

## Pfeiffer, Nadine

---

**From:** Benton, Mark  
**Sent:** Thursday, June 22, 2023 2:33 PM  
**To:** Snyder, Ashley B  
**Cc:** Pfeiffer, Nadine; Kinsley, Kody  
**Subject:** RE: DHHS Emergency Rule Filing

Dear Codifier Snyder:

NCDHHS is in receipt of your finding that the Department's submission and statement of need for emergency rule did not meet the criteria set forth in N.C.G.S. § 150B-21.1A(a). We respectfully disagree with your conclusion that rules are not needed by July 1, 2023. Pursuant to N.C.G.S. § 150B-21.1A(b), NCDHHS has decided not to provide additional findings or submit a new statement and wishes to submit these emergency rules for publication on the sixth business day, June 30, 2023, in the North Carolina Administrative Code over the objection of the Codifier. The adoption of emergency rules will ensure continuity of care for patients, will resolve any uncertainty about the rules applicable to impacted providers from July 1st until the Department is able to promulgate temporary or permanent rules, and will protect the health and safety of women obtaining reproductive health care.

MTB

**Mark T. Benton** *he/him/his*  
Chief Deputy Secretary  
NC Department of Health and Human Services

Office (Main): 919-855-4800  
[mark.benton@dhhs.nc.gov](mailto:mark.benton@dhhs.nc.gov)

101 Blair Drive, Adams Building  
2001 Mail Service Center  
Raleigh, NC 27699-2001

NCDHHS provides essential services to improve the health, safety and well-being of all North Carolinians. Learn more about us at:  
<https://www.ncdhhs.gov/about/departments-initiatives/strategic-priorities>  
[Twitter](#) | [Facebook](#) | [Instagram](#) | [YouTube](#) | [LinkedIn](#)

---

**From:** Snyder, Ashley B <ashley.snyder@oah.nc.gov>  
**Sent:** Thursday, June 22, 2023 2:10 PM  
**To:** Kinsley, Kody <kody.kinsley@dhhs.nc.gov>  
**Cc:** Pfeiffer, Nadine <nadine.pfeiffer@dhhs.nc.gov>; Benton, Mark <Mark.Benton@dhhs.nc.gov>  
**Subject:** DHHS Emergency Rule Filing

Secretary Kinsley,

Please find attached a letter in response to DHHS's emergency rule filing.

**Ashley Snyder**  
Codifier of Rules  
Office of Administrative Hearings  
(984) 236-1941

---

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

---

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort, is prohibited by law. If you have received this email in error, please notify the sender immediately and delete all records of this email.