

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 164

Short Title: Unauthorized Practice of Medicine/Felony. (Public)

Sponsors: Senators Forrester; and Purcell.

Referred to: Judiciary I.

February 16, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF  
3 MEDICINE FROM A MISDEMEANOR TO A FELONY.  
4 The General Assembly of North Carolina enacts:  
5 **SECTION 1.** G.S. 90-18(a) reads as rewritten:  
6 "(a) No person shall perform any act constituting the practice of medicine or surgery, as  
7 defined in this Article, or any of the branches thereof, unless the person shall have been first  
8 licensed and registered so to do in the manner provided in this Article, and if any person shall  
9 practice medicine or surgery without being duly licensed and registered, as provided in this  
10 Article, the person shall not be allowed to maintain any action to collect any fee for such  
11 services. The person so practicing without license shall be guilty of a ~~Class 1 misdemeanor,~~  
12 ~~except that if the person so practicing without a license is an out of state practitioner who has~~  
13 ~~not been licensed and registered to practice medicine or surgery in this State, the person shall~~  
14 ~~be guilty of a Class I felony."~~  
15 **SECTION 2.** This act becomes effective December 1, 2009, and applies to  
16 offenses committed on or after that date.

