

DAVID ARROWOOD, Petitioner v. N.C. DEPARTMENT OF
HEALTH AND HUMAN SERVICES, Respondent

No. 489A00

Filed 6 April 2001

**Public Assistance--welfare benefits--limitation--APA rule not
required**

The decision of the Court of Appeals is reversed for the reason stated in the dissenting opinion in the Court of Appeals that the N.C. Department of Health and Human Services properly implemented a twenty-four month limitation of Work First benefits pursuant to a waiver by the U.S. Department of Health and Human Services without the promulgation of a rule under the Administrative Procedure Act.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 140 N.C. App. 31, 535 S.E.2d 585 (2000), reversing an order signed 27 May 1999 by Hyatt, J., in Superior Court, Rutherford County. Heard in the Supreme Court 15 March 2001.

*Pisgah Legal Services, by Curtis B. Venable, for
petitioner-appellee.*

*Roy A. Cooper, Attorney General, by Belinda A. Smith,
Assistant Attorney General, for respondent-appellant.*

*North Carolina Justice and Community Development
Center, by William D. Rowe; and Hunton & Williams, by
Charles D. Case and Julie Beddingfield, on behalf of
North Carolina Justice and Community Development
Center, North Carolina Chapter of the National
Organization for Women, North Carolina Hunger Network,
Southerners for Economic Justice, and North Carolina
Fair Share, amici curiae.*

PER CURIAM.

For the reasons stated in the dissenting opinion by
Judge Walker, we reverse the decision of the Court of Appeals.

REVERSED.