

Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>

Sent: Wednesday, May 29, 2024 9:10 AM

To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Angela Ellis <angela@ncbon.com>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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Thank you, Bill. I will talk to Angie and Meredith and let you know what we decide.

Thanks again,

Marcus

Marcus Jimison

Deputy General Counsel

P 919.277.1844 E marcus.jimison@ncmedboard.org

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Wednesday, May 29, 2024 9:08 AM

To: Angela Ellis <angela@ncbon.com>; Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

Good morning,

I'll let y'all talk and decide what you want to do.

Thanks

William W. Peaslee

Rules Review Commission Counsel / Legislative Liaison

Office of Administrative Hearings

1711 New Hope Church Road

Raleigh NC, 27609

(984) 236-1939

Bill.Peaslee@oah.nc.gov

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Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

From: Angela Ellis <angela@ncbon.com>

Sent: Wednesday, May 29, 2024 8:32 AM

To: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Peaslee, William W <bill.peaslee@oah.nc.gov>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: Re: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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We agree with Marcus regarding the rules being identical.

Please let me know if I need to make any changes to the Board of Nursing's Rule based on the additional language by the Med Board. Thanks!

Angela Ellis

Chief Administrative Officer

Office: (984)-238-7644

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P.O. Box 2129 Raleigh, NC 27602

Pronouns: She/Her/Hers



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Burgos, Alexander N

Subject: FW: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>

Sent: Tuesday, May 28, 2024 7:44 PM

To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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Bill,

Hi. I agree the two nurse practitioner rules should be identical. In the med board submission, we did include a citation to the MATE legislation (which differs from the nursing board rule) because that was a comment we received as to the physician and physician assistant rules. We'll be happy to take out the citation if you like.

However, I do agree that the two nurse practitioner rules should be identical.

Thanks,

Marcus

Marcus Jimison

Deputy General Counsel

P 919.277.1844 E marcus.jimison@ncmedboard.org

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Tuesday, May 28, 2024 4:19 PM

To: Ashley D. White <ashley.white@ncmedboard.org>; Meredith Parris <mparris@ncbon.com>

Cc: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

With regard to the rule which both boards have joint jurisdiction, it appears to me that the rules from both boards must be identical. If either board disagrees, please explain why.

Thank you.

William W. Peaslee

Rules Review Commission Counsel / Legislative Liaison

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1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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From: Ashley D. White <ashley.white@ncmedboard.org>
Sent: Tuesday, May 28, 2024 1:51 PM
To: Rules, Oah <oah.rules@oah.nc.gov>; Peaslee, William W <bill.peaslee@oah.nc.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Meredith Parris <mparris@ncbon.com>
Subject: [External] Submission for Permanent Rule - NC Medical Board - 21 NCAC 32R .0101; 21 NCAC 32S .0216; 21 NCAC 32M .0107

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Good Afternoon!

Attached please find a Submission for Permanent Rule for 21 NCAC 32R .0101; 21 NCAC 32S .0216; and 21 NCAC 32M .0107 which were approved by the NC Medical Board on May 17, 2024.

In response to Seth's question about MATE being defined or cited somewhere, that has been addressed and included as part of the technical changes in these rules.

If anything else is needed, please let us know.

Ashley D. White, NCCP

Senior Paralegal

North Carolina Medical Board

P 919.326.1109 x437 **E** ashley.white@ncmedboard.org

F 919.326.1131 **A** 3127 Smoketree Court, Raleigh, NC 27604

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Burgos, Alexander N

Subject: FW: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>

Sent: Thursday, May 23, 2024 1:26 PM

To: Angela Ellis <angela@ncbon.com>; Ashley D. White <ashley.white@ncmedboard.org>; Jessica H. Glendenning <Jessica.Glendenning@NCMEDBOARD.ORG>

Cc: Meredith Parris <mparris@ncbon.com>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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Hey Bill,

There is no impasse. I was unsure of the steps, but the medical board will revise its rule to mirror the nursing board's revised version consistent with your suggestions and technical changes.

Leigh Anne is out on maternity leave and Ashley White, copied on this email, will be acting her stead.

Angie and Meredith, if you could please share with Ashley and me your revisions and responses to Bill's technical changes, then Ashley and I will revise our rule accordingly.

Thanks again for all your help and patience.

Marcus

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Thursday, May 23, 2024 10:45 AM

To: Angela Ellis <angela@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Jessica H. Glendenning <Jessica.Glendenning@NCMEDBOARD.ORG>

Cc: Meredith Parris <mparris@ncbon.com>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

I have added Jessica Glendenning to the email conversation as it appears Leigh Anne is out of the office.

