

## Burgos, Alexander N

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**Subject:** FW: [External] 21 NCAC 53 .0505  
**Attachments:** 2026-06-08 21 NCAC 53 .0505.docx

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**From:** Sherri Roycroft <sherri@brockerlawfirm.com>  
**Sent:** Monday, June 8, 2026 3:16 PM  
**To:** Rules, Oah <oah.rules@oah.nc.gov>  
**Cc:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Doug Brocker <doug@brockerlawfirm.com>; Melonie Davis <davis@ncblcmhc.org>; Whitney Waldenberg <Whitney@brockerlawfirm.com>; File <file@brockerlawfirm.com>; Sherri Roycroft <sherri@brockerlawfirm.com>  
**Subject:** [External] 21 NCAC 53 .0505

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Good afternoon,

On behalf of the North Carolina Board of Licensed Clinical Mental Health Counselors, attached please find an electronic version of 21 NCAC 53 .0505 which is being submitted for permanent adoption and reviewed for technical changes.

We believe this rule is ready to be reviewed by the RRC at its June meeting.

Please let us know if you need anything additional.

Thank you,

Sherri



THE Brocker Law Firm PA

**Sherri Roycroft**  
Law Firm Administrator  
Paralegal  
The Brocker Law Firm, P.A.  
1135 Kildaire Farm Road, Suite 200 | Cary, NC 27511

*direct* 919.710.3994 | *office* 919.415.2357 | *e-fax* 919.516.9077  
[sherri@brockerlawfirm.com](mailto:sherri@brockerlawfirm.com) | [www.brockerlawfirm.com](http://www.brockerlawfirm.com)

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## Burgos, Alexander N

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**Subject:** FW: [External] RE: June RRC Meeting-Request for Technical Changes- responses and proposed amended rule

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**From:** Doug Brocker <doug@brockerlawfirm.com>

**Sent:** Monday, June 8, 2026 10:21 AM

**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Melonie Davis - Executive Director (davis@ncblcmhc.org) <davis@ncblcmhc.org>; Whitney Waldenberg <Whitney@brockerlawfirm.com>; Sherri Roycroft <sherri@brockerlawfirm.com>

**Subject:** RE: [External] RE: June RRC Meeting-Request for Technical Changes- responses and proposed amended rule

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Travis:

Thank you. We will submit the updated version to OAH. I plan to attend in person to address any potential questions and Melonie Davis plans to observe via WebEx.

Doug

This transmission is intended by the sender and proper recipient to be confidential, intended only for the proper recipient and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you are not the intended recipient, you are notified that the dissemination, distribution or copying of this message is strictly prohibited. If you receive this message in error, or are not the proper recipient, please notify the sender at either the e-mail address or telephone number above and delete this e-mail from your computer. Receipt by anyone other than the proper recipient is not a waiver of any attorney-client, work product, or other applicable privilege. Thank you.

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Sent:** Monday, June 8, 2026 10:11 AM

**To:** Doug Brocker <doug@brockerlawfirm.com>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Melonie Davis - Executive Director (davis@ncblcmhc.org) <davis@ncblcmhc.org>; Whitney Waldenberg <Whitney@brockerlawfirm.com>; Sherri Roycroft <sherri@brockerlawfirm.com>

**Subject:** Re: [External] RE: June RRC Meeting-Request for Technical Changes- responses and proposed amended rule

Thank you for the changes. Please send the final revised Rule to [oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov) (cc Alex and I). This Rule is final for review at June's RRC meeting.

Please let us know if anyone from your agency will be present for the meeting, in-person or on WebEx.

Thanks,

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

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## Burgos, Alexander N

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**Subject:** FW: [External] RE: June RRC Meeting-Request for Technical Changes- responses and proposed amended rule

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Sent:** Monday, June 8, 2026 9:01 AM

**To:** Doug Bocker <doug@brockerlawfirm.com>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Melonie Davis - Executive Director (davis@ncblcmhc.org) <davis@ncblcmhc.org>; Whitney Waldenberg <Whitney@brockerlawfirm.com>; Sherri Roycroft <sherri@brockerlawfirm.com>

**Subject:** Re: [External] RE: June RRC Meeting-Request for Technical Changes- responses and proposed amended rule

Received. I will review today and be back in touch.

