

April 3, 2001

S 825. APA STAY HEARING PENDING APPEAL. *TO REQUIRE AN ADMINISTRATIVE LAW JUDGE TO STAY A CONTESTED CASE PENDING THE OUTCOME OF AN APPEAL CHALLENGING THE JURISDICTION OF THE OFFICE OF ADMINISTRATIVE HEARINGS TO HEAR THE CASE; AND TO CLARIFY THAT SUPERIOR COURT MAY GRANT INJUNCTIVE AND DECLARATORY RELIEF WITHOUT REGARD TO EXHAUSTION OF ADMINISTRATIVE REMEDIES.* Amends GS 150B-33 and 7A-245 as title indicates.

Intro. by Rand.

Ref. to Health Care	GS 7A, 150B
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April 19, 2001

S 825. STATE HEALTH PLAN CONTRACT/EXEMPT APA. Intro. 4/3/01. Senate committee substitute makes the following changes to 1st edition. Replaces original bill with *AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT.* Amends GS 150B-1(e) and adds new GS 135-39.11 to provide that dispute involving performance, terms, and conditions of a contract between the Medical Plan and contractors is not a contested case. Amends GS 1-265 to include state agencies within definition of "person" under Declaratory Judgment Act.

June 13, 2001

SL 2001-192 (S 825). STATE HEALTH PLAN CONTRACT/EXEMPT APA. *AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT.* Summarized in *Daily Bulletin* 4/3/01 and 4/19/01. Enacted June 12, 2001. Effective June 12, 2001, and applies to cases pending on that date.