

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. State Board of Chiropractic Examiners

RULE CITATION: 21 NCAC 10 .0208

DEADLINE FOR RECEIPT: March 13, 2024

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Generally, to the Rule: Explain the Board's authority to license chiropractors to practice acupuncture considering G.S. 90-455 which appears to vest that authority with another body. None of the statutes listed in the History Note appear to grant authority.

Lines 4-7: Is there any particular way the Board requires the certification be made? Must it be in writing? Is there a form which must be filled out? Will a telephone call do?

Line 15: Is "prior approval" prior licensure? Is there some other approval that the Board issues?

Line 18: "Active suspension" is not a defined term. Suspended pursuant to which rule? Lapse pursuant to 21 NCAC 10 .0204?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: February 28, 2024

1 21 NCAC 10 .0208 is amended as published in 38:11 NCR 732-733 as follows:

2
3 **21 NCAC 10 .0208 ACUPUNCTURE**

4 (a) In order to perform acupuncture, a licentiate or applicant for licensure shall first certify to the Board that he or she
5 has completed a minimum of ~~200~~100 hours of instruction in acupuncture sponsored or given by a chiropractic college
6 accredited by the Council on Chiropractic Education or a college or university accredited by an accrediting body
7 recognized by the US Department of Education. The ~~200~~100 hours of instruction must contain at least 30 percent
8 practical, hands-on hours. Individual classes can only be taken once for credit. To perform acupuncture, a licentiate
9 shall also take the National Board of Chiropractic Examiners Acupuncture Examination and receive a passing score
10 of 375 or greater.

11 (b) Prior to performing acupuncture, a licentiate or applicant for licensure must provide the Board with the following:

12 (1) An official transcript from an accredited acupuncture program demonstrating completion of the ~~200~~,
13 100 hours of instruction described in this Rule; and

14 (2) Proof of successful completion of the acupuncture examination described in this Rule.

15 (c) Licentiates holding an active license as of December 31, 2022 and who have received prior approval from the
16 Board to perform acupuncture are not required to meet the requirements of this rule. However, if a licentiate
17 grandfathered under this rule subsequently allows his or her license to lapse or if the license is subsequently subject
18 to active suspension or placed in a status other than active, the licentiate shall be required to comply with this Rule
19 before being permitted to perform acupuncture.

20
21 *History Note: Authority G.S. 90-142; 90-143; 90-151;*

22 *Eff. February 1, 2004;*

23 *Amended Eff. July 1, 2006;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
25 *2019;*

26 *Amended Eff. July 1, 2022-;*

27 *Amended Eff. April 1, 2024.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. State Board of Chiropractic Examiners

RULE CITATION: 21 NCAC 10 .0218

DEADLINE FOR RECEIPT: March 13, 2024

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 22: Change “may” to “shall”.

Line 22: Change “must” to “shall”.

Line 23: Change “must” to “shall”.

Lines 23-24: Who must document the patient’s consent?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel
Date submitted to agency: February 28, 2024

1 21 NCAC 10 .0218 is adopted as published in 38:11 NCR 732-733 as follows:

2
3 **21 NCAC 10 .0218 PRECEPTORS**

4 (a) Chiropractic physicians who supervise students pursuant to G.S. 90-142.1 (“preceptors”) shall provide the Board
5 with the following information prior to commencing student supervision on a form available on the Board’s website:

6 (1) Full name and license number of the preceptor;

7 (2) Full name of student;

8 (3) Chiropractic college in which student is enrolled;

9 (4) Expected date of graduation;

10 (5) Contact phone number and email for student;

11 (6) Start and end dates of preceptorship;

12 (7) Address where preceptorship will take place; and

13 (8) Acknowledgement by the preceptor that he/she has read the statutes, rules and guidelines regarding
14 the preceptor role.

15 (b) The minimum requirements for a preceptor are as follows:

16 (1) Active license issued by the Board;

17 (2) Licensure by the Board for at least five (5) years prior to submission of request to serve as a
18 preceptor; and

19 (3) No prior suspension of the preceptor’s license, active or stayed; and

20 (4) No prior Board discipline of any kind within ten years of commencing the preceptor-student
21 relationship.

22 (c) Preceptors may supervise only one student at a time. Preceptors must obtain verbal consent from every patient
23 who is treated by the student prior to the student commencing treatment. Consent must be documented in the patient’s
24 record.

25
26 History Note: Authority G.S. 90-142.1

27 Eff. April 1, 2024.