

**DHHS / OSMB Review  
Permanent Rules Proposed for Repeal**

**Agency Proposing Rule Change**

N.C. Department of Health and Human Services/Division of Health Service Regulation

**Contact Persons**

Nadine Pfeiffer, Interim Branch Manager, Medical Facilities Planning Section – (919) 855-3811

Erin Glendening, Medical Facilities Planning Section – (919) 855-3848

**Impact Summary:**

State government: No  
Local government: No  
Substantial impact: No  
Federal government: No  
Small businesses: No

**Titles of Rules Proposed for Repeal**

10A NCAC 14B .0101-.0141, .0150, .0152-.0161, .0163-.0193, .0194-.0195, .0201-.0207, .0209-.0246, .0251-.0285, .0289, .0291-.0295.

**Authorizing Statute:** G.S. 150B-2(8a)k.

**Background and anticipated fiscal impact**

The State Medical Facilities Plan required rules under Subchapter 10A NCAC 14B for the development of the annual Plan. Session Law 2003-229 amended G.S. 150B by adding language to the definition of a rule that excluded the State Medical Facilities Plan from the definition of a rule and therefore, rulemaking procedures. Subsequently, each year a public hearing is held regarding the Plan, comments are accepted, the Plan is reviewed by the Rules Review Commission for compliance and is ultimately approved by the governor according to statute.

**Summary of Revisions and its Anticipated Fiscal Impact**

The rules contained in Subchapter 14B of 10A NCAC are obsolete and are in need of repeal. This was identified during the review of rules with Executive Order #70. There is no fiscal impact with the repeal of these rules which have not been used by the agency since 2003.