

**G.S. 150B-21.3A Report for 26 NCAC 03, HEARINGS DIVISION**

Agency - Office of Administrative Hearings

Comment Period - 1/15/26 - 3/16/26

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - HEARING PROCEDURES	26 NCAC 03 .0101	GENERAL	Amended Eff. October 1, 2022	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0102	DEFINITIONS AND CONSTRUCTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0103	COMMENCEMENT OF CONTESTED CASE: NOTICE AND FILING FEE	Amended Eff. April 1, 2023	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0104	ORDER FOR PREHEARING STATEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0105	DUTIES OF THE ADMINISTRATIVE LAW JUDGE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0106	CONSENT ORDER: SETTLEMENT: STIPULATION	Amended Eff. September 1, 2023	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0107	SETTLEMENT CONFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0108	PREHEARING CONFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0111	CONSOLIDATION OF CASES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0112	DISCOVERY	Amended Eff. April 1, 2023	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0113	SUBPOENAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0114	SANCTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0115	MOTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0116	TIME	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0117	INTERVENTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0118	CONTINUANCES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0119	SECURE LEAVE PERIODS FOR ATTORNEYS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0120	RIGHTS AND RESPONSIBILITIES OF PARTIES	Amended Eff. April 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0121	WITNESSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0122	EVIDENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0123	OFFICIAL RECORD	Amended Eff. April 1, 2023	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		26 NCAC 03 .0125	CONDUCT OF HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0127	ADMINISTRATIVE LAW JUDGE'S DECISION	Amended Eff. January 1, 2025	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0131	FINAL DECISIONS IN CONTESTED CASES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0200 - MEDIATION SETTLEMENT CONFERENCE</b>	26 NCAC 03 .0201	ORDER FOR MEDIATED SETTLEMENT CONFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0202	SELECTION OF MEDIATOR	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0203	MEDIATION SETTLEMENT CONFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0204	DUTIES OF PARTIES, REPRESENTATIVES, AND ATTORNEYS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0205	SANCTIONS FOR FAILURE TO ATTEND	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0206	AUTHORITY AND DUTIES OF MEDIATORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0207	COMPENSATION OF THE MEDIATOR	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0208	MEDIATOR	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0400 - SIMPLIFIED PROCEDURES FOR MEDICAID APPLICANT AND RECIPIENT APPEALS</b>	26 NCAC 03 .0401	MEDICAID HEARING PROCEDURES RULES	Amended Eff. September 1, 2023	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0402	MEDIATION SETTLEMENT CONFERENCE RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0500 - ELECTRONIC FILING</b>	26 NCAC 03 .0501	DEFINITIONS	Amended Eff. January 1, 2025	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0502	GENERAL	Amended Eff. January 1, 2025	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0503	REGISTRANTS	Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 03 .0504	INTEGRATION WITH OTHER RULES	Eff. March 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt