

Burgos, Alexander N

Subject: FW: [External] Re: Request for Changes - March 2026 RRC Meeting

From: Catherine E. Lee <clee@hedrickgardner.com>
Sent: Tuesday, March 17, 2026 3:08 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; dr.joe@ncchiroboard.com; Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Re: Request for Changes - March 2026 RRC Meeting

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Thank you – this looks great.

I'll look forward to seeing you at next week's meeting.

Take care,

Catherine

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From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, March 17, 2026 3:03 PM
To: Catherine E. Lee <clee@hedrickgardner.com>; dr.joe@ncchiroboard.com; Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: RE: [External] Re: Request for Changes - March 2026 RRC Meeting

Caution! This message was sent from outside your organization.

Thank you!

I've attached the final versions of the rules that will be used for RRC review next week. Please let me know if you notice any discrepancies.

We will post these to the meeting agenda shortly.

Regards,
Chris

Chris Miller

Rules Review Commission Counsel
North Carolina Office of Administrative Hearings | Rules Division
1711 New Hope Church Road
Raleigh, NC 27609
(984) 236-1935

NOTICE: E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by authorized State officials.

1 21 NCAC 10 .0103 is readopted **with changes** as published in 40:07 NCR 640 as follows:

2

3 **21 NCAC 10 .0103 STRUCTURE OF BOARD**

4 (a) As necessary to meet the requirements of G.S. 90-140, the **State Board of Chiropractic Examiners (“Board”)** ~~Board~~
5 shall hold an election for chiropractic candidates for appointment. Notice of the election shall be published on the
6 Board's website at <https://ncchiroboard.com> at least 30 days in advance of the election.

7 (b) The election shall be administered by the Board of Chiropractic Examiners. Any member of the Board who is
8 nominated to succeed himself or herself shall be disqualified from conducting the vote in which he or she is a nominee.

9 (c) Each candidate shall provide two letters of endorsement from chiropractors licensed by the Board. The letters
10 shall be submitted to the Board no less than 21 days before the election.

11 (d) If less than three candidates are elected, the Board shall provide additional names **at the direction of the President**
12 **of the Board** to the Governor, President Pro Tempore of the Senate, and Speaker of the House in order to comply with
13 G.S. 90-140.

14

15 *History Note: Authority G.S. 90-139; 90-140; 90-142;*
16 *Eff. February 1, 1976;*
17 *Readopted Eff. January 27, 1978;*
18 *Amended Eff. January 1, 1983; May 8, 1979;*
19 *Legislative Objection Lodged Eff. January 31, 1983;*
20 *Curative Amended Eff. February 18, 1983;*
21 *Amended Eff. June 1, 1994; December 1, 1988;*
22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
23 *2019;*
24 *Amended Eff. July 1, 2021; January 1, ~~2020~~. **2020**;*
25 *Readopted Eff. April 1, 2026.*

26

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1 21 NCAC 10 .0104 is readopted **with changes** as published in 40:07 NCR 640-641 as follows:

2

3 **21 NCAC 10 .0104 SEAL OF THE BOARD OF CHIROPRACTIC EXAMINERS**

4 (a) The official seal of the Board consists of two concentric circles, with the ~~word "Seal" inside~~ Seal of the State of
5 North Carolina, as set forth in G.S. [~~147-2,~~ **147-26,** comprising the inner circle surrounded by the phrase "North
6 Carolina Board of Chiropractic Examiners, Organized May 5, 1917" in the area between the circles.

7 (b) The Seal of the State of North Carolina, as set forth in G.S. 147-26, without alteration, has also been adopted for
8 use by the ~~Board where appropriate.~~ Board.

9

10 *History Note: Authority G.S. 90-142; **90-156;***

11 *Eff. February 1, 1976;*

12 *Readopted Eff. January 27, 1978;*

13 *Amended Eff. December 1, 1988;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
15 *~~2019.~~ 2019;*

16 *Readopted Eff. April 1, 2026.*

17

18

1 21 NCAC 10 .0105 is readopted as published in 40:07 NCR 641 as follows:

2

3 **21 NCAC 10 .0105 ESCROW ACCOUNT**

4 (a) The Board shall maintain an escrow account at a federally insured bank for the temporary deposit of any fees
5 received by the Board during a period in which the Board's authority to expend funds is suspended by operation of
6 law.

7 (b) At such time as the authority of the Board to expend funds is restored, the fees deposited in the escrow account
8 shall be transferred to the Board's general account.

9

10 *History Note: Authority G.S. 90-142; ~~93B-2~~; 93B-2(d);*

11 *Eff. July 1, 2011;*

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

13 *~~2019~~; 2019;*

14 *Readopted Eff. April 1, 2026.*

15

16

21 NCAC 10 .0202 is readopted with changes as published in 40:07 NCR 641-642 as follows:

21 NCAC 10 .0202 APPLICATION FOR LICENSURE

(a) General. Application for licensure to practice chiropractic pursuant to G.S. 90-143 shall be made in writing upon forms provide by the Board. Application forms and instructions may be found on the Board's website, www.ncchiroboard.com. Applications not completed within 12 months following submission to the Board shall be denied. [All applications] Applications shall contain the following:

- (1) the applicant's name, residential address, phone number, email address, and date of birth;
- (2) the social security number of the applicant;
- (3) the applicant's educational history and degree attainment;
- (4) character reference statements on forms prescribed by the Board of three persons not related to the [applicant attesting to the applicant's good moral character,] two of which must be submitted by Board-licensed chiropractic physicians in good standing with the Board;
- (5) the applicant's employment history;
- (6) whether the applicant now has or has ever had an addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (7) whether the applicant [ever] has ever been under clinical treatment for addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (8) whether the applicant has any physical, [mental] mental, or emotional infirmities that [could] impair his or her ability to practice chiropractic safely and, if so, an explanation of the same;
- (9) whether the applicant has ever been certified, licensed, or registered to practice chiropractic by the Board, by another occupational Board, or in another [state/jurisdiction] state or jurisdiction and, if so:
 - (A) whether the credential is in good standing;
 - (B) in what [state/jurisdiction] state or jurisdiction was the credential issued; and
 - (C) the issuance date and expiration date of the credential.
- (10) whether the applicant has ever had a chiropractic credential denied, limited, reprimanded, suspended, or revoked and, if so, an explanation of the same;
- (11) whether the applicant has ever been convicted of a felony or misdemeanor [under any laws] and, if so, the nature, [date] date, and jurisdiction of the conviction;
- (12) whether any criminal charges or criminal investigations, if known, are pending against the applicant and if so, the details of said charges or investigations;
- (13) whether any court, board, agency, or professional organization regulating chiropractic has disciplined the applicant and, if so, an explanation of the same;
- (14) whether any disciplinary charges are pending against the applicant before any court, board, agency, or professional organization regulating chiropractic and, if so, an explanation of the same;

- 1 (15) whether the applicant [ever] has ever voluntarily given up any licensure privileges in order to avoid
2 [formal] disciplinary sanctions;
- 3 (16) whether the applicant [ever] has ever been sanctioned or suspended from participation in Medicare
4 or Medicaid and, if so, an explanation of the same;
- 5 (17) whether the applicant [ever] has ever been denied membership in a professional association or, if
6 admitted, ever been suspended or had membership not renewed due to a breach of ethics and, if so,
7 an explanation of the same;
- 8 (18) whether the applicant has had a malpractice judgment entered against him or her and, if so, an
9 explanation for the same;
- 10 (19) whether the applicant is certified by the Board or the National Board of Chiropractic Examiners to
11 practice [Acupuncture;] Acupuncture, as defined in Rule .0208 of this Section.
- 12 (20) A copy of the applicant's government-issued identification document, such as a driver's license or
13 passport;
- 14 (21) A certified self-query response from the National Practitioner Data Bank ("NPDB") sent directly to
15 the Board regarding the applicant's record with NPDB;
- 16 (22) the applicant's affirmation that:
- 17 (A) the applicant has read and will comply with Article 8 of Chapter 90 of the North Carolina
18 General Statutes and the administrative rules promulgated by the Board; [Board, which are
19 available on the Board's website at [https://nechiroboard.com/;](https://nechiroboard.com/)
- 20 (B) the information provided by the applicant in the application is true;
- 21 (C) the applicant consents to a criminal history record [check;] check as required by G.S.
22 90-143.3; and
- 23 (D) the applicant has read and understands the public notice statement on employee
24 misclassification that is set forth in the application and has disclosed any investigations for
25 employee misclassification, and its results, over the preceding 12-month period, as
26 prescribed by G.S. 143-789; and
- 27 (23) the application fee, as prescribed in Paragraph [(d)] (c) of this Rule.

