1 21 NCAC 12A .0701 is amended as published in 39.17 NCR 1122 as follows: 2 3 SECTION .0700 - BOARD DISCIPLINARY PROCEDURES 4 5 21 NCAC 12A .0701 IMPROPER PRACTICE 6 (a) Complaint. Any person who believes that a licensed general contractor is in violation of the provisions of G.S. 7 87-11 may file a complaint with the Board against a licensee, qualifier, or both by setting forth in writing those charges 8 and swearing to their authenticity. The complaint shall be submitted to the Board and include the complainant's contact 9 information, project location, and name of the licensee, qualifier, or both. 10 (b) Preliminary or Threshold Determination: 11 (1) A complaint filed in accordance with G.S. 87-11(a1) shall be forwarded to a staff investigator for 12 investigation. Within 30 days, the Board shall forward a written notice of the complaint to the 13 licensee and qualifier(s) against whom the charge is made. The notice shall request a response from 14 the licensee and qualifier(s). The Board shall send notice of the charge and of the alleged facts or 15 alleged conduct by first class mail to the last known address through the Board's licensure portal 16 and by email to the address of the licensee and qualifier(s). 17 (2) After the investigation is complete, the charge shall be referred to the review committee. The review 18 committee shall consist of the following individuals: 19 one member of the Board; (A) 20 (B) the Secretary-Treasurer or his designee; and 21 (C) a staff person agreed upon by the individuals listed above. 22 (3) Based upon the complaint and investigation, the review committee shall recommend to the Board 23 that: 24 The charge be dismissed; (A) 25 (B) When the charge is admitted as true by the licensee and qualifier(s), the Board accept the 26 licensee's and qualifier(s') admission of guilt and order the licensee and qualifier(s) not to 27 commit in the future the act or acts admitted by him to have been violated and not to violate 28 any of the acts of misconduct specified in G.S. 87-11 at any time in the future; or 29 (C) The charge, whether admitted or denied, be presented to the full Board for a hearing and 30 determination by the Board on the merits of the charge in accordance with the substantive 31 and procedural requirements of the provisions of Section .0800 of this Chapter and the 32 provisions of G.S. 87-11. Prior to the charge's being heard and determined by the Board, it 33 may be resolved by consent order. 34 35 History Note: Authority G.S. 87-4; 87-11; 150B-3; 150B-38; 36 Eff. February 1, 1976; 37 Readopted Eff. September 26, 1977;

1	Amended Eff. April 1, 2014; June 1, 2011; April 1, 2006; April 1, 2003; May 1, 1989;
2	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,
3	2016;
4	Amended Eff. April 1, 2018;
5	Recodified from 21 NCAC 12 .0701 Eff. January 2, 2020. 2020;
6	Amended Eff. , 2025.
7	
8	

21 NCAC 12A .0202 is amended as published in 39.17 NCR 1118-1121 as follows:

21 NCAC 12A .0202 CLASSIFICATION

- (a) A general contractor shall be certified in one of the following five classifications:
 - Building Contractor. This classification covers all building construction and demolition activity including: commercial, industrial, institutional, and all residential building construction. It includes installation of solar panels; parking decks; all site work, grading and paving of parking lots, driveways, sidewalks, and gutters; storm drainage, retaining or screen walls, and hardware and accessory structures; and indoor and outdoor recreational facilities including natural and artificial surface athletic fields, running tracks, bleachers, and seating. It also covers work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Marine and Freshwater Construction), S(Masonry Construction), S(Roofing), S(Metal Erection), S(Swimming Pools), and S(Asbestos), and S(Wind Turbine) Turbine), and S(Sign/Billboard).
 - (2) Residential Contractor. This classification covers all construction and demolition activity pertaining to the construction of residential units that are required to conform to the Residential Building Code adopted by the Building Code Council pursuant to G.S. 143-138; all site work, driveways, sidewalks, and water and wastewater systems ancillary to the aforementioned structures and improvements; and the work done as part of such residential units under the specialty classifications of S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), S(Swimming Pools), and S(Asbestos). This classification also covers the installation of solar panels on residential units that are required to conform to the residential building code.
 - (3) Highway Contractor. This classification covers all highway construction activity including: demolition, grading, paving of all types, installation of exterior artificial athletic surfaces, relocation of public and private utility lines ancillary to a principal project, bridge construction and repair, culvert construction and repair, parking decks, sidewalks, curbs, gutters and storm drainage. It also includes installation and erection of guard rails, fencing, signage, and ancillary highway hardware; covers paving and grading of airport and airfield runways, taxiways, and aprons, including the installation of fencing, signage, runway lighting and marking; and work done under the specialty classifications of S(Boring and Tunneling), S(Concrete Construction), S(Marine and Freshwater Construction), S(Railroad Construction), and—H(Grading and Excavating)Excavating), S(Metal Erection), and S(Sign/Billboard).
 - (4) Public Utilities Contractor. This classification includes demolition and operations that are the performance of construction work on water and wastewater systems and on the subclassifications of facilities set forth in G.S. 87-10(b)(3). The Board shall issue a license to a public utilities contractor that is limited to any of the subclassifications set forth in G.S. 87-10(b)(3) for which the contractor qualifies. A public utilities contractor license covers work done under the specialty classifications of S(Boring and Tunneling), PU(Communications), PU(Fuel Distribution),

