

**Burgos, Alexander N**

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**Subject:** FW: [External] RE: Periodic Review Report - 21 NCAC 40

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**From:** shodgin@ncopticiansboard.org <shodgin@ncopticiansboard.org>

**Sent:** Tuesday, April 22, 2025 8:01 AM

**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; mclark@ncopticiansboard.org; 'Noel Allen' <nla@allen-pinnix.com>

**Subject:** RE: [External] RE: Periodic Review Report - 21 NCAC 40

You don't often get email from [shodgin@ncopticiansboard.org](mailto:shodgin@ncopticiansboard.org). [Learn why this is important](#)

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Thank you Travis -- yes, we'll make those adjustments and go with that timeline.

I appreciate your consideration.

Sue Hodgin, Director  
NC State Board of Opticians

Please excuse typos and oops...sent from my smartphone

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I.

## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review Report - 21 NCAC 40

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Sent:** Monday, April 21, 2025 10:28 AM

**To:** Hodgins, Sue M <shodgin@ncopticiansboard.org>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; mclark@ncopticiansboard.org; 'Noel Allen' <nla@allen-pinnix.com>

**Subject:** RE: [External] RE: Periodic Review Report - 21 NCAC 40

Good morning,

I see your agency's timeline has the earliest effect date of rules (at the bottom of timeline) as "October 1, 2027" and your agency is requesting September 1, 2027, as the readoption deadline. Your timeline indicates the rules will be submitted to OAH for RRC consideration "May-August 2027".

Can we agree that the RRC will vote this Thursday on a readoption deadline of **September 1, 2027**, and the rules will be submitted to OAH for RRC consideration **May-July 2027**?

Thanks,

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review Report - 21 NCAC 40  
**Attachments:** OPTICIANS Readoption Timeline for OAH 4.2025.doc  
**Importance:** High

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**From:** shodgin@ncopticiansboard.org <shodgin@ncopticiansboard.org>  
**Sent:** Friday, April 18, 2025 10:09 AM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; mclark@ncopticiansboard.org; 'Noel Allen' <nla@allen-pinnix.com>  
**Subject:** RE: [External] RE: Periodic Review Report - 21 NCAC 40  
**Importance:** High

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Good Morning Travis - please see this Board's attached readoption schedule, based on our request to have our deadline be September 1, 2027 rather than your recommended deadline of July 1st, 2027. As I had mentioned earlier, working around that deadline implies our small Board staff completing this work alongside our yearly Business and Trainee renewal schedule and so we would appreciate the consideration of the later date.

Please let me hear from you with any questions or comments and again, we thank you for working with us on a (just a bit) later date.

Sue M Hodgkin  
Executive Director / Legislative Liaison  
*NC State Board of Opticians*  
*250 New Fidelity Court*  
*Garner, NC 27529*  
*919-420-1390 office*  
*910-477-9090 fax*  
*910-477-1808 cell*

*Continuous effort – not strength or intelligence – is the key to unlocking our potential. – Winston Churchill*



# North Carolina State Board of Opticians

Sue M. Hodgins  
Director

250 New Fidelity Court  
Garner, NC 27529

Phone: (919) 779-8170  
Fax: (910) 477-9090

## MEMORANDUM

**TO:** Travis Wiggs, Rules Review Commission Counsel  
**FROM:** Sue M. Hodgins, Executive Director  
**DATE:** April 17, 2025  
**SUBJECT:** Readoption schedule: 21 NCAC 40

The following is submitted as required for rules under the Board of Opticians, whose periodic review reports were approved by the Rules Review Commission at its November 26, 2024 meeting.

This timeline is a proposed readoption schedule for the above-mentioned rules. The dates noted on the timeline refer to a deadline, and not a specific date, as the meeting dates for the State Board of Opticians for 2026 and 2027 have not yet been set. The timeline is based on previous meeting dates typical of this Board's schedule, as well as built-in additional meetings should meetings have to be cancelled or otherwise rescheduled out of necessity.

