



**STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS**

August 22, 2022

Nadine Pfeiffer  
North Carolina Medical Care Commission  
**Sent via email only to: [Nadine.pfeiffer@dhhs.nc.gov](mailto:Nadine.pfeiffer@dhhs.nc.gov)**

Re: Objection to 10A NCAC 13B .3801, .3903, .4103, .4104, .4106, .4305, .4603, .4801, .4805, .5102, .5105, .5406, .5408, .5411

Dear Ms. Pfeiffer:

At its meeting on August 18, 2022, the Rules Review Commission (RRC) objected to each of the above-captioned Rules, finding that the Rules were not within the statutory authority delegated to the Medical Care Commission pursuant to G.S. 150B-21.9(a)(1). Additionally, the RRC objected to Rule .4805 on the basis that the Rule was not clear and unambiguous pursuant to G.S. 150B-21.9(a)(2).

Specifically, the RRC adopted the opinions of counsel attached hereto and incorporated by reference.

Please respond to this objection in accordance with the provisions of G.S. 150B-21.12.

If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

Brian Liebman  
Commission Counsel

cc: Kim Randolph, NCDOJ

**Donald Robert van der Vaart**, Director  
Chief Administrative Law Judge

**Fred G. Morrison, Jr.**  
Senior Administrative Law Judge

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