1 PU(Electrical-Ahead of Point of Delivery), PU(Water Lines and Sewer Lines), PU(Water 2 Purification and Sewage Disposal), and S(Swimming Pools). 3 (5) Specialty Contractor. This classification covers all construction operation and performance of 4 contract work outlined as follows: 5 (A) H(Grading and Excavating). This classification covers the digging, moving, and placing of 6 materials forming the surface of the earth, excluding air and water, in such a manner that 7 the cut, fill, excavation, grade, trench, backfill, or any similar operation may be executed 8 with the use of hand and power tools and machines used for these types of digging, moving, 9 and material placing. It covers work on earthen dams and the use of explosives used in 10 connection with all or any part of the activities described in this Subparagraph. It also 11 includes clearing and grubbing, and erosion control activities. 12 (B) S(Boring and Tunneling). This classification covers the construction of underground or 13 underwater passageways by digging or boring through and under the earth's surface, 14 including the bracing and compacting of such passageways to make them safe for the 15 purpose intended. It includes preparation of the ground surfaces at points of ingress and 16 egress. 17 (C) PU (Communications). This classification covers the demolition and installation of the 18 following: 19 all types of pole lines, and aerial and underground distribution cable for telephone (i) 20 systems; 21 aerial and underground distribution cable for cable TV and master antenna TV (ii) 22 systems capable of transmitting R.F. signals; 23 (iii) underground conduit and communication cable, including fiber optic cable; and 24 (iv) microwave systems and towers, including foundations and excavations where 25 required, when the microwave systems are being used for the purpose of 26 transmitting R.F. signals; and installation of PCS or cellular telephone towers and 27 sites. 28 (D) S(Concrete Construction). This classification covers the construction, demolition, and 29 installation of foundations, pre-cast silos, and other concrete tanks or receptacles, 30 prestressed components, and gunite applications, but excludes bridges, streets, sidewalks, 31 curbs, gutters, driveways, parking lots, and highways. 32 (E) PU(Electrical-Ahead of Point of Delivery). This classification covers the construction, 33 installation, alteration, maintenance, or repair of an electrical wiring system, including sub-34 stations or components thereof, which is or is intended to be owned, operated, and 35 maintained by an electric power supplier, such as a public or private utility, a utility 36 cooperative, or any other properly franchised electric power supplier, for the purpose of

- furnishing electrical services to one or more customers. This classification includes the construction of solar arrays.
- (F) PU(Fuel Distribution). This classification covers the construction, installation, alteration, maintenance, or repair of systems for distribution of petroleum fuels, petroleum distillates, natural gas, chemicals, and slurries through pipeline from one station to another. It includes all excavating, trenching, and backfilling in connection therewith. It covers the installation, replacement, and removal of above ground and below ground fuel storage tanks.
- (G) PU(Water Lines and Sewer Lines). This classification covers demolition and construction work on water and sewer mains, water service lines, and house and building sewer lines, as defined in the North Carolina State Building Code, and covers water storage tanks, lift stations, pumping stations, and appurtenances to water storage tanks, lift stations, and pumping stations. It includes pavement patching, backfill, and erosion control as part of construction.
- (H) PU(Water Purification and Sewage Disposal). This classification covers the demolition and performance of construction work on water and wastewater systems; water and wastewater treatment facilities; and all site work, grading, and paving of parking lots, driveways, sidewalks, curbs, and gutters that are ancillary to such construction of water and wastewater treatment facilities. It covers the work done under the specialty classifications of S(Concrete Construction), S(Insulation), S(Interior Construction), S(Masonry Construction), S(Roofing), and S(Metal Erection) as part of the work on water and wastewater treatment facilities.
- (I) S(Insulation). This classification covers the installation, alteration, or repair of materials classified as insulating media used for the non-mechanical control of temperatures in the construction of residential and commercial buildings. It does not include the insulation of mechanical equipment, and lines and piping that are ancillary to the building.
- (J) S(Interior Construction). This classification covers the installation and demolition of acoustical ceiling systems and panels, load bearing and non-load bearing partitions, lathing and plastering, flooring and finishing, interior recreational surfaces, window and door installation, and installation of fixtures, cabinets, and millwork. It includes the removal of asbestos and replacement with non-toxic substances.
- (K) S(Marine and Freshwater Construction). This classification covers all marine and freshwater demolition and construction and repair activities and all types of marine and freshwater construction and demolition in deep-water installations and in harbors, inlets, sounds, bays, channels, canals, rivers, lakes, ponds, or any navigable waterway; it covers dredging, construction, and installation of pilings, piers, decks, slips, docks, and bulkheads. It does not include other structures that may be constructed on docks, slips, and piers.

