

1 10A NCAC 14A .0101 is proposed for readoption as follows:
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3 **CHAPTER 14 – DIRECTOR, DIVISION OF HEALTH SERVICE REGULATION**

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5 **SUBCHAPTER 14A – RULEMAKING**

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7 **SECTION .0100 - RULEMAKING**

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9 **10A NCAC 14A .0101 PETITIONS**

10 (a) Any person wishing to submit a written petition requesting the adoption, amendment, or repeal of a rule by the
11 Director of the Division of Health Service Regulation shall submit the petition addressed to the Director, Division of
12 Health Service Regulation, 1915 Health Services Way, 2701 Mail Service Center, Raleigh, North Carolina, 27699-
13 2701.

14 (b) The petition shall contain the following information:

- 15 (1) the text of the proposed rule(s) for adoption or amendment and the statutory authority for the agency
16 to promulgate the rule(s);
17 (2) a statement of the effect on existing rules or orders;
18 (3) a statement of the effect of the proposed rule(s) on existing practices in the area involved, if known;
19 and
20 (4) the name(s) and the address(es) of the petitioner(s).

21 (c) The petitioner may include the following information within the request:

- 22 (1) documents and any data supporting the petition;
23 (2) a statement of the reasons for adoption of the proposed rule(s), amendment or the repeal of an
24 existing rule(s);
25 (3) a statement explaining the costs and computation of the cost factors, if known; and
26 (4) a description, including the names and addresses, if known, of those most likely to be affected by
27 the proposed rule(s).

28 (d) The Director, based on a review of the facts stated in the petition, shall consider the following in his or her
29 determination to grant the petition:

- 30 (1) whether he or she has authority to adopt the rule(s);
31 (2) the effect of the proposed rule(s) on existing rules, programs and practices;
32 (3) probable costs and cost factors of the proposed rule(s);
33 (4) the impact of the rule on the public and the regulated entities; and
34 (5) whether the public interest will be served by granting the petition.

35 (e) Petitions that do not contain the information required by Paragraph (b) of this Rule shall be returned to the
36 petitioner the Director of Division of Health Service Regulation.

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1 *History Note: Authority G.S. 150B-20;*
2 *Eff. June 10, 1977;*
3 *Readopted Eff. December 1, 1997;*
4 *Amended Eff. November 1, 1989;*
5 *Readopted Eff. July 1, 2019;*
6 *Amended Eff. November 1, 2025-2025;*
7 *Pursuant to G.S. 150B-21.3A, rule is necessary Eff. January 21, 2026;*
8 *Readopted Eff. October 1, 2026.*