



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME: 35

ISSUE: 23

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
- Notice without a scheduled hearing
- Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [HHS - Division of Health Benefits](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://medicaid.ncdhhs.gov/meetings-and-notices/rules-actions>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

AMENDMENT: [10A NCAC 23B .0102](#)

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

4. Proposed effective date: [10/01/2021](#)

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
06/17/2021	10am	Join by dialing (877) 336-1839, entering access code 3956100.

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

Pursuant to S.L. 2020-78 Section 4D.2, DHB is codifying its existing practice of issuing annual Medicaid ID cards.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: [Shazia Keller](#)
Address: [1985 Umstead Drive](#)
[Raleigh, NC 27699](#)
Phone (optional): [919-218-1372](#)
Fax (optional):
EMail (optional) shazia.keller@dhhs.nc.gov

10. Comment Period Ends: [08/02/2021](#)

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

[No fiscal note required](#)

12. Rule-making Coordinator:

Name: [Shazia Keller](#)
[919-855-4019](#)
shazia.keller@dhhs.nc.gov

Agency contact, if any:

Name: [Shazia Keller](#)
Phone: [919-218-1372](#)
Email:

13. The Agency formally proposed the text of this rule(s) on

Date: [05/07/2021](#)

1 10A NCAC 23B .0102 is proposed for amendment as follows:

2 **10A NCAC 23B .0102 ISSUANCE**

3 (a) Cards shall be issued by the State at any time of the month for:

- 4 (1) Approved applications;
- 5 (2) Cases authorized after meeting a deductible;
- 6 (3) ~~Requests by the county agency. Change in primary care provider; or~~
- 7 (4) ~~Change in LME/MCO catchment area.~~

8 ~~(b) Cards shall be issued by the state at the beginning of each month for clients authorized for the month.~~

9 (c) Cards shall be issued requested by the county agency for issuance by the state for:

- 10 (1) Emergencies as indicated in the Eligibility Manuals;
- 11 (2) Replacement of lost, stolen, burned or incorrect cards;
- 12 (3) Non-receipt of a state issued card; and
- 13 (4) Requests by a second county during a county transfer.

14 (d) Cards shall be issued by the State 12 months from the last issuance date if the client remains eligible.

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16 *History Note: Authority G.S. 108A-54; S.L. 2020-78, s. 4D.2*

17 *Eff. September 1, 1984;*

18 *Amended Eff. August 1, 1990;*

19 *Transferred from 10A NCAC 21C .0102 Eff. May 1, 2012;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016;*

21 *Amended Eff. October 1, 2021.*

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