

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE BILL 31  
PROPOSED COMMITTEE SUBSTITUTE S31-PCS65016-RN-1

Short Title: Clarify Penalty Unauth. Practice of Medicine.

(Public)

Sponsors:

Referred to:

February 3, 2011

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF  
MEDICINE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 90-18(a) reads as rewritten:

"§ 90-18. **Practicing without license; penalties.**

(a) No person shall perform any act constituting the practice of medicine or surgery, as defined in this Article, or any of the branches thereof, unless the person shall have been first licensed and registered so to do in the manner provided in this Article. ~~Article, and if any~~ Any person ~~shall practice who practices~~ medicine or surgery without being duly licensed and registered, as provided in this Article, ~~the person~~ shall not be allowed to maintain any action to collect any fee for such services. The person so practicing without ~~license~~ being duly licensed and registered shall be guilty of a ~~Class 1 misdemeanor, Class I felony~~, except that ~~if the person so practicing without a license is an out of state practitioner who has not been licensed and registered to practice medicine or surgery in this State, the person shall be guilty of a Class I felony.~~ any person who has a license or approval under this Article that is inactive due solely to the failure to complete annual registration in a timely fashion as required by this Article or any person who is licensed, registered, and practicing under any other Article of this Chapter shall be guilty of a Class 1 misdemeanor."

**SECTION 2.** This act becomes effective December 1, 2011, and applies to offenses committed on or after that date.