1	(L)	S(Mas	onry Construction). This classification covers the demolition and installation, with
2		or wit	hout the use of mortar or adhesives, of the following:
3		(i)	brick, concrete block, gypsum partition tile, pumice block, or other lightweight
4			and facsimile units and products common to the masonry industry;
5		(ii)	installation of fire clay products and refractory construction; and
6		(iii)	installation of rough cut and dressed stone, marble panels and slate units, and
7			installation of structural glazed tile or block, glass brick or block, and solar screen
8			tile or block.
9	(M)	S(Rail	road Construction). This classification covers the demolition, building, construction,
10		and re	pair of railroad lines including:
11		(i)	the clearing and filling of rights-of-way;
12		(ii)	shaping, compacting, setting, and stabilizing of road beds;
13		(iii)	setting ties, tie plates, rails, rail connectors, frogs, switch plates, switches, signal
14			markers, retaining walls, dikes, fences, and gates; and
15		(iv)	construction and repair of tool sheds and platforms.
16	(N)	S(Roo	fing). This classification covers the installation, demolition, and repair of roofs and
17		decks	on residential, commercial, industrial, and institutional structures requiring materials
18		that fo	rm a water-tight and weather-resistant surface. The term "materials" for purposes of
19		this Su	abparagraph includes cedar, cement, asbestos, clay tile and composition shingles, all
20		types	of metal coverings, wood shakes, single ply and built-up roofing, protective and
21		reflect	ive roof and deck coatings, sheet metal valleys, flashings, gravel stops, gutters and
22		downs	spouts, and bituminous waterproofing including torch down roof systems. Any
23		insula	tion material installed as a component of a torch down roofing system shall be
24		includ	ed as work covered under this classification.
25	(O)	S(Met	al Erection). This classification covers:
26		(i)	the field fabrication, demolition, erection, repair, and alteration of architectural
27			and structural shapes, plates, tubing, pipe and bars, not limited to steel or
28			aluminum, that are or may be used as structural members for buildings,
29			equipment, and structure; and
30		(ii)	the layout, assembly and erection by welding, bolting, riveting, or fastening in any
31			manner metal products as curtain walls, tanks of all types, hoppers, structural
32			members for buildings, towers, stairs, conveyor frames, cranes and crane
33			runways, canopies, carports, guard rails, signs, steel scaffolding as a permanent
34			structure, rigging, flagpoles, fences, steel and aluminum siding, bleachers, fire
35			escapes, and seating for stadiums, arenas, and auditoriums.
36	(P)	S(Swi	mming Pools). This classification covers the construction, demolition, service, and
37		repair	of all swimming pools. It includes:

