

Occupational Boards and Licensing

See full summary documents for additional detail

H228 - Modernize Laws Pertaining to NC Medical Board. (SL 2019-191)

S.L. 2019-191 modernizes the laws governing the North Carolina Medical Board (Board) and the practice of medicine including:

- Authorizing the Board to collect a background check fee from applicants and to remit that fee to the Department of Public Safety
- Creating an affirmative duty for licensees to report suspected sexual misconduct, fraudulent prescribing, drug diversion, or theft to the Board.
- Requiring 130 weeks of medical education for a physician license.
- Increasing civil penalties for practice outside the scope of various limited purpose licenses.
- Removing geographic limits on where the Board can meet (currently, Raleigh) and allow the Superior Court in the county where the Board is located to hear appeals of decisions not to issue a license and appeals of disciplinary action (currently, Wake County Superior Court)
- Clarifying the Board's disciplinary authority including authority over applicants and inactive licenses
- Authorizing reasonable fees for copying medical records based on the actual cost of copying.
- Creating a new criminal offense punishable as a Class C felony for sexual contact or penetration under pretext of medical treatment.
- Allowing death certificates to be completed by any physician, physician assistant, or nurse practitioner who took reasonable efforts to determine the patient's cause of death.
- Removing the Board's authority to set fees by regulation and maintain fees set by regulation as of June 1, 2019.

Technical changes to the composition of the Board's membership became effective October 31, 2019. The new criminal offenses became effective December 1, 2019, and applied to offenses committed on or after that date. The remainder of the act became effective October 1, 2019.

H548 - Modify Physical Therapy Definition. (SL 2019-43)

S. L. 2019-43 removes the practice of chiropractic from the definition of physical therapy.

The act became effective October 1, 2019.

H554 - Funeral Practice Licensure Tech. Corrections. (SL 2019-207)

S.L. 2019-207 makes a number of changes to the laws governing the licensure and practice of funeral services, including:

- Making changes to the licensure examination requirements.
- Establishing requirements for issuance of a provisional license by the Board of Funeral Service.
- Requiring that certificates of compliance for preneed funeral contracts be filed with the Board of Funeral Service.

- Requiring that crematory licensees comply with federal regulations for funeral industry practices and obtain necessary documentation before cremating an individual who died in another state.
- Requiring that all licensees comply with rules for the disposal of pacemakers and other hazardous devices.
- Providing that a medical professional who signs a death certificate is immune from civil liability so long as the cause of death is determined in good faith.

The portions of the act pertaining to preneed funeral compliance, cremations, and burial transportation became effective July 31, 2019. The remainder of the act became effective August 21, 2019.

H770 - Freedom to Work/Occupational Licensing Board Reform. (SL 2019-91)

S.L. 2019-91 does the following:

- Requires administrative agencies, governmental officials, and courts in civil proceedings to consider Certificates of Relief favorably.
- Defines a "State agency licensing board."
- Clarifies standards for a licensing board's use of an applicant's criminal history in making determinations.
- Requires recognition by licensing boards of certain apprenticeship and training experiences.

This act became effective October 1, 2019, and applies to Certificates of Relief granted or applications for licensure submitted on or after that date.

S55 - Continuing Education for General Contractors. (SL 2019-72)

S.L. 2019-72 establishes a continuing education requirement for general contractors of eight hours per year, effective for licenses renewed on or after January 1, 2020. Of the eight hours, two hours will be a mandatory course and six hours will be elective courses, all of which must be approved by the Board.

S88 - Electrician Requirements for Certain Orgs. (SL 2019-78)

S.L. 2019-78 makes several clarifying changes to provide that electrical contractors employed by local boards of education, hospitals, and nonprofit organizations may make repairs and conduct maintenance at any building or facility owned or possessed by a local board of education when done at the direction of the local board of education, hospital, or nonprofit organization.

This act became effective June 27, 2019.

S230 - NC Military and Veteran Act of 2019. (SL 2019-201)

S.L. 2019-201 does all of the following:

- Provides for a minimum of 2 days per academic year for excused absences related to a parent or legal guardian's service in a combat zone.
- Requires the Program Evaluation Division (PED) to study the extent to which the provisions of G.S. 93B-15.1 have improved the ability of military-trained applicants and military spouses to become licensed by occupational licensing boards in the State.
- Requires the department of social services to collect information regarding the caretaker's military affiliation in the course of an abuse, neglect, or dependency assessment, and if evidence of abuse is found by the director, requires the director to report the abuse to the appropriate military agency.
- Expands the definition of "child" for the purposes of determining college scholarship eligibility for children of North Carolina war veterans to include stepchildren, adopted children, and certain illegitimate children, and requires the Department of Military and Veterans Affairs to report certain scholarship data to the Joint Legislative Oversight Committee on General Government by March 30, 2020.
- Allows for certain military veterans and other individuals to be charged the in-State tuition rate, regardless of the 12-month residency requirement.

This act became effective August 23, 2019.

S311 - Massage Board Membership. (SL 2019-114)

S.L. 2019-114 expands the current membership of the North Carolina Massage and Bodywork Therapy Board (the Board) to add a licensed operator of a massage and bodywork therapy establishment appointed by the Governor.

This act became effective July 11, 2019.

S462 - Modifications to NC Appraisal Board. (SL 2019-146)

S.L. 2019-146 replaces education, experience, and examination requirements for registration, licensure, and certification of real estate appraisers with those required by The Appraisal Foundation Appraiser Qualifications Board.

Section 3 of this act allows the Board to collect fees from NC registered, and federally regulated, appraisal management companies to render them eligible to perform services in connection with federally related transactions. It also allows the Board to collect a fee from these companies to be placed on the AMC National Registry.

Section 6 of this act provides that a business eligible for a Job Maintenance and Capital Development Fund may have an agreement that provides that a grant paid out over the term of the agreement be in unequal annual payments and in amounts deviating from certain factors for annual payments, provided those factors are considered in the aggregate award to be paid over the entire term of the agreement.

Sections 1, 2, and 3 of this act became effective October 1, 2019, and apply to registrations, licensures, and certifications issued after that date. Section 6 of this act became effective July 22, 2019, and applies to agreements entered on or after that date. The remainder of this act became effective July 22, 2019.

S590 - Modify Continuing Ed for Real Estate Brokers. (SL 2019-195)

S.L. 2019-195 modifies the continuing education requirements for real estate brokers to allow online classes and to reduce the time new licensees have to complete a post-licensing education program from 3 years to 18 months. These changes are effective July 1, 2020. It also allows the exemptions to licensure under 93A to apply to timeshare salespeople who are employees of the company which owns the development, effective when the act became law, August 9, 2019.

S604 - Amend NC Veterinary Practice Act. (SL 2019-170)

S.L. 2019-170: (i) defines "impairment" for purposes of the Veterinary Medical Board (Board) and allows the Board to take disciplinary action against registrants for impairment, (ii) amends the extent to which a person may administer to an animal owned by the person, (iii) requires veterinary facility permits for any facility where veterinary medicine is practiced, (iv) allows a business entity to own a veterinary facility upon obtaining a veterinary facility permit, and (v) allows the Board to establish rules for the practice of veterinary telehealth.

The conforming changes and provisions of the act relating to unlicensed practice of veterinary medicine became effective 60 days after the date that the Board adopts pertinent rules. The remainder of the act became effective July 16, 2019.