

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

2

HOUSE BILL 728  
Committee Substitute Favorable 4/23/15

Short Title: Amend Laws Pertaining to Chiropractic Board.

(Public)

Sponsors:

Referred to:

April 15, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT ENLARGING THE TIME FOR CERTIFICATION OF CHIROPRACTIC  
3 CLINICAL ASSISTANTS BY THE STATE BOARD OF CHIROPRACTIC  
4 EXAMINERS; AND AUTHORIZING THE STATE BOARD OF CHIROPRACTIC  
5 EXAMINERS TO IMPOSE FINES AS SANCTIONS AND TO INCREASE ANNUAL  
6 LICENSE RENEWAL FEES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 90-143.4(b) reads as rewritten:

9 "(b) Any person employed as a chiropractic clinical assistant shall obtain a certificate of  
10 competency from the State Board of Chiropractic Examiners (Board) within ~~120~~180 days after  
11 the person begins employment. Certification shall not be required for employees whose duties  
12 are limited to administrative activities of a nonclinical nature. Except as otherwise provided in  
13 this section, it shall be unlawful for any person to practice as a chiropractic clinical assistant  
14 unless duly certified by the Board."

15 **SECTION 2.** G.S. 90-154(a) reads as rewritten:

16 "(a) The Board of Chiropractic Examiners may impose any of the following sanctions,  
17 singly or in combination, when it finds that a practitioner or applicant is guilty of any offense  
18 described in subsection (b):

19 (1) Permanently revoke a license to practice ~~chiropractic~~chiropractic.

20 (2) Suspend a license to practice ~~chiropractic~~chiropractic.

21 (3) Refuse to grant a ~~license~~license.

22 (4) Censure a ~~practitioner~~practitioner.

23 (5) Issue a letter of ~~reprimand~~reprimand.

24 (6) Place a practitioner on probationary status and require him to report  
25 regularly to the Board upon the matters which are the basis of probation.

26 (7) Impose and collect from a licensee a civil monetary penalty of up to five  
27 thousand dollars (\$5,000) for each violation of this Article or a rule adopted  
28 under this Article. The clear proceeds of civil penalties imposed pursuant to  
29 this subdivision shall be remitted to the Civil Penalty and Forfeiture Fund in  
30 accordance with G.S. 115C-457.2."

31 **SECTION 3.** G.S. 90-155 reads as rewritten:

32 "**§ 90-155. Annual fee for renewal of license.**

33 Any person practicing chiropractic in this State, in order to renew ~~his~~his a license, shall, on or  
34 before the first Tuesday after the first Monday in January in each year after a license is issued  
35 ~~to him~~ as herein provided, pay to the secretary of the Board of Chiropractic Examiners a  
36 renewal license fee as prescribed and set by the said Board which fee shall not be more than



\* H 7 2 8 - V - 2 \*

1 ~~one hundred fifty~~three hundred dollars ~~(\$150.00),(\$300.00)~~ and shall furnish the Board  
2 evidence ~~that he has~~of having attended two days of educational sessions or programs approved  
3 by the Board during the preceding 12 months, provided the Board may waive this educational  
4 requirement due to sickness or other hardship of the applicant.

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

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

15 **SECTION 4.** Section 2 of this act becomes effective December 1, 2015, and  
16 applies to offenses committed on or after that date. The remainder of this act is effective when  
17 it becomes law.