28 ~~(b) Description of Forms. The written application shall consist of two forms, the Application Form and the Character~~
29 ~~Reference Form. The following information shall be required to complete each form:~~

- 30 (1) ~~The application form shall include the personal background of the applicant; educational history; a~~
31 ~~recent photograph; and a statement confirming that the applicant has read, understands, and will~~
32 ~~abide by the General Statutes and administrative rules governing chiropractic.~~
- 33 (2) ~~The character reference form shall include the statements of three persons not related to the applicant~~
34 ~~attesting to the applicant's good moral character.~~

35 ~~(e)~~(b) Deadlines for Filing Applications. Applications for the North Carolina examination shall be received at the
36 Board office no later than 15 days before the next examination date on which the applicant wishes to sit for
37 examination, as provided in Rule .0203(b) of this Section.

1 ~~(d)(c)~~ Application Fee. A non-refundable application fee of three hundred dollars (\$300.00) shall accompany each
2 application. This fee ~~may shall~~ be paid by credit card through the Board's website, ~~www.ncchiroboard.com, or by~~
3 ~~check made payable to the North Carolina Board of Chiropractic Examiners. Cash shall not be accepted.~~
4 www.ncchiroboard.com.

5
6 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-145; 90-146; 90-149;*
7 *Eff. February 1, 1976;*
8 *Readopted Eff. January 27, 1978;*
9 *Amended Eff. October 17, 1980;*
10 *Legislative Objection Lodged Eff. December 17, 1982;*
11 *Curative Amendment Eff. December 30, 1982;*
12 *Amended Eff. January 1, 1983;*
13 *Legislative Objection Lodged Eff. January 31, 1983;*
14 *Curative Amendment Eff. February 28, 1983;*
15 *Amended Eff. January 1, 1989;*
16 *Temporary Amendment Eff. January 1, 2003;*
17 *Temporary Amendment Expired October 31, 2003;*
18 *Amended Eff. April 1, 2018; August 1, 2004; February 1, 2004;*
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
20 *~~2019~~; 2019;*
21 *Readopted Eff. April 1, 2026.*
22
23

1 21 NCAC 10 .0203 is readopted with changes as published in 40:07 NCR 642-643 as follows:

2
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 examination set forth in G.S. 90-143(b). [Reciprocity applicants shall complete the following:

- 8 (1) ~~completed the application set forth in 21 NCAC 10 .0202(a);~~
- 9 (2) ~~pay the application fee set forth in 21 NCAC 10 .0202(d);~~
- 10 (3) ~~pass the jurisprudence exam set forth in Paragraph (g) of this Rule;~~
- 11 (4) ~~comply with the requirements of G.S. 90-143.1; and~~
- 12 (5) ~~provide an attestation that the applicant meets the requirements of G.S. 90-143.1.]~~

13 (b) Reciprocity Applicants. Reciprocity applicants shall complete the following:

- 14 (1) submit the application set forth in 21 NCAC 10 .0202(a);
- 15 (2) pay the application fee set forth in 21 NCAC 10 .0202(c);
- 16 (3) pass the jurisprudence exam set forth in Paragraph (h) of this Rule;
- 17 (4) comply with the requirements of G.S. 90-143.1; and
- 18 (5) provide an attestation that the applicant meets the requirements of G.S. 90-143.1.

19 (b)(c) Dates of Examination. The North Carolina jurisprudence examination shall be given at least four times during
20 the calendar year. The Board shall announce an examination date not less than 30 days in advance and shall publish
21 the date of upcoming examinations on the Board's website, www.ncchiroboard.com. The Board shall also individually
22 notify each eligible applicant of the date of the next examination after the applicant's non-refundable application fee
23 has been paid and the written application ~~completed.~~ pursuant to Rule .0202 of this Section has been submitted to the
24 Board.

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

29 (d)(c) Report of Scores. The applicant shall arrange for his or her test results from any National Board examination
30 to be reported to the North Carolina Board. Failure to comply with this Paragraph shall be a basis for delaying the
31 issuance of a license. The Board shall not issue a license to an applicant for whom the Board has not received official
32 score reports from the examination testing provider showing passage of the examination set forth in Paragraph (e)
33 (d) of this Rule. [Rule provided from the examination testing provider.]

