

CHAPTER 68 - SOCIAL SERVICES: RULEMAKING

SECTION .0100 – RULEMAKING: SOCIAL SERVICES COMMISSION

10A NCAC 68 .0101 PETITIONS

(a) Any person wishing to request the adoption, amendment, or repeal of a rule of the Social Services Commission (hereinafter referred to as the commission) shall make his or her request through one of the following methods:

- (1) by electronic mail to SSCommission@dhhs.nc.gov; or
- (2) by sending a written petition addressed to:
Director
Division of Social Services
Department of Health and Human Services
2401 Mail Service Center
Raleigh, North Carolina 27699-2401

(b) The petition, whether submitted electronically or by mail, shall contain the following information:

- (1) a draft of the proposed text changes if requesting the commission to create or amend a rule;
- (2) a statement of the effect the proposed rule change would have; and
- (3) the name and either the physical mailing address or electronic mail address of the petitioner.

(c) The petition may contain the following information:

- (1) the statutory authority for the agency to promulgate the rule;
- (2) the reasons for the proposal;
- (3) any data supporting the proposal;
- (4) the effect of the proposed rule on existing practices in the area involved, including cost factors; and
- (5) the names and addresses, if known, of those individuals or groups most likely to be affected by the proposed rule.

(d) The commission or its designee shall determine, based on a study of the facts stated in the petition, whether the public interest will be served by granting the petition. The commission or its designee shall consider all the contents of the submitted petition, plus any additional information it deems relevant.

(e) Within 120 days of submission of the petition, the commission or its designee shall render a decision to deny the petition or to initiate rulemaking proceedings pursuant to G.S. 150B-20.

History Note: Authority G.S. 143B-153; 150B-20;
Eff. February 1, 1976;
Readopted Eff. October 31, 1977;
Amended Eff. March 1, 1990;
Readopted Eff. September 1, 2019.