

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-493
SENATE BILL 721**

AN ACT TO AUTHORIZE THE BOARD OF EXAMINERS IN OPTOMETRY AND THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO INCREASE CERTAIN FEES AND TO INCREASE THE COMPENSATION OF BOARD MEMBERS AND TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO INCREASE THE ANNUAL REGISTRATION FEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-122 reads as rewritten:

"§ 90-122. Compensation and expenses of Board.

~~Notwithstanding G.S. 93B-5(a), each~~ Each member of the North Carolina State Board of Examiners in Optometry shall receive as compensation for his services in the performance of his duties under this Article ~~a sum not exceeding fifty two hundred dollars (\$50.00) (\$200.00)~~ for each day actually engaged in the performance of the duties of his office, ~~said per diem to be fixed by said Board,~~ and all legitimate and necessary expenses incurred in attending meetings of the said Board.

~~The secretary treasurer shall, as compensation for his services, both as secretary treasurer of the Board and a member thereof, be allowed a reasonable annual salary to be fixed by the Board and shall, in addition thereto, receive all legitimate and necessary expenses incurred by him in attending meetings of the Board and in the discharge of the duties of his office.~~

All per diem allowances and all expenses paid as ~~herein provided in this section~~ shall be paid upon ~~voucher~~ vouchers drawn by the ~~secretary treasurer of the Board who shall likewise draw voucher payable to himself for the salary fixed for him by the Board.~~ by the Executive Director of the Board in accordance with Board policy.

The Board is authorized and empowered to expend from funds collected ~~hereunder~~ such ~~additional~~ sum or sums as it may determine necessary in the administration and enforcement of this Article, and employ such personnel as it may deem requisite to assist in carrying out the administrative functions required by this Article and by the Board."

SECTION 2. G.S. 90-123 reads as rewritten:

"§ 90-123. Fees.

In order to provide the means of carrying out and enforcing the provisions of this Article and the duties of devolving upon the North Carolina State Board of Examiners in Optometry, ~~said the Board is hereby authorized to charge and collect fees established by its rules not exceeding the following:~~ the following fees:

- (1) Each application for general optometry examination ~~\$400.00~~ \$800.00
- (2) Each general optometry license renewal, which fee shall be annually fixed by the Board, and not later than December 15 of each year written notice of the amount of the renewal fee shall be given to each optometrist licensed to practice in this State by mailing the notice to the last address of record with the Board of each such optometrist ~~250.00~~ 300.00

- (3) Each certificate of license to a resident optometrist desiring to change to another state or territory.....~~200.00~~300.00
- (4) Each license issued to a practitioner of another state or territory to practice in this State~~250.00~~350.00
- (5) Each license to resume practice issued to an optometrist who has retired from the practice of optometry or who has removed from and returned to this State~~250.00~~350.00
- (6) Each application for registration as an optometric assistant or renewal thereof~~50.00~~100.00
- (7) Each application for registration as an optometric technician or renewal thereof~~50.00~~100.00
- (8) Each duplicate license or renewal thereof for each branch office.....~~50.00~~100.00."

SECTION 3. G.S. 90-15.1 reads as rewritten:

"§ 90-15.1. Registration every year with Board.

Every person licensed to practice medicine by the North Carolina Medical Board shall register annually with the Board within 30 days of the person's birthday. A person who registers with the Board shall report to the Board the person's name and office and residence address and any other information required by the Board, and shall pay a registration fee ~~fixed by the Board not in excess of one hundred~~ twenty-five dollars ~~(\$100.00)~~(\$125.00). A physician who is not actively engaged in the practice of medicine in North Carolina and who does not wish to register the license may direct the Board to place the license on inactive status. For purposes of annual registration, the Board shall use a simplified registration form which allows registrants to confirm information on file with the Board. A physician who fails to register as required by this section shall pay an additional fee of twenty dollars (\$20.00) to the Board. The license of any physician who fails to register and who remains unregistered for a period of 30 days after certified notice of the failure is automatically inactive. Except as provided in G.S. 90-12(d), a person whose license is inactive shall not practice medicine in North Carolina nor be required to pay the annual registration fee. Upon payment of all accumulated fees and penalties, the license of the physician may be reinstated, subject to the Board requiring the physician to appear before the Board for an interview and to comply with other licensing requirements. The penalty may not exceed the maximum fee for a license under G.S. 90-13."

SECTION 4. G.S. 90-155 reads as rewritten:

"§ 90-155. Annual fee for renewal of license.

Any person practicing chiropractic in this State, in order to renew his license, shall, on or before the first Tuesday after the first Monday in January in each year after a license is issued to him as herein provided, pay to the secretary of the Board of Chiropractic Examiners a renewal license fee as prescribed and set by the said Board which fee shall not be more than one hundred fifty dollars ~~(\$100.00)~~(\$150.00), and shall furnish the Board evidence that he has attended two days of educational sessions or programs approved by the Board during the preceding 12 months, provided the Board may waive this educational requirement due to sickness or other hardship of applicant.

Any license or certificate granted by the Board under this Article shall automatically be canceled if the holder thereof fails to secure a renewal within 30 days from the time herein provided; but any license thus canceled may, upon evidence of good moral character and proper proficiency, be restored upon the payment of the renewal fee and an additional twenty-five dollars (\$25.00) reinstatement fee.

If any licensee of the Board retires from active practice, the licensee may renew his license annually by paying the license fee and shall not be required to furnish the Board proof of continuing education; however, if at a later time the licensee desires to resume active practice, the licensee shall first appear before the Board and the Board shall determine his competency to practice."

SECTION 5. G.S. 90-156 reads as rewritten:

"§ 90-156. Pay of Board and authorized expenditures.

Notwithstanding G.S. 93B-5(a), the ~~The~~ members of the Board of Chiropractic Examiners shall receive as compensation for their services a sum not to exceed two hundred dollars (\$200.00) for each day during which they are engaged in the official business of the Board and their actual expenses, including transportation and lodging, when meeting for the purpose of holding examinations, and performing any other duties placed upon them by this Article, ~~such expenses~~ to be paid by the treasurer of the Board out of the moneys received by him as license fees, or from renewal fees. The Board shall also expend out of such fund so much as may be necessary for preparing licenses, securing seal, providing for programs for licensed doctors of chiropractic in North Carolina, and all other necessary expenses in connection with the duties of the Board."

SECTION 6. G.S. 90-149 reads as rewritten:

"§ 90-149. Application fee.

Each applicant shall pay the secretary of ~~said~~ the Board a fee as prescribed and set by the Board which fee shall not be more than ~~one~~ three hundred dollars ~~(\$100.00)~~ (\$300.00)."

SECTION 7. This act becomes effective January 1, 2002.

In the General Assembly read three times and ratified this the 5th day of December, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 7:21 p.m. this 19th day of December, 2001