

NICHOLS, CHOI & LEE, PLLC

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Nonprofit
Employment
Administrative
Occupational Licensing

August 21, 2019

Via email only (govops@ncleg.net)

Joint Legislative Commission on Governmental Operations
Joint Commission Assistant
Fiscal Research Division

Re: Request for Consultation for Licensing Board Fee
21 N.C.A.C 10 .0215

Dear Committee Members,

The North Carolina Board of Chiropractic Examiners ("Board") is submitting this request for consultation on the establishment of a fee in accordance with N.C. Gen. Stat. §§12-3.1, 90-143.3, 90-154 and 93B-8.1(b6) (Session Law 2019-91).

N.C. Gen. Stat. §93B-8.1(b6) expressly provides the Board with the grant of authority to establish the fee listed below, effective October 1, 2019. The Board's proposed rule, 21 NCAC 10. 0215, will be submitted as a permanent rule in accordance with N.C. Gen. Stat. §150B-21.2. The proposed fee is set out below:

Fee Name under G.S. 93B-8.1(b6)	Proposed Fee under 21 NCAC 10 .0215	Amount of Fee Authorized by G.S. 93B-8.1(b6)
Predetermination Fee	\$45/per Predetermination	\$45/per Predetermination

Explanation of Need:

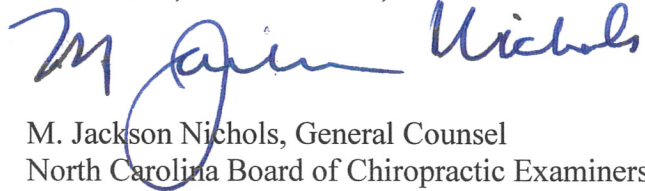
The Board's fees are specifically authorized under the above-referenced statute. All individuals who wish to perform chiropractic services as defined in N.C. Gen. Stat. §90-143 must be licensed by the Board and are required to maintain licensure to continue practicing chiropractic services. Therefore, since the Board is 100% self-supporting and receives no appropriations from the N.C. General Fund, it must charge fees as authorized by statute to conduct operations in accordance with the statutory mandate. The proposed fee will help to offset costs incurred by the Board to provide a predetermination, at the request of an individual, as to whether the individual's criminal history likely will disqualify the individual from obtaining licensure.

Letter to Committee Members of the Joint Legislative
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August 21, 2019
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Please let me know if you have questions or require further information.

Sincerely,

NICHOLS, CHOI & LEE, PLLC

A handwritten signature in blue ink, appearing to read "M. Jackson Nichols". The signature is fluid and cursive, with the first name "M." and last name "Nichols" being more distinct than the middle name "Jackson".

M. Jackson Nichols, General Counsel
North Carolina Board of Chiropractic Examiners

cc: Thomas Sullivan, Executive Director