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| **Proposed Amendment of Non-Medicaid Appeal Rules** |
| **Purpose of Rule Action:**   These rules are proposed for amendment to eliminate the requirement of a Panel and permit a Hearing Officer to conduct the appeals instead, to eliminate redundant language, and to provide further clarity regarding the Non-Medicaid Appeal Process. |
| The Notice of Text for the proposed readoption of these rules is available in the *North Carolina Register* Volume 38, Issue 12 scheduled for publication December 15, 2023 accessible via this link: <https://www.oah.nc.gov/rules-division/north-carolina-register>. Hyperlinks to the rules as proposed for amendment are provided below.   1. 10A NCAC 27G .7004, *Appeals Regarding Utilization Review Decisions for Non-Medicaid Services* 2. 10A NCAC 27I .0601, *Scope* 3. 10A NCAC 27I .0602, *Definitions* 4. 10A NCAC 27I .0605, *Initial Response to a DMH/DD/SAS Appeal* 5. 10A NCAC 27I .0606, *Hearing Schedule and Composition of the Panel* 6. 10A NCAC 27I .0607, *Panel Hearing Procedures* 7. 10A NCAC 27I .0608, *Panel Decision Findings* 8. 10A NCAC 27I .0609, *Final Written Decision* |
| **Federal Certification** is not applicable to this set of proposed rules. |
| **Economic Analysis**:  No fiscal note is required. |
| **Public Comment Period:**  December 16, 2023-February 13, 2024.  Written comments or objections to the proposed rules must be submitted electronically to [dmhddsasrules@dhhs.nc.gov](mailto:dmhddsasrules@dhhs.nc.gov) or mailed to W. Denise Baker 3001 Mail Service Center Raleigh, NC  27699-3001. |
| **Procedure for Subjecting a Rule to Legislative Review**:  Any person who objects to the adoption of a permanent rule may submit written comments to [dmhddsasrules@dhhs.nc.gov](mailto:dmhddsasrules@dhhs.nc.gov).  If the objection is not resolved prior to adoption of the rule, a person may than submit written objections to the Rules Review Commission. If the Rules Review Commission receives written objections from 10 or more persons, clearly requesting review of the rule by the legislature, and the Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1).  The Rules Review Commission will accept written objections no later than 5:00p.m. of the day following the day the Commission approves the rule.  The Rules Review Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission.  If you have any further questions regarding the process for submitting written objections to the Rules Review Commission, please contact a Rules Review Staff Attorney at 984-236-1850. |