeiffer:

At its meeting on August 18, 2022, the Rules Review Commission (RRC) objected to each of the above-captioned Rules, finding that the Rules were not within the statutory authority delegated to the Medical Care Commission pursuant to G.S. 150B-21.9(a)(1). Additionally, the RRC objected to Rule .4805 on the basis that the Rule was not clear and unambiguous pursuant to G.S. 150B-21.9(a)(2).

Specifically, the RRC adopted the opinions of counsel attached hereto and incorporated by reference.

Please respond to this objection 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,

Brian Liebman
Commission Counsel

cc: Kim Randolph, NCDOJ

Donald Robert van der Vaart, Director
Chief Administrative Law Judge

Fred G. Morrison, Jr.
Senior Administrative Law Judge

An Equal Employment Opportunity Employer
1711 New Hope Church Road, Raleigh, NC 27609
Telephone: (984) 236-1850 | Facsimile: (984) 236-1871
www.oah.nc.gov