

**SECTION .0400 – SIMPLIFIED PROCEDURES FOR MEDICAID APPLICANT AND RECIPIENT
APPEALS**

26 NCAC 03 .0401 MEDICAID HEARING PROCEDURES RULES

(a) The rules in 26 NCAC 03 .0100 apply to contested Medicaid cases commenced by Medicaid applicants or recipients under S.L. 2008-107, s. 10.15A.(h1) as rewritten by S.L. 2008-118, s. 3.13 except:

- (1) 26 NCAC 03 .0101(b);
- (2) 26 NCAC 03 .0102(a)(3), (b) – (e);
- (3) 26 NCAC 03 .0103(a);
- (4) 26 NCAC 03 .0104;
- (5) 26 NCAC 03 .0106(b);
- (6) 26 NCAC 03 .0107;
- (7) 26 NCAC 03 .0108;
- (8) 26 NCAC 03 .0112;
- (9) 26 NCAC 03 .0115;
- (10) 26 NCAC 03 .0117;
- (11) 26 NCAC 03 .0118;
- (12) 26 NCAC 03 .0120(e);
- (13) 26 NCAC 03 .0123;
- (14) 26 NCAC 03 .0125; and
- (15) 26 NCAC 03 .0127(a).

(b) Nothing in this Rule affects discretionary powers granted to an administrative law judge as set out in G.S. 150B-33(b).

*History Note: Authority G.S. 7A-751(a); S.L. 2008-107, s. 10.15A.(h1) as rewritten by S.L. 2008-118, s. 3.13;
Temporary Adoption Eff. December 2, 2008;
Eff. August 1, 2009;
Amended Eff. April 1, 2014; November 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,
2016;
Amended Eff. September 1, 2023; October 1, 2022.*