

21 NCAC 32B .1707 is adopted under temporary procedures with changes as follows:

21 NCAC 32B .1707 LIMITED LICENSE FOR DISASTERS AND EMERGENCIES FOR PHYSICIANS AND PHYSICIAN ASSISTANTS WITH INACTIVE NORTH CAROLINA LICENSES.

(a) The Board shall waive the requirements for licensure in the circumstances set forth in G.S. 90-12.5.

(b) Limited Emergency License: Physicians and physician assistants who do not have an active medical license issued by any jurisdiction, but who at one time had a full and unrestricted North Carolina medical license, may apply for a limited emergency license on the following conditions:

- (1) The applicant must certify and provide information ~~sufficient~~ to prove that he or she has practiced clinical medicine for at least eighty hours within the past two years;
- (2) The applicant must have maintained an active and unrestricted medical license continuously for the ten-year period prior to going inactive;
- (3) The applicant shall not have received any public discipline or inactivated his or her license while under investigation with such inactivation being reported to the National Practitioner Data Bank; and
- (4) During the declared state of emergency, the physician or physician assistant shall limit his or her medical practice to the area of practice that he or she engaged in prior to going inactive or another area in which he or she is competent to provide medical care.

~~(e) The applicant must complete a limited emergency license application.~~

~~(d)(c)~~ The Board ~~may~~ shall verify that the applicant ~~practiced clinical medicine for at least eighty hours in the immediate two year period~~ complied with (b)(1).

~~(e)(d)~~ In response to a declared disaster or state of emergency and in order to best serve the public interest, the Board may limit the physician's or physician assistant's scope of practice. The physician or physician assistant shall practice within his or her scope of practice. In response to a complaint, the Board may initiate disciplinary proceedings and limit the individual's scope of practice to best serve the public interest.

~~(f)(c)~~ The Board shall have jurisdiction over all physicians and physician assistants practicing under this ~~Emergency~~ Rule for all purposes set forth in or related to Article 1 of Chapter 90 of the North Carolina General Statutes, and ~~such~~ this jurisdiction shall continue in effect even after such physician and physician assistant has stopped practicing medicine under this ~~Emergency~~ Rule or the Limited Emergency License has expired.

~~(g)(f)~~ This license shall be in effect for the shorter of:

- (1) ninety days from the date it is issued; or
- (2) thirty days after a statement by an appropriate authority is made that the state of emergency ~~emergency or disaster declaration~~ has been withdrawn or ~~ended~~ ended, and, at such time, the license ~~issued shall become inactive.~~

~~(h)(g)~~ The physician assistant must practice under the direct supervision of an on-site physician ~~and the supervising physician must be who is~~ licensed in this State, State or approved to practice in this State during a disaster or state of

1 emergency pursuant to ~~G.S. 90-12.5, G.S. 90-12.5, or approved under this Rule;~~ For the purposes of this Rule, “direct
2 supervision” is defined as having immediate access, either in person or electronically, to a physician who is physically
3 on the premises.

4 ~~(+)(h)~~ Physician assistants and physicians practicing pursuant to this Rule are not required to maintain documentation
5 describing supervisory arrangements and instructions for prescriptive authority as otherwise required by 21 NCAC
6 32S .0213.

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8 *History Note: Authority G.S. 90-5.1(a)(3); 90-12.5;*
9 *Emergency Adoption Eff. March 20, 2020;*
10 *Temporary Adoption Eff. June 26, 2020.*