

1 21 NCAC 10 .0203 is amended as published in 36:22 NCR 1798-1799 as follows:

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3 **21 NCAC 10 .0203 NORTH CAROLINA EXAMINATION**

4 (a) Eligibility. Only those applicants who meet the requirements of this Rule and G.S. 90-143 or, in the case of
5 reciprocity applicants, G.S. 90-143.1, and who have submitted a written application and paid the non-refundable
6 application fee pursuant to Rule 21 NCAC 10 .0202 shall be allowed to take the North Carolina examination.

7 (b) Dates of Examination. The North Carolina examination shall be given at least four times during the calendar year
8 and will be scheduled based on the number of applications received. The Board shall announce an examination date
9 not less than 30 days in advance, and the date of upcoming examinations shall be published on the Board's website,
10 www.ncchiroboard.com. The Board shall also individually notify each eligible applicant of the date of the next
11 examination after the applicant's non-refundable application fee has been paid and the written application completed.

12 (c) National Boards. Except as provided in Paragraph (e) of this Rule, in order to take the North Carolina examination,
13 an applicant who has never been licensed in this State or who is not a reciprocity applicant shall first achieve a score
14 of 375 or higher on Parts I-IV ~~of the examinations~~ and the Physiotherapy examination given by the National Board of
15 Chiropractic Examiners.

16 (d) Report of Scores. The applicant shall arrange for his or her test results from any National Board examination to
17 be reported to the North Carolina Board. Failure to comply with this Paragraph shall be a basis for delaying the
18 issuance of a license.

19 (e) Waiver of National Boards. Notwithstanding the requirements of Paragraph (c) of this Rule, an applicant who
20 submits National Board examinations in conformity with the following schedule shall not be disqualified from
21 licensure in North Carolina:

- 22 (1) An applicant who graduated from chiropractic college before July 1, 1966 shall not be required to
23 submit a score from any National Board examination.
- 24 (2) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall
25 be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective
26 examination termed "Physiotherapy," but shall not be required to submit a score on Part III (WCCE)
27 or Part IV.
- 28 (3) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall
29 be required to submit scores of 375 or higher on National Board Part I, Part II, the elective
30 examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part
31 IV.

32 In order to receive a license, an applicant who qualifies for a waiver of any National Board score shall take and pass
33 the SPEC examination and the North Carolina Examination pursuant to G.S. 90-143.3 and Rule .0202 of this Chapter.

34 (f) SPEC Examination. In order to take the North Carolina examination, a reciprocity applicant, a waiver applicant
35 pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has been
36 cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the Special Purpose Examination
37 for Chiropractic ("SPEC"). The SPEC exam is administered by the National Board of Chiropractic Examiners. The

1 passing score shall be 375 or higher. Reciprocity applicants and waiver applicants pursuant to Paragraph (e) of this
2 Rule who have achieved a score of 375 or higher on Part IV of the National Board examination shall not be required
3 to take and pass the SPEC exam prior to licensure.

4 (g) Nature of Examination. The North Carolina examination shall be a test of an applicant's knowledge of North
5 Carolina chiropractic jurisprudence. The passing grade shall be 75 percent.

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7 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;*

8 *Eff/ February 1, 1976;*

9 *Readopted Eff. January 27, 1978;*

10 *Amended Eff. January 1, 1983; October 17, 1980;*

11 *Legislative Objection Lodged Eff. January 31, 1983;*

12 *Curative Amendment Eff. February 18, 1983;*

13 *Temporary Amendment Eff. May 1, 1998;*

14 *Amended Eff. October 1, 2018; April 1, 2018; February 1, 2009; July 1, 2004; August 1, 2000;*

15 *August 1, 1995; December 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
17 *2019;*

18 *Amended Eff. October 1, 2022; July 1, 2021.*

1 21 NCAC 10 .0503 is amended with changes as published in 36:17 NCR 1436-1437 as follows:

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3 **21 NCAC 10 .0503 DETERMINATION OF PROBABLE CAUSE**

4 ~~(a) General. Complaints deemed likely to have occurred, based on the findings of the Investigative Report, shall be~~
5 ~~referred to the Chiropractic Review Committee. The committee shall hold a hearing to determine whether there is~~
6 ~~probable cause to believe a violation of the laws governing Chiropractic has occurred.~~