34 (e)(f) Waiver of National Boards. Notwithstanding the requirements of Paragraph (e) (d) of this Rule, an applicant
35 who submits National Board examinations in conformity with the following schedule shall not be disqualified from
36 licensure in North Carolina:

1 (1) ~~An applicant who graduated from chiropractic college before July 1, 1966 shall not be required to~~
2 ~~submit a score from any National Board examination.~~

3 (2)(1) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall
4 be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective
5 examination termed "Physiotherapy," but shall not be required to submit a score on Part III _____
6 or Part IV.

7 (3)(2) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall
8 be required to submit scores of 375 or higher on National Board Part I, Part II, the elective
9 examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part
10 IV.

11 In order to receive a license, an applicant who qualifies for a waiver of any National Board score pursuant to this
12 Paragraph (e) of this Rule] shall take and pass the Special Purpose Examination for Chiropractic ("SPEC") and the
13 North Carolina Examination. An applicant who qualifies for a waiver of any National Board score shall maintain
14 compliance with G.S. 90-143.3 and Rule .0202 of this Chapter. must submit an application to the Board pursuant to
15 Rule .0202 of this Section.

16 ~~(f)(g)~~ SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing
17 score shall be 375 or higher. In order to take the North Carolina examination, ~~a reciprocity applicant, a waiver~~
18 ~~applicant pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has~~
19 ~~been cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the SPEC. The SPEC exam is~~
20 ~~administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity~~
21 ~~applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or higher~~
22 ~~on Part IV of the National Board examination shall not be required to take and pass the SPEC exam prior to licensure.~~
23 the following individuals must first take and pass the SPEC:

24 (1) a reciprocity applicant;

25 (2) a waiver applicant pursuant to Paragraph ~~(e)~~ (f) of this Rule; and

26 (3) an applicant previously licensed in this State whose _____ license has been ~~cancelled~~ lapsed
27 pursuant to G.S. 90-155 for more than 180 days, unless the applicant has been engaged in continuous
28 licensed chiropractic practice in another state within the United States for the three years preceding
29 the applicant's application to the Board and has not been subject to any disciplinary action impacting
30 the applicant's ability to engage in chiropractic practice. ~~[The SPEC is administered by the National~~
31 Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity applicants
32 and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or
33 higher on Part IV of the National Board examination shall not be required to take and pass the SPEC
34 prior to licensure.]

35 Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375
36 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to
37 licensure. The term "lapsed" in this Rule shall mean "inactive" as used in G.S. 90-155.

1 **(e)(h)** Nature of Examination. The North Carolina jurisprudence examination shall be a test of an applicant's
2 knowledge of North Carolina chiropractic law and regulations. The passing grade shall be 75 percent.

3
4 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;*
5 *Eff. February 1, 1976;*
6 *Readopted Eff. January 27, 1978;*
7 *Amended Eff. January 1, 1983; October 17, 1980;*
8 *Legislative Objection Lodged Eff. January 31, 1983;*
9 *Curative Amendment Eff. February 18, 1983;*
10 *Temporary Amendment Eff. May 1, 1998;*
11 *Amended Eff. October 1, 2018; April 1, 2018; February 1, 2009; July 1, 2004; August 1, 2000;*
12 *August 1, 1995; December 1, 1988;*
13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
14 *2019;*
15 *Amended Eff. October 1, 2022; July 1, ~~2021~~, 2021;*
16 *Readopted Eff. April 1, 2026.*

21 NCAC 10 .0204 is readopted **with changes** as published in 40:07 NCR 643-644 as follows:

21 NCAC 10 .0204 LICENSURE; RENEWAL OF LICENSE

(a) Initial Licensure. The initial license awarded to an applicant who passed the examination shall be mailed to the address appearing on the application form.

(b) Change of Contact Information. The licentiate shall inform the Board of any change in his or her contact information. Updated contact information shall be forwarded to the Board office email at ncboce@ncchiroboard.com within 30 days after any such change.

(c) General. The renewal, inactivation, and restoration of a license are governed by G.S. 90-155 and this Rule. A current license that is not renewed shall be placed on inactive status on January 30th of the following year. A licentiate desiring license renewal shall submit to the Board, on or before the date of inactivation, a completed license renewal form accompanied by the renewal fee as provided in Paragraph (i) of this Rule. The renewal fee shall **only** be paid through the Board's website, www.ncchiroboard.com.

