

Burgos, Alexander N

From: Ascher, Seth M
Sent: Wednesday, September 23, 2026 3:55 PM
To: Motley, Essence R
Cc: Burgos, Alexander N
Subject: Re: Periodic Review - 10A NCAC 70I and 70K

Essence,

Thank you. I will recommend the March 1, 2029 readoption deadline at the upcoming RRC meeting on Tuesday, September 29, 2026 starting at 10:00 AM. You can participate via webex, let us know if you would like an invite.

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.

Seth Ascher

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

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From: Motley, Essence R <essence.motley@dhhs.nc.gov>
Sent: Friday, September 11, 2026 1:59 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Motley, Essence R <essence.motley@dhhs.nc.gov>
Subject: Re: Periodic Review - 10A NCAC 70I and 70K

Good afternoon, Seth,

I am responding to your email sent to Misty Piekaar on July 13 regarding the planned timeline for 10A NCAC 70I and 70K.

Below is a proposed timeline pursuant to 26 NCAC 05 .0212 for 10A NCAC 70I and 70K. We agree with the recommended readoption deadline of March 1, 2029.

Please let me know if the proposed timeline is acceptable or if you have any questions.

Thank you,
Essence

Essence Motley, MPH

Rules Readoption Timeline Plan:

10A NCAC 70I and 70K

Rules Review Proposed Deadline: March 1, 2029

- 10A NCAC 70I-Minimum Licensing Standards for Residential Child Care
- 10A NCAC 70K- Residential Maternity Homes

Pursuant to 26 NCAC 05. 0212

September 2026- December 2027

- Evaluate existing policies and amend them to serve as a foundation for rules
- Draft updated rule language
- Consult with the Office of State Budget and Management regarding development and approval of fiscal note(s), if necessary

January 2028-February 2029

- Seek Approval from the Social Services Commission and NC Department of Health and Human Services Secretary of proposed rule amendment approvals
- Notice to state register, notice of intent to make rules posted on agency and commission websites
- Public comment period, public hearing and notice in state register required by state law

February 2029

- Submit the rules for review by the Rules Review Commission to determine if the Commission Counsel will recommend approval

March 2029

- Appear before the NC Rules Review Commission to have them approve rules

April 1, 2029

- Effective earliest date (mandated by state law)

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, July 13, 2026 2:12 PM
To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Subject: Re: Periodic Review - 10A NCAC 70I and 70K

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 March 1, 2029, 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

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From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Monday, June 15, 2026 12:28 PM
To: Piekaar, Misty L <Misty.Piekaar@dhhs.nc.gov>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review - 10A NCAC 70I and 70K

Good afternoon,

The determinations in the attached periodic review reports for 10A NCAC 70I and 70K 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

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julie.eddins@oah.nc.gov



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