

Periodic Review of Existing Rules

During its 2013 legislative session, the North Carolina General Assembly enacted N.C. Session Law 2013-413, which created [N.C.G.S. § 150B-21.3A](#), captioned "Periodic Review and Expiration of Existing Rules". This new law requires all state agencies and commissions to review all of their existing rules at least once every 10 years.

Pursuant to the requirements of [N.C.G.S. § 150B-21.3A\(c\)](#), the North Carolina Child Care Commission (Commission) has completed a preliminary review of the existing Child Care Licensing Rules and has made an initial determination of whether each rule is:

- "Necessary with substantive public interest," meaning that the agency has determined that the rule is needed and that: (a) the agency has received public comments on the rule within the past two years; or (b) the rule affects the property interest of the regulated public and the agency knows or suspects that someone may object to the rule; or
- "Necessary without substantive public interest," meaning that the agency has determined that the rule is needed and that the agency has not received public comments on the rule within the past two years. This category includes rules that provide information that is readily available to the public, such as an address or telephone number; or
- "Unnecessary," meaning that the agency has determined that the rule is obsolete, redundant or otherwise not needed.

As defined in [N.C.G.S. § 150B-21.3A\(a\)\(5\)](#) and as used above, the term "public comment" means "written comments objecting to the rule, in whole or in part, received by an agency from any member of the public, including an association or other organization representing the regulated community or other members of the public."

The results of the Commission's preliminary review have been posted online and can be viewed at the [DHHS website](#) and at the [NC Office of Administrative Hearings website](#).

To view the existing rules online, visit [Child Care Rules](#).

The Child Care Commission hereby invites and encourages you to review and comment on the existing Child Care Rules and the results of the Commission's preliminary review.

You may send your comments via email to: Dedra.Alston@dhhs.nc.gov or via U.S. Mail to the following address:

Dedra Alston, Rule-making Coordinator
Division of Child Development and Early Education

2201 Mail Service Center
Raleigh, NC 27699-2201

When commenting on a rule, please specify the number and title of the rule; e.g., "I have a comment on Rule 10A NCAC 09 .0102, Definitions." The Child Care Commission will not send individual responses to each commenter; however a response will be submitted to the RRC with the final report as required by [26 NCAC 05 .0208](#).

All written comments will be accepted September 12, 2014 through November 11, 2014.

[26 NCAC 05 .0207](#) specifies that a comment must address the content of the rule in question to be considered by the Rules Review Commission.

Please feel free to visit the [Division of Child Development and Early Education's website](#) as a source of information about child care. If you would like to receive NC Child Care Commission meeting notices electronically, please send your e-mail address to Dedra.Alston@dhhs.nc.gov.