(d) License Renewal Notification and Form. On or before December 1 of each year, the Board shall email to each licentiate, at the licentiate's current email address on file with the Board, license renewal instructions. The license renewal form with instructions shall also be available at the Board's website, www.ncchiroboard.com, or upon request at the Board's office. A licentiate desiring license renewal shall note on the form changes in name, address, specialty, employment circumstances, and criminal convictions since the last renewal form was submitted to the Board. The licentiate shall also note on the form any professional development continuing education for which the licentiate seeks credit pursuant to Rule .0210(d) of this Chapter. All renewal applications shall contain the following:

- (1) the applicant's name, residential address, phone number, email address, and date of birth;
- (2) the social security number of the applicant;
- (3) whether the applicant now has or has ever had an addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (4) whether the applicant **ever** has **ever** been under clinical treatment for addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (5) whether the applicant has any physical, **mental**, **mental**, or emotional infirmities that **could** impair his or her ability to practice chiropractic safely and, if so, an explanation of the same;
- (6) whether the applicant has ever been certified, licensed, or registered to practice chiropractic by the Board, by another occupational Board, or in another **[state/jurisdiction;]** **state or jurisdiction;** and if so:
 - (A) whether the credential is in good standing;
 - (B) in what **[state/jurisdiction]** **state or jurisdiction** was the credential issued; and
 - (C) the issuance date and expiration date of the credential.
- (7) whether the applicant has ever had a **chiropractic** credential denied, limited, reprimanded, suspended, or revoked and, if so, an explanation of the same;

- 1 (8) whether the applicant has ever been convicted of a felony or misdemeanor ~~[under any laws]~~ since
2 the last renewal and, if so, the nature, ~~[date]~~ ~~date~~, and jurisdiction of the conviction;
- 3 (9) whether any criminal charges or criminal investigations, if known, are pending against the applicant
4 and if so, the details of said charges or investigations;
- 5 (10) whether any court, board, agency, or professional organization regulating chiropractic has
6 disciplined the applicant and, if so, an explanation of the same;
- 7 (11) whether any ~~disciplinary~~ charges are pending against the applicant before any court, board, agency,
8 or professional organization regulating chiropractic and, if so, an explanation of the same;
- 9 (12) whether the applicant ~~[ever]~~ has ~~ever~~ voluntarily given up any licensure privileges in order to avoid
10 ~~[formal]~~ disciplinary sanctions;
- 11 (13) whether the applicant ~~[ever]~~ has ~~ever~~ been sanctioned or suspended from participation in Medicare
12 or Medicaid and, if so, an explanation of the same;
- 13 (14) whether the applicant ~~[ever]~~ has ~~ever~~ been denied membership in a professional association or, if
14 admitted, ever been suspended or had membership not renewed due to a breach of ethics and, if so,
15 an explanation of the same;
- 16 (15) whether the applicant has had a malpractice judgment entered against him or her since his or her
17 last renewal and, if so, an explanation for the same;
- 18 (16) whether the applicant is certified by the Board or the National Board of Chiropractic Examiners to
19 practice ~~[Acupuncture;]~~ Acupuncture, as defined in Rule .0208 of this Section.
- 20 (17) the applicant's affirmation that:
- 21 (A) the applicant has read and will comply with Article 8 of Chapter 90 of the North Carolina
22 General Statutes and the administrative rules promulgated by the Board; ~~[Board, which are~~
23 ~~available on the Board's website at https://ncechiroboard.com/;~~
- 24 (B) the information provided by the applicant in the application is true;
- 25 (C) the applicant consents to a criminal history record ~~[check;]~~ ~~check as required by G.S.~~
26 ~~90-143.3;~~ and
- 27 (D) the applicant has read and understands the public notice statement on employee
28 misclassification that is set forth in the application and has disclosed any investigations for
29 employee misclassification, and its results, over the preceding 12-month period, as
30 prescribed by G.S. 143-789; and
- 31 ~~(15)~~(18) the renewal fee, as prescribed in Paragraph (i) of this Rule.

