

Burgos, Alexander N

Subject: FW: [External] Re: Medical Board Temporary Rule: 21 NCAC 32B .2100

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

Sent: Tuesday, January 27, 2026 2:48 PM

To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Leigh Anne Satterwhite <leigh.satterwhite@ncmedboard.org>; Liebman, Brian R <brian.liebman@oah.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Ashley D. White <ashley.white@ncmedboard.org>

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Travis and Brian,

It has been the Board's practice to proceed with rulemaking only when we have the recommendation of RRC counsel. In my experience, the Board has not sought to challenge RRC counsel's recommendations. Although the Board contends that it has complied with the APA, that a temporary rule is in the public interest, and that the Board's arguments as conveyed to you are well grounded, nonetheless, we have decided not to deviate from prior practice.

Please accept this email as the Board abandoning the temporary rule for 21 NCAC 32B .2100. We will pursue permanent rulemaking soon with the filing of a Notice of Text. We will note and consider your objections in moving forward with this and other rules.

Please let me know if you need anything else from me, or if you have any questions.

Thanks,

Marcus Jimison

Deputy General Counsel

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