William W. Peaslee

Rules Review Commission Counsel / Legislative Liaison

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Bill.Peaslee@oah.nc.gov

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Burgos, Alexander N

Subject: FW: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Thursday, May 23, 2024 10:41 AM

To: Angela Ellis <angela@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>

Cc: Meredith Parris <mparris@ncbon.com>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

Good morning,

It appears to me that the BON rule and the Medical Board rule need to be identical as they have joint jurisdiction. On April 29, 2024 the BON revised its rule in response to the Request for Changes. On May 17, 2024 the Medical Board adopted the unrevised version of the BON rule.

Is this just a failure to communicate or are the agencies at an impasse?

Please respond no later than June 6, 2024.

Thank you.

William W. Peaslee

Rules Review Commission Counsel / Legislative Liaison

Office of Administrative Hearings

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Bill.Peaslee@oah.nc.gov

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From: Angela Ellis <angela@ncbon.com>

Sent: Monday, April 29, 2024 10:19 AM

To: Peaslee, William W <bill.peaslee@oah.nc.gov>

Cc: Meredith Parris <mparris@ncbon.com>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>

Subject: [External] Re: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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Attached are the responses to the Request for Technical Change along with 21 NCAC 36 .0807 for the North Carolina Board of Nursing. Please let me know if you need anything further.

Angela Ellis

Chief Administrative Officer

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Fax: (919) 781-9461

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P.O. Box 2129 Raleigh, NC 27602

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Burgos, Alexander N

Subject: FW: [External] RE: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>

Sent: Monday, May 6, 2024 3:57 PM

To: Peaslee, William W <bill.peaslee@oah.nc.gov>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ashley D. White <ashley.white@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Ascher, Seth M <seth.ascher@oah.nc.gov>

Subject: RE: [External] RE: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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Bill,

Hi. Thanks for your email. This email will confirm that the NCMB is formally requesting withdrawal of the proposed amendments to rules 21 NCAC 32S .0216, 21 NCAC 32M .0107, and 21 NCAC 32R .0101. The NCMB will refile these rules with the RRC post-adoption.

I see where Ms. Ellis has already requested an extension for the Board of Nursing's companion rule.

Again, my apologies for the misstep and inconvenience.

Please let me know if this email will suffice or should you need anything else from Board staff.

Thanks again,

Marcus Jimison

Deputy General Counsel

P 919.277.1844 E marcus.jimison@ncmedboard.org

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Monday, May 6, 2024 3:15 PM

To: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>; Meredith Parris <mparris@ncbon.com>

Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ashley D. White <ashley.white@ncmedboard.org>; Angela Ellis <angela@ncbon.com>; Ascher, Seth M <seth.ascher@oah.nc.gov>

Subject: RE: [External] RE: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

Good afternoon,

Given the rules current posture, NCMB should withdraw the rule and refiled it with the RRC post- adoption.

As the BON cannot adopt rule 21 NCAC 36 .0807 without a companion rule from NCMB, it should request an extension. If it does not I will be compelled to recommend objection.

As always if you have any questions please feel free to contact me.

Thank you.

William W. Peaslee
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Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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From: Marcus B. Jimison <Marcus.Jimison@NCMEDBOARD.ORG>
Sent: Friday, May 3, 2024 4:32 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Ashley D. White <ashley.white@ncmedboard.org>; Angela Ellis <angela@ncbon.com>
Subject: [External] RE: 21 NCAC 36 .0807 and 21 NCAC 32M .0107

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Bill,

Hi. I want to give you a heads up. The Medical Board's filing on April 1, 2024 for rules 21 NCAC 32S .0216, 21 NCAC 32M .0107, and 21 NCAC 32R .0101 was in error. The Board did not have an opportunity to consider these rules at its March meeting for final approval. Instead, all three rules will be on the Board's May agenda for final approval. Assuming the Board gives final approval of the rules at its May meeting, we will resubmit the rules to RRC.

Again, my apologies for the error in submitting these rules prematurely. I will also call to explain.

Best regards,

Marcus

Marcus Jimison
Deputy General Counsel
North Carolina Medical Board
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Burgos, Alexander N

From: Peaslee, William W
Sent: Friday, April 19, 2024 2:29 PM
To: Leigh Anne Satterwhite; Angela Ellis
Cc: Burgos, Alexander N
Subject: 21 NCAC 36 .0807 and 21 NCAC 32M .0107
Attachments: 05.2024 Board of Nursing Request for Changes 21 NCAC 36 .0807.docx

Good afternoon,

Attached please find the request for changes on the above captioned rules. As the rules are mirrors of one another I have consolidate the RFC.

As always if you have any questions or concerns please feel free to contact me.

Thank you.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
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