### Board of Opticians 21 NCAC 40

Completed on or before:

#### **Presentation of Rules at Board of Opticians Mtg**

*November 2026*

#### **Publication of Notice of Text**

*(immediately following initial approval by Board)*

*November 2026*

**Public Hearing:** *At least 15 but no later than 60 days after Notice of Text is published, if requested*

#### **Public Comment Period:**

*December/January 2026 – April 2027*

#### **Board of Opticians meetings for final adoption:**

*May meeting is cancelled/rescheduled)*

*May 2027 (August 2027, in the event the*

#### **Submission of rules to OAH for RRC consideration:**

*May – August 2027*

#### **Rules Review Commission review:**

*No later than September 2027*

#### **Earliest Effective Date of Rules:**

*October 1, 2027*

## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review Report - 21 NCAC 40  
**Attachments:** OPTICIANS Readoption Timeline for OAH 4.2025.doc  
**Importance:** High

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**From:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Sent:** Wednesday, April 16, 2025 12:08 PM  
**To:** Hodgkin, Sue M <[shodgin@ncopticiansboard.org](mailto:shodgin@ncopticiansboard.org)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: [External] RE: Periodic Review Report - 21 NCAC 40

Ms. Hodgkin,

Please see the email below from February 20, 2025 and review 26 NCAC 05 .0212 for the information required to be submitted to the RRC. Your agency must create a timeline working with a deadline of July 1, 2027. Your timeline should be an itemized breakdown of when your agency intends to complete each step in the readoption process. This is essentially following the procedures for adopting a permanent rule in 150B-21.2. The timelines can be projections of when certain actions will be taken by your Board. Please be as specific as possible with dates, but I realize circumstances may change and unforeseeable events may arise. Please communicate to me any unexpected changes when they occur.

All rules your agency designated as "Necessary" will need to be readopted during this process. I have attached an example of a proposed readoption timeline that was submitted by a different agency with a deadline of October 1, 2027.

The documentation for your agency's planned timeline for readoption can be sent to me in an email. Let me know if you have any questions.

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** [shodgin@ncopticiansboard.org](mailto:shodgin@ncopticiansboard.org) <[shodgin@ncopticiansboard.org](mailto:shodgin@ncopticiansboard.org)>  
**Sent:** Wednesday, April 16, 2025 11:30 AM  
**To:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** [External] RE: Periodic Review Report - 21 NCAC 40

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Good Morning Travis - the Board Counsel, Chair and I have agreed to request Sept 1, 2027 as the next readoption deadline.

Sue Hodgin, Director  
NC State Board of Opticians

Please excuse typos and oops...sent from my smartphone

----- Original message -----

From: "Wiggs, Travis C" <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
Date: 4/15/25 4:15 PM (GMT-05:00)  
To: "Hodgin, Sue M" <[shodgin@ncopticiansboard.org](mailto:shodgin@ncopticiansboard.org)>  
Cc: "Burgos, Alexander N" <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
Subject: RE: Periodic Review Report - 21 NCAC 40

Good afternoon,

Just a reminder that the deadline is this Friday for your agency. We need this information as soon as possible if the RRC is to vote on this next Thursday.

Thank you.

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** Wiggs, Travis C  
**Sent:** Thursday, February 20, 2025 3:11 PM  
**To:** Hodgin, Sue M  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** FW: Periodic Review Report - 21 NCAC 40

Good afternoon,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the “Necessary” 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.

The deadline for your agency to provide this information is April 18, 2025. As a starting point, I would recommend a July 1, 2027, readoption deadline, but I am open to considering a different recommendation based on the needs of your agency.

Please reply to confirm receipt of this email. Let me know if you have any questions. Thank you.

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** McGhee, Dana <[dana.McGhee@oah.nc.gov](mailto:dana.McGhee@oah.nc.gov)>  
**Sent:** Thursday, February 20, 2025 2:40 PM  
**To:** Hodgin, Sue M <[shodgin@ncopticiansboard.org](mailto:shodgin@ncopticiansboard.org)>  
**Cc:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Subject:** Periodic Review Report - 21 NCAC 40

Good afternoon,

The determinations in the attached periodic review report for 21 NCAC 40 were effective January 26, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date for the rules in the report.

Let me know if you have any questions.

***Dana McGhee***

*Publications Coordinator*

*Office of Administrative Hearings*

984-236-1937

[dana.mcghee@oah.nc.gov](mailto:dana.mcghee@oah.nc.gov)

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