DocuSign Envelope ID: 26C52DE4-6E49-4A7B-9900-9A0573360050

NC DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Division of Mental Health, Developmental Disabilities and Substance Abuse Services

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
I. Azell Reeves • Chair, Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services

August 31, 2020

MEMORANDUM

TO: Kody H. Kinsley, Deputy Secretary for Behavioral Health and I/DD

FROM: I. Azell Reeves DS IAR

RE: Request for Waiver of
Rules 10A NCAC 27G .0104 and 10A NCAC 28A .0102

During its meeting Thursday, August 27, 2020, the Commission voted to approve your request for a waiver of the aforementioned rules as it pertains solely to the definition of a Qualified Professional. These rules require that all years of full-time MH/DD/SA experience required for credentialing as a Qualified Professional be earned after one obtains the required educational degree. The waiver permits the years of full-time MH/DD/SAS required by these rules for credentialing as a Qualified Professional be obtained before or after obtaining the required educational degree. The waiver applies to the definitions contained in 10A NCAC 28A .0102(b)(35)(B)-(D) and 10A NCAC 27G .0104(19)(b)-(d).

Per your request, the Commission granted the waiver retroactive to December 10, 2019 through December 31, 2021. The Commission anticipates this will permit time for the rule changes mandated by S.L. 2017-32 to be implemented via permanent rule action. The Commission's decision was based upon assurances that the waiver will not affect or threaten the health, safety and welfare of any consumers coupled with the fact that all potential staff will still be subjected to the hiring process including a review of relevant work experience and credentials obtained.

Please do not hesitate to contact me should you have any questions related to this decision. I can best be reached via email at reev5205@bellsouth.net. In the alternative, you may reach me by contacting Ms. W. Denise Baker, Team Leader, Legislative and Regulatory Affairs Team, Division of Mental Health, Developmental Disabilities and Substance Abuse Services at denise.baker@dhhs.nc.gov.

cc: Mandy Cohen (via electronic mail)
Victor Armstrong (via electronic mail)
Helen Wolstenholme (via electronic mail)
Karen Burkes (via electronic mail)
Mark Payne (via electronic mail)
Commission for MH/DD/SAS (via electronic mail)
Lisa Corbett (via electronic mail)
Pam Scott (via electronic mail)
Jessica Macari (via electronic mail)
W. Denise Baker (via electronic mail)
LME-MCO Directors (via electronic mail)