



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Health Service Regulation

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director

MEMORANDUM

***Revised March 19, 2020**

DATE: March 16, 2020
TO: Interested Parties
FROM: Nadine Pfeiffer, Rule Review Manager *NP*
RE: Proposed Readoption of Certifications of Clinics for Abortion Rules – 10A NCAC 14E

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. Three rules are being readopted as a result of the periodic review of Subchapter 10A NCAC 14E, thereby requiring rules determined as “Necessary With Substantive Public Interest” be readopted.

The North Carolina Department of Health and Human Services/Director, DHSR has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the following rule-making actions:

10A NCAC 14E Certifications of Clinics for Abortion

10A NCAC 14E .0105	Approval (Readopt)
10A NCAC 14E .0312	Medications and Anesthesia (Readopt)
10A NCAC 14E .0316	Food Service (Readopt)

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on January 19, 2020 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in the March 16, 2020 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for April 2, 2020 at 10:00 a.m. *In the abundance of caution, to address protective measures to help prevent the spread of COVID-19, rather than in an in-person meeting, the public hearing will be conducted by teleconference. If you would like to participate in the public hearing, please use the following: Conference telephone number: 1-877-848-7030; Access Code: 5133201. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules and fiscal analysis from March 16, 2020 – May 15, 2020. *Comments will also be accepted via teleconference at the public hearing. The proposed effective date of these rules is February 1, 2021.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

OFFICE OF THE DIRECTOR

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A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Please feel free to contact the Acute and Home Care Licensure and Certification Section at (919) 855-4620, should you have questions related to this memorandum or the proposed rule text and fiscal note.

Enclosures

cc: Mark Payne, Director, Health Service Regulation
Emery Milliken, Deputy Director, DHSR
Joel Johnson, Assistant General Counsel, DHHS
Steve Lewis, Chief, Construction Section
Azzie Conley, Chief, Acute and Home Care Licensure and Certification