



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

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Division of Public Health

June 30, 2022

MEMORANDUM

TO: Registered Environmental Health Specialists, Program Supervisors,
and Managers

FROM: Shane Smith, REHS, Branch Head
Food Protection and Facilities Branch

SUBJECT: 15A NCAC 18A .2901 Readoption

On June 16, 2022, the Rules Review Commission approved the readoption of Rule 15A NCAC 18A .2901, which establishes the method for distributing restaurant and lodging permitting fees that are collected by the State to local health departments. Rule.2901 was required to be readopted in accordance with General Statute 150B-21.3A, Periodic Review and Expiration of Existing Rules. As part of the readoption process, changes were made to clarify existing language as well as establish a modified process for distributing funds to local health departments impacted by certain disasters, emergencies, or events. The amendments to Rule .2901 do not change the formula for distributing these funds; however, it does add a process for funds to be distributed to each county affected by a disaster or emergency (e.g., hurricane, flooding) or a National Special Security Event (NSSE) such that the county does not lose public health funding when diverting resources to the disaster, emergency, or event. The authority and process to provide this flexibility has varied or has been in a gray area before this readoption. The approved new language now provides uniformity regarding aid-to-county funding flexibility for future occurrences. The rule is effective on July 1, 2022 and can be viewed [here](#).

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