1			(i)	excavation and grading;
2			(ii)	construction of concrete, gunite, fiberglass, metal-walled with liner, steel-walled
3			()	with liner, and plastic-type pools, pool decks, and walkways, and tiling and
4				coping; and
5			(iii)	installation of all equipment including pumps, filters, and chemical feeders. It
6			, ,	does not include direct connections to a sanitary sewer system or to portable water
7				lines, nor the grounding and bonding of any metal surfaces or the making of any
8				electrical connections.
9		(Q)	S(Asbe	stos). This classification covers renovation or demolition activities involving the
10			repair,	maintenance, removal, isolation, encapsulation, or enclosure of Regulated Asbestos
11			Contair	ning Materials (RACM) for any commercial, industrial, or institutional building,
12			whethe	r public or private. It also covers all types of residential building construction
13			involvi	ng RACM during renovation or demolition activities. This specialty is required only
14			when th	ne cost of asbestos activities as described herein are equal to or exceed thirty forty
15			thousar	nd dollars (\$30,000) (\$40,000).
16		(R)	S(Wind	Turbine). This classification covers the construction, demolition, installation, and
17			repair o	of wind turbines, wind generators, and wind power units. It includes assembly of
18			blades,	generator, turbine structures, and towers. It also includes ancillary foundation work,
19			field fa	brication of metal equipment, and structural support components.
20		(S)	S(Sign/	Billboard). This classification covers the construction, renovation, installation,
21			repair,	erection, or demolition of any structural signs and/or billboard, that is permanently
22			annexe	d to real property and as defined in Article 11 of Chapter 136 of the N.C. General
23			Statutes	<u>3.</u>
24	(b) An applican	nt may be	licensed	in more than one classification of general contracting provided the applicant meets
25	the qualification	ns for the	classifica	ations, which includes passing the examinations for the classification requested by
26	the applicant. The	he license	e granted	to an applicant who meets the qualifications for all of the classifications set forth in
27	the rules of this	Section s	shall be do	esignated "unclassified."
28				
29	History Note:	Author	rity G.S. 8	7-1; 87-4; 87-10;
30		Eff. Fe	bruary 1,	1976;
31		Reado _l	pted Eff. S	September 26, 1977;
32		Amend	led Eff. Ju	ne 1, 1994; June 1, 1992; May 1, 1989; January 1, 1983;
33		Тетро	rary Ame	ndment Eff. February 18, 1997;
34		Amend	led Eff. Ap	oril 1, 2014; June 1, 2011; September 1, 2009; April 1, 2004; April 1, 2003; August
35			•	2001; August 1, 2000; August 1, 1998;
36		Pursua	int to G.S	5. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,
37		2016;		

1	Amended Eff. September 1, 2019; April	! 1, 2018;
2	Recodified from 21 NCAC 12 .0202 Efj	f. January 2, 2020;
3	Amended Eff, 2025; Dece	ember 1, 2023; January 1, 2023; January 1, 2022.
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1 21 NCAC 12A .0303 is amended as published in 39.17 NCR 1122 as follows: 2 3 APPLICATION FOR LICENSURE 21 NCAC 12A .0303 4 (a) General. Applications for licensure shall contain the following: 5 (1) the Social Security Number of examinees and qualifiers and tax identification numbers for corporate 6 applicants; 7 the applicant's contact information; (2) 8 (3) the name of business under which the licensee will be operating, if any; 9 **(4)** requested designation of license limitation and classifications; 10 (5) statements and supporting documentation about all crimes of which the applicant has been 11 convicted; 12 certified copies of court records reflecting information regarding all crimes of which the applicant (6)13 and qualifiers have been convicted; 14 (7) statements and supporting documentation indicating whether the applicant or qualifiers has any 15 disciplinary history with the Board or any other occupational licensing, registration, or certification 16 agency; 17 (8)statements and supporting documentation establishing financial responsibility as required by G.S. 18 87-10(a) and Rule .0204 of this Subchapter; 19 (9)letters of reference as prescribed in Rule .0308 of this Subchapter; and 20 (10)the application fee as set forth in Rule .0304 of this Subchapter. 21 (b) Criminal Background Check. In addition to the requirements set forth above, all new applicants shall consent to 22 criminal background checks to be performed by a third-party vendor identified by the Board. The cost of the 23 background check shall be paid directly to the vendor. The qualifiers of all new applicants and any qualifier being 24 added to an existing license shall submit to the background check. Additionally, the following individuals shall submit 25 to the background check, based upon the entity or person applying for the license: 26 (1) Sole proprietor license: The sole proprietor; 27 (2) Corporation: The president; 28 (3) Limited liability company: All managers and members; 29 (4) Partnerships (including limited liability partnerships): All partners. 30 (c) Reciprocity. Applicants based on reciprocity shall submit with the application form a copy of the applicant's 31 license in the other state, certified by the other state licensing board as being a copy of a valid license. Applicants shall 32 have taken and passed the exam offered in the state from which they are seeking reciprocity, or an examination offered 33 by the National Association of State Contractors Licensing Agencies (NASCLA). Applicants shall also be required to 34 take and pass the Board's North Carolina law, rule, and building code examination prior to licensure. 35 36 Authority G.S. 87-1; 87-4; 87-10; History Note: 37 Eff. February 1, 1976;