Thanks,

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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## Burgos, Alexander N

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**Subject:** FW: [External] RE: June RRC Meeting-Request for Technical Changes- responses and proposed amended rule  
**Attachments:** 21 NCAC 53 .0505 Response - Board of Licensed Clinical MH Counselors-Request for Technical Changes.pdf; 2026-06-03 21 NCAC 53 .0505 - technical changes.docx

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**From:** Doug Brocker <doug@brockerlawfirm.com>  
**Sent:** Friday, June 5, 2026 4:15 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Melonie Davis - Executive Director (davis@ncblcmhc.org) <davis@ncblcmhc.org>; Whitney Waldenberg <Whitney@brockerlawfirm.com>; Sherri Roycroft <sherri@brockerlawfirm.com>  
**Subject:** [External] RE: June RRC Meeting-Request for Technical Changes- responses and proposed amended rule

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Travis:

Attached are our responses to your requests and the proposed changes to the Rule. Please confirm receipt and let us know whether we have addressed your requests. We will await your feedback before submitting any documents to the OAH. We wanted to get you a response well in advance of the submission deadline. Have a good weekend.

Doug

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REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Licensed Clinical Mental Health Counselors

RULE CITATION: 21 NCAC 53 .0505

**DEADLINE FOR RECEIPT: June 16, 2026.**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*On the Submission for Permanent Rule Form 0400, number 7., did you receive a response from OSBM after your agency requested a consultation on December 18, 2025? If so, what was their response? We have not received a response to our request for fee consultation.*

*Did your agency do an analysis of the potential fiscal impact? How did your agency decide a fiscal note was not required (number 8)? We analyzed this issue pursuant to G.S. 150B-21.4 in conjunction with our analysis for the fee consultation request and before publication of the Rule. We determined that the Rule does not meet the criteria for having a substantial economic impact. The persons subject to the proposed rule would be applicants for a Compact privilege, and the expenditures would be the application and exam fee. We do not expect any significant additional costs from implementation of the Rule. We do not anticipate the number of Compact applications and renewals, along with any potential additional costs, over the five years after the Rule is adopted would meet the threshold for substantial economic impact under the criterion set forth in G.S. 150B-21.4(b1).*

*Line 3, add space between the Rule citation and name. We made this change.*

*Please double check formatting is correct for this Rule. We double-checked.*

*Line 4, add "to" after "pursuant". Thank you. We have made the change.*

*Line 5, add a comma after "Compact" and after "90". We have made the change.*

*Line 9, add a comma after the first "Commission." We have made the change.*

*Line 11, make "individuals" lowercase. Thank you. We have made the change.*

Travis C. Wiggs  
Commission Counsel  
Submitted to Agency: June 2, 2026

*Line 12, add “the Board website” where the exam can be found. Thank you. We have made that change.*

*Line 13, is it necessary to include “individuals seeking the privilege to practice in this State” three different times within this Rule? We have revised to: ~~Individuals seeking the privilege to practice in this State~~ Such individuals, or those seeking to renew the ~~privilege-privilege...~~”*

*Line 14, do individuals only have to complete the jurisprudence exam? Or must they “pass” the exam by attaining a certain score? Please clarify. This is a good question. The jurisprudence exam is a “no-fail” exam, meaning that the examinee does not pass or fail after a single attempt, but rather must continue testing until achieving a passing score, at which time the exam is “complete.” Therefore, “complete” is an accurate term.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs  
Commission Counsel  
Submitted to Agency: June 2, 2026



## Burgos, Alexander N

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**From:** Doug Brocker <doug@brockerlawfirm.com>  
**Sent:** Tuesday, June 2, 2026 4:30 PM  
**To:** Wiggs, Travis C  
**Cc:** Burgos, Alexander N  
**Subject:** [External] RE: June RRC Meeting-Request for Technical Changes

**CAUTION:** External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Thanks, Travis. We'll review, calendar the deadline, and get you a response and the revised Rule as soon as feasible. Doug

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Sent:** Tuesday, June 2, 2026 3:45 PM  
**To:** Doug Brocker <doug@brockerlawfirm.com>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** June RRC Meeting-Request for Technical Changes

Good afternoon,

I'm the attorney who reviewed the Rule submitted by the Board of Licensed Clinical Mental Health Counselors for the June 2026 RRC meeting. The RRC will formally review this Rule at its meeting on Thursday, June 25, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an invite 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, please let me know prior to the meeting, and we will get invites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised Rule to me via email, no later than 5 p.m. on June 16, 2026. Let me know if you have any questions.

Thanks,

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

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