

March 15, 2007

S 864. AMEND PRACTICE OF MEDICINE LAWS (=H 818). Filed 3/15/07. *TO AMEND THE LAWS PERTAINING TO THE PRACTICE OF MEDICINE.*

Identical to H 818, filed 3/14/07.

Intro. by Purcell.

GS 90

July 11, 2007

S 864. AMEND CHIROPRACTIC PRACTICE ACT (NEW). Filed 3/15/07. Senate committee substitute deletes the provisions of the 1st edition and replaces it with *AN ACT TO AMEND THE CHIROPRACTIC PRACTICE ACT TO REQUIRE CRIMINAL RECORDS CHECKS ON APPLICANTS FOR LICENSURE AS CHIROPRACTIC PHYSICIANS, TO PROHIBIT CHIROPRACTORS FROM OFFERING ENTICEMENTS TO PROSPECTIVE PATIENTS, AND TO EXPAND THE GROUNDS FOR PROFESSIONAL DISCIPLINE OF CHIROPRACTORS.*

Enacts new GS 90-143.3 requiring a criminal record check to be conducted for any person applying for licensure as a chiropractic physician and authorizing the Department of Justice to charge the applicant a fee for performing the record check. Requires the NC State Board of Chiropractic Examiners (board) to keep the results of the criminal record checks privileged and confidential. Provides that the board and its officers and employees who are acting in good faith are immune from civil liability for refusing licensure based on information in the criminal record check, even if the information is later found to be erroneous. Enacts new GS 90-154.4 prohibiting chiropractors from offering a prospective patient anything of monetary value as a treatment incentive if the chiropractor knows at that time that the prospective patient's treatment expenses will be paid in whole or part by an insurer or third party. Also specifies marketing practices that are not violations. Amends GS 90-154(b) to add committing an act that demonstrates a lack of good moral character to the type of conduct that constitutes grounds for disciplinary action by the board. Requires the Joint Legislative Administrative Procedure Oversight Committee to conduct a study of the disciplinary authority of all of the occupational licensing boards subject to GS Chapter 93B and authorizes the committee to report its findings to the 2008 Regular Session of the General Assembly. Effective October 1, 2007.

July 26, 2007

S 864. AMEND CHIROPRACTIC PRACTICE ACT. Filed 3/15/07. Senate committee substitute makes the following changes to 2nd edition. Enacts GS 114-19.20 authorizing the Department of Justice to conduct a criminal history check of any applicant for licensure with the State Board of Chiropractic Examiners. Repeals GS 105-164.13(13c), the sales tax exemption for nutritional supplements sold by chiropractors.

Amends the Perfusionist Licensure Act. (Perfusion is, generally, the injection of fluid into a blood vessel in order to reach an organ or tissues, usually to supply nutrients and oxygen.) Renames the NC Perfusion Advisory Committee as the *Perfusionist Advisory Committee of the NC Medical Board* (PAC). Amends GS 90-682.1 regarding the NC Medical Board's authority to rescind or supersede an action taken by PAC. Enacts new GS 90-684 regarding qualified immunity for PAC members and staff who are exercising, in good faith, their powers and duties as authorized by law, and other persons or entities acting in good faith in investigating, reporting or testifying to PAC. Amends GS 90-685 to expand the powers and duties of PAC. Enacts new GS 90-685.1 regarding the confidentiality of PAC investigative information. Enacts new GS 90-690.1 regarding maintenance of certification to maintain licensure for perfusionists licensed under GS Chapter 90, Article 40. Amends GS 90-691 to expand PAC's disciplinary authority.

Makes organizational changes and conforms the title.

July 27, 2007

S 864. AMEND CHIROPRACTIC PRACTICE ACT. Filed 3/15/07. Senate amendments make the following changes to 3rd edition. Amendment #1 renumbers proposed new GS 114-19.20 as proposed new GS 114-19.22. Amendment #2 amends GS 90-238 to provide that when the NC State Board of Opticians names candidates for election for nominees to fill board vacancies, the

board must ensure that its candidates reflect the state's gender, ethnic, racial, and age composition; if the board fails to fulfill its requirements, the Governor may appoint a licensed optician to fill a vacancy. Conforms the title.

July 31, 2007

S 864. AMEND CHIROPRACTIC PRACTICE ACT. Filed 3/15/07. House committee substitute makes the following changes to 4th edition. Deletes proposed amendment to GS 90-151.1 (the sale by a chiropractic physician of nutritional supplements to patients) and deletes the repeal of GS 105-164.13(13c) [retail sales and use tax exemption for nutritional supplements sold by a chiropractic physician]. Effective when the act becomes law, provides that the Revenue Laws Study Committee may study whether to continue the sales tax exemption for nutritional supplements sold by a chiropractic physician to a patient as part of a treatment plan. Conforms the title.

September 4, 2007

SL 2007-525 (S 864). AMEND CHIROPRACTIC PRACTICE ACT. AN ACT TO AMEND THE CHIROPRACTIC PRACTICE ACT TO REQUIRE CRIMINAL RECORD CHECKS ON APPLICANTS FOR LICENSURE AS CHIROPRACTIC PHYSICIANS, TO PROHIBIT CHIROPRACTORS FROM OFFERING ENTICEMENTS TO PROSPECTIVE PATIENTS, TO EXPAND THE GROUNDS FOR PROFESSIONAL DISCIPLINE OF CHIROPRACTORS; TO AMEND THE PERFUSIONIST LICENSURE ACT, AND TO MAKE CHANGES TO THE APPOINTING PROCESS FOR THE NORTH CAROLINA STATE BOARD OF OPTICIANS. Summarized in *Daily Bulletin* 7/11/07, 7/26/07, 7/27/07, and 7/31/07. Enacted August 31, 2007. Sections 1–13 are effective October 1, 2007. The remainder is effective August 31, 2007.