1	Readopted Eff. September 26, 1977;
2	Amended Eff. May 1, 1989;
3	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23,
4	2016;
5	Amended Eff. September 1, 2019; April 1, 2018;
6	Recodified from 21 NCAC 12 .0303 Eff. January 2, 2020;
7	Amended Eff, 2025; January 1, 2023; March 1, 2022.
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1	21 NCAC 12A	.0308 is repealed as published in 39.17 NCR 1122 as follows:
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3	21 NCAC 12A	.0308 CHARACTER REFERENCES
4		
5	History Note:	Authority G.S. 87-1; 87-10;
6		Eff. February 1, 1976;
7		Readopted Eff. September 26, 1977;
8		Amended Eff. May 1, 1989;
9		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 2.
10		2016;
11		Amended Eff. September 1, 2019;
12		Recodified from 21 NCAC 12 .0308 Eff. January 2, 2020;
13		Amended Eff. December 1, 2023. 2023:
14		Repealed Eff. , 2025.
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2 3 21 NCAC 12B .0402 RENEWAL AND EXPIRATION OF INSTRUCTOR APPROVAL 4 (a) Board approval of instructors shall expire annually on December 1 following issuance of Board approval. 5 (b) A provider shall file an application for a previously approved instructor renewal no less than 30 days immediately 6 preceding expiration of approval. The instructor renewal application shall include the instructor's: 7 (1) legal name, address, email address, and telephone number; 8 (2) general contractor's license number and qualifier ID number, if applicable, and instructor ID number 9 assigned by the Board; 10 (3) course name(s) and course number(s) for which the provider is seeking approval as an instructor; 11 and 12 (4) signature. 13 (c) In order to reinstate an instructor approval that has been expired for less than six months; one year, the former 14 instructor shall meet the requirements set forth in Paragraph (b) of this Rule. 15 (d) If an instructor approval has been expired for more than six months, one year, the provider shall file an application 16 for initial instructor approval pursuant to Rule .0401 of this Subchapter. 17 18 Authority G.S. 87-10.2(d); History Note: 19 Temporary Adoption Eff. January 2, 2020; Eff. September 1, 2020.2020; 20 Amended Eff. 21 . 2025. 22

21 NCAC 12B .0402 is amended as published in 39.17 NCR 1122 as follows:

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1 21 NCAC 16A .0101 is amended as published in 39:21 NCR 1406-07 as follows: 2 3 **CHAPTER 16 – BOARD OF DENTAL EXAMINERS** 4 5 **SUBCHAPTER 16A - ORGANIZATION** 6 7 **DEFINITIONS** 21 NCAC 16A .0101 8 As used in this Chapter: 9 "Applicant" means a person applying for any license or permit issued by the Board. (1) 10 (2) "Board" means the North Carolina State Board of Dental Examiners. 11 (3) "Current license" means a license that is renewed by the licensing board. 12 (4) "CPR certification" means the licensee has completed a CPR course that meets American Red Cross 13 or American Heart Association standards for certification and that provides manikin testing of 14 cardiopulmonary resuscitation. The course shall also cover the use of an automatic external 15 defibrillator, unconscious and conscious choking, and rescue breathing. The manikin testing shall 16 be provided by an instructor who is present in the training room with the students. 17 (5) "Internship" means practice in an educational training program. Internship does not mean practice 18 under an intern permit while holding an unrestricted general dental or dental specialty license issued 19 by a state, U.S. territory, or the District of Columbia. 20 (6) "Secure electronic transmission" means an electronic method of communication that ensures that 21 completeness, integrity, and confidentiality of information are maintained during transmission. 22 **(7)** "Unrestricted license" means a license that is not under suspension or inactivation, or subject to the 23 terms of a consent order or other disciplinary action imposed by the jurisdiction that issued the 24 license, or limited by supervision or location requirements. 25 (8)Except where otherwise defined by these Rules or by statute, "supervision," "direct supervision," 26 and "supervision and direction" means that the dentist overseeing treatment is present in the same 27 facility or location and available during the performance of the acts that are being performed 28 pursuant to that dentist's order, control, and approval and that the dentist shall examine and evaluate 29 the results of such acts. 30 (9)Except where otherwise defined by these Rules or by statute, "direction" or "under direction" means 31 that the dentist ordering treatment does not have to be present in the same facility or location during 32 the performance of the acts that are being performed pursuant to that dentist's order, control, and 33 approval, but that dentist shall be responsible for all consequences or results arising from such acts. 34 (10)"Responsible dentist manager" means a North Carolina licensed dentist designated by a professional 35 corporation pursuant to 21 NCAC 16F .0111 to oversee the provision of dental services at a specific dental facility and compliance with the Dental Practice Act, Dental Hygiene Act, and the Board's 36 37 rules at the facility.

