



# ADOPTED

## NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT House Bill 623

AMENDMENT NO. 2  
(to be filled in by  
Principal Clerk)

H623-ARO-17 [v.2]

Page 1 of 1

Comm. Sub. [YES]  
Amends Title [NO]  
Second Edition

Date 5/25, 2011

Representative Stevens

1 moves to amend the bill on page 13, lines 34 -35, by inserting the following new section  
2 between the lines:

3 "SECTION 42.1. Pursuant to 31 U. S.C. §6504, the Department of Health and  
4 Human Services shall request a waiver from the single State agency requirement contained in  
5 42 CFR 432.10(e)(3), with regard to final decisions in administrative hearings. The waiver  
6 application shall include the following:

7 (1) The waiver request is made at the direction of the North Carolina General  
8 Assembly which is responsible for the organizational structure of State  
9 government.

10 (2) The single State agency requirement prevents the establishment of the most  
11 effective and efficient arrangement for providing administrative hearings to  
12 claimants because it requires that after a hearing and decision by an  
13 administrative law judge, the case must be returned to the agency for a final  
14 decision. The return to the agency is an unnecessary, time consuming, and  
15 costly additional step.

16 (3) The use of another State administrative hearings arrangement will not  
17 endanger the objectives of the law authorizing the Medicaid program  
18 because the administrative law judges will abide by the properly adopted  
19 policies, rules, and regulations of the State Medicaid agency in making final  
20 decisions."  
21  
22  
23

SIGNED *Samuel Ste*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED 117-1 EV FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

MAY 25 2011

*Simie Weiler*



\* H 6 2 3 - A R O - 1 7 - V - 2 \*