

Burgos, Alexander N

From: Marnie Jones <director@ncbdn.org>
Sent: Wednesday, September 23, 2026 3:55 PM
To: Ascher, Seth M
Cc: hjones@jordanprice.com; Burgos, Alexander N
Subject: RE: [External] FW: Proposed readoption Schedule - Periodic Review - 21 NCAC 17

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.

Wonderful; thank you! Yes – please go ahead and send me the invite to the meeting on the 29th and I will attend for good measure 😊

Thank you again.

Serving North Carolina,

Marnie Jones

Executive Director
North Carolina Board of Dietetics/Nutrition
1135 Kildaire Farm Rd. Ste 200
Cary, NC 27511
Direct: 919-678-7609
Fax: 919-882-1776
www.ncbdn.org

The information contained in this email is provided for informational purposes only and does not constitute legal advice, professional advice, or Board decision. No warranties, express or implied, are made with respect to the accuracy, completeness, or timeliness of the information. The content of this email is strictly confidential and only intended for the specified recipient. This email may not be forwarded or disclosed to any third party without the express written permission of the sender.

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Wednesday, September 23, 2026 3:24 PM
To: Marnie Jones <director@ncbdn.org>
Cc: hjones@jordanprice.com; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] FW: Proposed readoption Schedule - Periodic Review - 21 NCAC 17

I will recommend the December 1, 2027, readoption deadline at the upcoming RRC meeting on Tuesday, September 29. The meeting begins at 10:00 AM. The meeting is available over webex, and we can send you an invite if you would like to be present online.

For context, when I and the agency agree on the deadline the Commission generally approves it without any discussion. I don't anticipate anything else here.

Assuming the Commission approves the deadline, I will send you a letter memorializing the deadline after the meeting.

Seth Ascher

Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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.

From: Marnie Jones <director@ncbdn.org>
Sent: Wednesday, September 23, 2026 11:23 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: hjones@jordanprice.com <hjones@jordanprice.com>
Subject: RE: [External] FW: Proposed readoption Schedule - Periodic Review - 21 NCAC 17

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.

Mr. Ascher:

I think your proposed timing is a reasonable option given how busy the RRC is planning to be next summer. By my calculations that puts the NCBDN into the following readoption schedule:

Publication in NC Register: September 1, 2027
Public Hearing: September or October 2027 Board Meeting (Dates TBD)
Public Comment Period: September 1, 2027 – November 1, 2027
Submission of rules to OAH for RRC consideration: November 20, 2027
Rules Review Commission review: December 16, 2027
Earliest Effective Date of Rules: January 1, 2028

What are the next steps to solidifying the schedule?

Thank you for working with us!

Serving North Carolina,

Marnie Jones

Executive Director
North Carolina Board of Dietetics/Nutrition
1135 Kildaire Farm Rd. Ste 200
Cary, NC 27511
Direct: 919-678-7609
Fax: 919-882-1776

www.ncbdn.org

The information contained in this email is provided for informational purposes only and does not constitute legal advice, professional advice, or Board decision. No warranties, express or implied, are made with respect to the accuracy, completeness, or timeliness of the information. The content of this

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, September 22, 2026 2:37 PM
To: Marnie Jones <director@ncbdn.org>
Cc: hjones@jordanprice.com
Subject: Re: [External] FW: Proposed readoption Schedule - Periodic Review - 21 NCAC 17

Ms. Jones,

I have reviewed your letter and proposed timeline. Under your suggested timeline, there would be a June 1, 2027 readoption date.

One of the RRCs goals in scheduling readoption dates is to spread the rules throughout the readoption period, since we are anticipating reviewing over 150 readopted rules a month starting in 2027. The summer of 2027 is already fairly heavily scheduled, so I would not recommend a June 1, 2027 readoption deadline.

I could recommend a December 1, 2027 readoption deadline, which would likely be an effective date of January 1, 2028 or February 1, 2028. If you go with this route, it just would let you add months into your timeline with the final adoption in October or November of 2027.

Let me know what you think.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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.

From: Marnie Jones <director@ncbdn.org>
Sent: Monday, September 14, 2026 1:56 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: hjones@jordanprice.com <hjones@jordanprice.com>
Subject: [External] FW: Proposed readoption Schedule - Periodic Review - 21 NCAC 17

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.

Mr. Ascher-

I wanted to circle back on the below email from August 28th simply to ensure it was received, as I know the Board's response was due by 9/11. I was out on vacation last week, but did not see any response from OAH on our proposed readoption schedule in the attached letter.

Serving North Carolina,

Marnie Jones

Executive Director
North Carolina Board of Dietetics/Nutrition
1135 Kildaire Farm Rd. Ste 200
Cary, NC 27511
Direct: 919-678-7609
Fax: 919-882-1776
www.ncbdn.org

The information contained in this email is provided for informational purposes only and does not constitute legal advice, professional advice, or Board decision. No warranties, express or implied, are made with respect to the accuracy, completeness, or timeliness of the information. The content of this email is strictly confidential and only intended for the specified recipient. This email may not be forwarded or disclosed to any third party without the express written permission of the sender.

From: Marnie Jones <director@ncbdn.org>
Sent: Friday, August 28, 2026 1:06 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: hjones@jordanprice.com
Subject: Proposed readoption Schedule - Periodic Review - 21 NCAC 17

Dear Mr. Ascher:

Attached, please find a proposed readoption schedule for the NC Board of Dietetics/Nutrition. The Board voted at today's Board meeting to submit this proposed schedule to the RRC for consideration.

Please let me know next steps or if you have any further questions.

Serving North Carolina,

Marnie Jones

Executive Director
North Carolina Board of Dietetics/Nutrition
1135 Kildaire Farm Rd. Ste 200
Cary, NC 27511
Direct: 919-678-7609
Fax: 919-882-1776
www.ncbdn.org

The information contained in this email is provided for informational purposes only and does not constitute legal advice, professional advice, or Board decision. No warranties, express or implied, are made with respect to the accuracy, completeness, or timeliness of the information. The content of this email is strictly confidential and only intended for the specified recipient. This email may not be forwarded or disclosed to any third party without the express written permission of the sender.

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, July 13, 2026 2:25 PM

To: Marnie Jones <director@ncbdn.org>
Subject: Re: Periodic Review - 21 NCAC 17

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 September 11, 2026. As a starting point and given the size of this ruleset, I would recommend a September 1, 2030, 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
Office of Administrative Hearings
(984) 236-1934

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.

From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Monday, June 15, 2026 2:53 PM
To: director@ncbdn.org <director@ncbdn.org>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review - 21 NCAC 17

Good afternoon,

The determinations in the attached periodic review report for 21 NCAC 17 were effective May 27, 2026. Commission Counsel Seth Ascher will reach out to you to discuss setting the readoption date.

Please Note: pursuant to 26 NCAC 05 .0212 your agency's 60-day timeline does not begin until you receive communication from a staff attorney.

Let me know if you have any questions.

Julie B. Eddins
Publications Coordinator

NC Office of Administrative Hearings

Phone 984-236-1937 (direct)

julie.eddins@oah.nc.gov



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.