1	<u>(11)</u>	"Good standing" means that the licensee's license is not suspended, revoked, or subject to a
2		disciplinary order with probationary terms.
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4	History Note:	Authority G.S. 90-28; 90-29(a); 90-29.3; 90-29.4; 90-29.5; 90-30; <u>90-41;</u> 90-48; 90-224; 90-224.1;
5		90-226;
6		Eff. September 3, 1976;
7		Readopted Eff. September 26, 1977;
8		Amended Eff. May 1, 1991; May 1, 1989; September 1, 1988; October 1, 1986;
9		Temporary Amendment Eff. January 1, 2003;
10		Amended Eff. May 1, 2011; January 1, 2004;
11		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,
12		2018;
13		Amended Eff. August 1, 2024; October 1, 2019. <u>2019</u> ; <u>September 1, 2025.</u>
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1 21 NCAC 16F .0111 is adopted as published in 39:21 NCR 1407 as follows: 2 3 21 NCAC 16F .0111 DESIGNATION OF RESPONSIBLE DENTIST MANAGER 4 5 With the application made pursuant to Rule 16F .0104 or.0105 of this Section, the professional entity may elect to 6 designate a responsible dentist manager, as defined in 21 NCAC 16A .0101, for each of the professional entity's 7 facilities. The responsible dentist manager for a facility shall sign or electronically submit the designation to be 8 effective. If a professional entity does not designate a responsible dentist manager or does not update its designation 9 if a responsible dentist manager leaves the practice, each owner of the professional entity operating the facility shall 10 be responsible for overseeing the provision of dental services at the facility and compliance with the Dental Practice Act, Dental Hygiene Act, and the Board's rules at the facility, including implementation of policies, procedures, and 11 12 corrective measures to prevent violations. 13 14 History Note: Authority G.S. 55B-10; 57D-2-01; 57D-2-02; 90-48; 15 Eff. September 1, 2025. 16 17 18

1	21 NCAC 16V .0103 is adopted as published in 39:21 NCR 1407 as follows:
2	21 Teste 10 Troise to adopted as parameter in 0 / 21 Trest 1 Troise in 1
3	21 NCAC 16V .0103 UNPROFESSIONAL CONDUCT BY A DENTIST, PRACTICE OWNER, OR
4	RESPONSIBLE DENTIST MANAGER
5	Unprofessional conduct as set out in G.S. 90-41(a)(26) by a dentist, practice owner, or responsible dentist manager
6	shall include the following:
7	(1) A dentist commits unprofessional conduct if:
8	(a) another dentist, dental hygienist, dental assistant, or other personnel providing services within the
9	same practice commits a violation of the Dental Practice Act, Dental Hygiene Act, or the Board's
10	Rules; and
11	(b) the dentist:
12	(i) directed the conduct resulting in the violation;
13	(ii) ratified the violation by express or implied consent or approval; or
14	(iii) knew or should have known of the violation committed by someone required to be under
15	the dentist's supervision or direction and permitted it to occur on a reoccurring basis or
16	following a previous similar violation.
17	(2) An owner of a dental practice or professional entity commits unprofessional conduct if reoccurring violations
18	under Sub-Item (1)(a) of this Rule occur at a facility, unless there had been a designation of a responsible dentist
19	manager for the facility prior to the violations. An owner does not commit unprofessional conduct if written policies
20	designed to prevent the reoccurrence of violations had been implemented at the facility, but the policies were violated.
21	(3) A responsible dentist manager commits unprofessional conduct if reoccurring violations under Sub-Item (1)(a) of
22	this Rule occur at the facility. A responsible dentist manager does not commit unprofessional conduct if written
23	policies designed to prevent the reoccurrence of violations had been implemented at the facility, but the policies were
24	<u>violated.</u>
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26	
27	History Note: Authority G.S. 90-41;90-48;
28	Eff. September 1, 2025.
29	