

1 21 NCAC 10 .0217 is adopted under temporary procedures with changes as follows:

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3 **21 NCAC 10 .0217 PROFESSIONAL ENTITIES**

4 (a) A chiropractor who seeks to deliver chiropractic services through a professional corporation or professional limited
5 liability company shall first obtain Board ~~approval for such entity's approval.~~ Prior to approval, the entity shall submit
6 its Articles of Incorporation/Organization to the Board for the purpose of verifying the legal name of the entity. ~~prior~~
7 ~~to filing such Articles with the Secretary of State.~~

8 (b) No proper names of persons other than licensees may be included in the name and all professional entities must
9 include the word "Chiropractor," "Chiropractic," or the name of a licensed chiropractor who is an owner of the
10 professional entity. The name of a professional entity shall not be false or misleading. For the purposes of this rule,
11 "misleading" is defined as possessing the capacity or tendency to create a mistaken understanding or ~~impression.~~
12 ~~Misleading includes impression including~~ a name that implies services beyond the scope of practice set forth in Art.
13 8, Chapter 90 of the NC General Statutes. Statutes, or a name that is identical or similar in name to an existing
14 registered business entity.

15 (c) ~~The professional entity may not be identical or so similar in name to an existing registered business entity as to be~~
16 ~~misleading.~~ Business entities organized for the ~~primary~~ purpose of providing professional chiropractic services shall
17 not contain the name of an individual unless:

- 18 (1) The named individual is licensed under this statute; or
19 (2) The named individual is either a deceased or retired owner of the business, provided that the
20 professional entity has permission to use the name of the deceased or retired owner. Permission
21 shall be obtained from any person or legal entity who has authority to act on behalf of the deceased
22 or retired owner.

23 (d) The professional entity shall specify its business structure in all printed material and social media by use of the
24 designation "P.C.," "P.A.," or "P.L.L.C."

25 (e) If a living owner of a professional entity whose surname appears in the entity name becomes a "disqualified person"
26 as defined in G.S. 55B-2, the name of the professional entity shall be changed to comply with G.S. 55B.

27 (f) A professional entity shall not change its name or operate under an assumed name without first applying to the
28 Board for a determination that the proposed name meets the requirements of this Rule. Requests for name changes
29 and requests to operate under an assumed name shall be submitted in writing to the Board. Requests shall contain the
30 following:

- 31 (1) Name, email address, and phone number of the requesting person;
32 (2) Name, email address, and phone number of the incorporating licensee;
33 (3) Requested name of the professional corporation; and
34 (4) Mailing address of the professional corporation.

35 Use of an assumed name that has not been registered pursuant to Art. 14A of G.S. 66 shall be prima facie evidence of
36 using a misleading name.

1 *History Note:* *Authority G.S. 90-142(2); 90-154(b)(9); 90-154.2; 90-157.3; 55B-5; 55B-12;*
2 *Temporary Adoption Eff. July 1, 2022.*

EXAMPLE