32 (e) Continuing Education. As used in G.S. 90-155, one "day" of continuing education shall mean nine hours. Except
33 as provided in Paragraphs (f), (g) and (h) of this Rule, a licentiate seeking license renewal shall obtain 18 hours (2
34 days) of Board-approved continuing education each calendar year. At least 10 hours shall be obtained by attending in-
35 person or live ~~on-line~~ online educational sessions. Live online hours include the opportunity to interact with the
36 instructor in real-time. As many as eight hours may be obtained in the manner set forth in Rule .0210 of this Section.

1 The Board shall not award credit for any continuing education hours until the sponsor or licentiate submits to the
2 Board the sponsor's certificate of attendance or course completion.

3 (f) First-Year Continuing Education Exemptions. A licentiate who was enrolled in chiropractic college at any time
4 during the year of initial licensure or a licentiate initially licensed after September 1st of the current year shall be
5 permitted to renew his or her license for the ensuing year without obtaining continuing education but shall be required
6 to submit a license renewal form and pay the renewal fee. In subsequent years, a licentiate shall not be permitted to
7 renew his or her license until the continuing education requirements set forth in Paragraph (e) of this Rule are satisfied.

8 (g) Hardship Waivers. A licentiate seeking a hardship waiver of the continuing education requirement shall make
9 written application to the Board no later than December 15th of the current year explaining the nature and
10 circumstances of the hardship. Upon the applicant's showing that compliance with the continuing education
11 requirement poses an undue hardship, the Board shall waive the requirement in whole or part or grant an extension of
12 time within which to comply. "Undue hardship" shall include protracted medical illness, natural disaster, or extended
13 absence from the United States.

14 (h) Military Hardship. A licentiate who is serving in the Armed Forces of the United States and to whom G.S. 93B-
15 15(a) grants an extension of time to pay a renewal fee shall also be granted an identical extension of time to complete
16 the continuing education required for license renewal.

17 (i) Renewal Fee. A renewal fee in the maximum amount allowed by G.S. 90-155 shall be paid by each licentiate
18 applying for renewal.

19 (j) Restoration of Inactive ~~License License~~ and Evidence of Proficiency. In order to provide evidence of proficiency,
20 a former licentiate whose license has ~~lapsed shall comply with Rule .0203(g) when seeking restoration of active~~
21 ~~licensure been inactive for 180 or fewer days due to non-compliance with G.S. 90-155 shall be re-examined~~ and shall
22 pay the non-refundable application fee prescribed in Rule ~~.0202(d)~~ .0202(c) of this Section and shall demonstrate
23 compliance with continuing education requirements. ~~A former licentiate whose license has been inactive for more~~
24 ~~than 180 days shall comply with Rule .0203(f) of this Section in addition to this Paragraph.~~ Payment of the application
25 fee shall not constitute payment of the reinstatement fee of twenty-five dollars (\$25.00) mandated by G.S. 90-155.

26
27 *History Note: Authority G.S. 90-142; 90-145; 90-155; 90-148; 93B-15;*

28 *Eff. February 1, 1976;*

29 *Readopted Eff. January 27, 1978;*

30 *Amended Eff. January 1, 1983;*

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

32 *Curative Amended Eff. February 28, 1983;*

33 *Amended Eff. July 1, 2014; December 1, 1988;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
35 *2019;*

36 *Amended Eff. July 1, 2025; January 1, 2024; January 1, 2022; January 1, ~~2020~~ 2020;*

37 *Readopted Eff. April 1, 2026.*

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2

1 21 NCAC 10 .0207 is readopted **with changes** as published in 40:07 NCR 644 as follows:

2
3 **21 NCAC 10 .0207 CONTINUING EDUCATION SEMINARS**

4 (a) Approval of Seminars. Only continuing education seminars approved by the Board shall count towards satisfying
5 the requirements for license renewal. The sponsor and co-sponsors of any proposed seminar shall be responsible for
6 submitting all the information outlined on the Board's Course Application ("Application") to enable the Board to
7 evaluate the seminar in accordance with this Rule. The Application can be found on and must be submitted pursuant
8 to instructions on the Board's website at <https://ncchiroboard.com>. All applications must reflect that the seminar for
9 which approval is being sought has been previously approved no more than 12 months prior to the date of the seminar
10 by one of the following organizations:

- 11 (1) Any chiropractic college recognized by the Council on Chiropractic Education (CCE);
- 12 (2) Federation of Chiropractic Licensing Boards, PACE program; or
- 13 (3) Any other chiropractic association that can demonstrate an active membership base of at least 200
14 members.

