

1 10A NCAC 22H .0303 is proposed for reoption without substantive change as follows:

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3 **10A NCAC 22H .0303 INITIATING A HEARING**

4 (a) In order to initiate an appeal of a ~~PASRR~~ ~~PASARR~~ determination, the evaluated ~~individual, individual or family~~
5 ~~member, member~~ or legal representative shall submit a Hearing Request Form ~~written request for a hearing~~ to the
6 Hearing Unit. The ~~form request for hearing~~ shall ~~must~~ be received by the Hearing Unit within 11 calendar days from
7 the date of the ~~PASRR~~ ~~PASARR~~ Notice of Determination. If the 11th day falls on a Saturday, Sunday, or legal
8 holiday, then the period during which an appeal may be requested shall run until the end of the next business day
9 which is not a Saturday, Sunday, or legal holiday.

10 (b) The Hearing Request Form ~~request for hearing~~ shall be submitted to the Hearing Unit by mail, facsimile, or hand
11 delivery.

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13 *History Note:* Authority G.S. 108A-25(b); 42 U.S.C.S. 1395i - 3(e)(3) and - (f)(3); 1396r(e)(3), (e)(7)(F), and
14 (f)(3); 42 C.F.R. 431.200; 42 C.F.R. 483.5; 42 C.F.R. Part 483, Subpart E; ~~42 C.F.R. 483.12; 42~~
15 ~~C.F.R. 483.200; 42 C.F.R. 483.204; 42 C.F.R. 483.206;~~
16 *Eff. October 1, 1994; ~~1994.~~*
17 *Readopted Eff. May 1, 2018.*

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