7 ~~(b) Composition of Chiropractic Review Committee. The committee shall be composed of:~~

8 (1) ~~the secretary of the Board of Examiners. If the secretary is unable to attend a specific probable cause~~
9 ~~hearing, he or she may designate another physician member of the Board to serve and assume his~~
10 ~~or her duties at said hearing;~~

11 (2) ~~an alternate Board member. "Alternate Board member" means:~~

12 (A) ~~a former Board member selected by the secretary;~~

13 (B) ~~a current Board member selected by the secretary; or~~

14 (C) ~~a licensee selected by the secretary from among those who, at any election held pursuant~~
15 ~~to Rule .0103(e) of this Chapter, have been elected nominees for Board membership but~~
16 ~~not appointed to the Board.~~

17 ~~(c) Notice of hearing. The secretary shall provide notice of the probable cause hearing in accordance with G.S. 150B-~~
18 ~~38(b).~~

19 ~~(d) Conduct of Probable Cause Hearing. The secretary, or designee per Subparagraph (b)(1) of this Rule, shall preside~~
20 ~~over the probable cause hearing. The Chiropractic Review Committee may consider evidence at the probable cause~~
21 ~~hearing that would not be admissible if offered at the hearing in a contested case.~~

22 ~~(e) Action by the Chiropractic Review Committee. After examining the evidence presented at the probable cause~~
23 ~~hearing, the Chiropractic Review Committee shall dispose of each charge in a complaint as follows:~~

24 (1) ~~If no probable cause exists to believe that a violation of G.S. 90-154 has occurred, the charge shall~~
25 ~~be dismissed;~~

26 (2) ~~If probable cause exists to believe that a violation of G.S. 90-154 has occurred, and if the Committee~~
27 ~~and licensee at issue fail to resolve the matter through settlement, the case shall be considered a~~
28 ~~"contested case" and set for hearing before either the Board, or an Administrative Law Judge at the~~
29 ~~NC Office of Administrative Hearings, in accordance with G.S. 150B-40.~~

30 (a) General. Complaint allegations [deemed likely to have occurred,] that could be considered violations of the Board's
31 Practice Act, based on the findings of the Investigative Report, shall be referred to the Disciplinary Review Committee
32 (DRC). The DRC shall conduct an informal conference with the party in order to consider the possibility of resolving
33 the complaint.

34 (b) Composition of the DRC. The DRC shall be composed of:

35 (1) The Board Secretary; and

1 (2) Either a former Board member or a licensee from among those who, at any election held pursuant
2 to Rule .0103(c) of this Chapter, have been elected nominees for Board membership but not
3 appointed to the Board. The Board Secretary shall select the second DRC member.

4 (c) The Board Secretary shall preside over the conference.

5 (d) Action by the DRC. The DRC shall dispose of each complaint charge as follows:

6 (1) Dismissal of the complaint with no action;

7 (2) Non-Disciplinary Letter of Caution;

8 ~~(2)~~(3) Resolution by settlement; or

9 ~~(3)~~(4) Scheduling for contested case hearing and whether the case shall be set before either the Board or an
10 Administrative Law Judge in accordance with G.S. 150B-40(e).

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12 *History Note: Authority G.S. 90-141; 90-143; 90-154;*
13 *Eff. December 1, 1988;*
14 *Amended Eff. October 1, 2016;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
16 *2019;*
17 *Amended Eff. October 1, 2022; January 1, 2020.*

1 21 NCAC 10 .0803 is adopted as published in 36:17 NCR 1436-1437 as follows:

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3 **21 NCAC 10 .0803 FEE SCHEDULE**

4 (a) The Board shall charge the following fees:

5 (1) License application: \$300.00;

6 (2) License renewal: \$300.00;

7 (3) Certification of Competence: \$35.00;

8 (4) Renewal of Certification of Competence: \$50.00;

9 (5) Corporate registration: \$50.00;

10 (6) Corporate registration renewal: \$25.00; and

11 (7) Predetermination request: \$45.00.

12 (b) All fees charged by the Board are non-refundable.

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14 *History Note: Authority G.S. 55B-10; 55B-11; 90-143.2; 90-143.4; 90-155; 93B-8.1;*

15 *Eff. October 1, 2022.*