

Burgos, Alexander N

Subject: FW: Nursing Home Administrators Periodic Review Report Question
Attachments: 21 NCAC 37 Staff Recommendation.xlsx

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Thursday, July 11, 2024 11:40 AM
To: [nhaborad@ncbenha.org](mailto:nhaboard@ncbenha.org) <[nhaborad@ncbenha.org](mailto:nhaboard@ncbenha.org)>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Nursing Home Administrators Periodic Review Report Question

Good morning,

Thank you for your call the other day confirming the accuracy of your report. I have completed my review of the report.

The RRC will formally review this report at its meeting on Wednesday, July 31, 2024, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting, or you are welcome to attend in person. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

I have attached the report I plan to recommend that the Commission adopt. Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Ascher, Seth M
Sent: Tuesday, July 9, 2024 3:04 PM
To: [nhboard@ncbenha.org](mailto:nhaboard@ncbenha.org) <[nhboard@ncbenha.org](mailto:nhaboard@ncbenha.org)>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Nursing Home Administrators Periodic Review Report Question

Good afternoon,

I am the attorney who is reviewing the periodic review report for the Board of Examiners for Nursing Home Administrators. While reviewing this report, I noticed a potential mistake that is outside of what the Commission normally reviews here. However, I wanted to bring it to your attention as a courtesy.

Your report only identifies one rule as required to implement or conform to federal regulation pursuant to G.S. 150B-21.3A(e)(1). That rule, 21 NCAC 37B .0103, references other rules in its text but no other rules are identified as required to conform to federal regulation. Is that your intent?

I anticipate the remainder of my recommendations being straightforward, but I wanted to bring this to your attention before I finalized the chart.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

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