15 (b) Applications. In addition to the information set forth in Paragraph (a) of this Rule, all Applications must also
16 contain the following information:

- 17 (1) Whether the course's target audience is doctors of chiropractic, certified chiropractic assistants, or
18 x-ray technicians;
- 19 (2) The course title;
- 20 (3) The beginning and end dates on which the course will be offered;
- 21 (4) Whether the course will be offered online or in a physical location;
- 22 (5) If the course is offered in a physical location, the cities and states in which the course will be offered;
- 23 (6) The manner in which the sponsor or co-sponsor will verify the attendance of licentiates;
- 24 (7) The name and contact information of the sponsor and co-sponsor;
- 25 (8) The website at which information on the course offering will be available;
- 26 (9) The number of continuing education credits that the licentiates can obtain by attending the course;
27 and
- 28 (10) Whether the course will provide doctors of chiropractic, certified chiropractic assistants, or x-ray
29 technicians with continuing education credit toward eligibility for licensure renewal, certification,
30 or recertification.

31 The Application shall be submitted at least 30 days prior to the date of the proposed seminar. Incomplete applications
32 will not be processed.

33 (c) Duration of Approval. A seminar approval issued by the Board shall expire at the end of the calendar year for
34 which approved. If the sponsor or co-sponsors of an approved seminar wish to repeat the seminar on a date beyond
35 the approval period, a new application shall be submitted to the Board.

36 (d) Criteria for Approval. The Board's criteria for approving continuing education seminars is as follows:

- 37 (1) No practice-building or motivational seminars shall be approved;

- 1 (2) No seminar shall be approved that requires attendees, in order to be able to utilize the information
2 presented at the seminar, to purchase equipment or clinical supplies available only through the
3 seminar's instructors, ~~sponsors~~ ~~sponsors~~, or co-sponsors;
- 4 (3) Each seminar subject ~~shall fall within the extent and limitation of~~ ~~shall pertain to~~ chiropractic
5 licensure in this State; and
- 6 (4) Each instructor shall submit a curriculum vitae or the equivalent demonstrating that he or she has
7 an educational background in, or professional experience with, the subject or subjects he or she is
8 scheduled to teach.

9 (e) Duties of Seminar Sponsor. Sponsors and co-sponsors of any approved continuing education seminar shall:

- 10 (1) Disclose on all brochures and advertising materials the name and address of each sponsor and co-
11 sponsor and whether each sponsor and co-sponsor is a for-profit or not-for-profit entity;
- 12 (2) Be liable for all expenses incurred in holding the seminar;
- 13 (3) Give notice to the Board of any material changes in the seminar, including date, location, subject
14 ~~matter~~ ~~matter~~, or instructors; and
- 15 (4) Provide an agent at the seminar site who shall:
- 16 (A) Monitor and report the attendance of each person attending the seminar, in accordance with
17 the method identified in the Course Application submitted for the course;
- 18 (B) Supervise the agenda and prohibit the presentation of any subject matter not approved by
19 the Board; and
- 20 (C) Complete and submit to the Board a post-seminar review summarizing any problems
21 experienced and any variance between the application for approval and the seminar as
22 presented.

23 (f) Sanction for Non-Compliance. By applying for seminar approval, each sponsor and co-sponsor agrees to admit to
24 the seminar at no charge a representative of the Board for the purpose of observing compliance with this Rule. If the
25 Board determines that a sponsor or co-sponsor has falsified the application for approval, has failed to keep attendance,
26 has allowed the seminar as presented to vary from the agenda as set forth in the application, or has failed to adhere to
27 any other provision of this Rule, the Board shall refuse to approve future seminar applications from the offending
28 sponsor or co-sponsor or from any principal who is a partner or shareholder in the offending sponsor or co-sponsor.

29
30 *History Note: Authority G.S. 90-142; 90-155; 90-143.2; 90-143.4;*

31 *Eff. January 1, 2004;*

32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
33 *2019;*

34 *Amended Eff. July 1, 2021; January 1, 2020. 2020;*

35 *Readopted Eff. April 1, 2026.*

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37

1 21 NCAC 10 .0208 is readopted with changes as published in 40:07 NCR 644-645 as follows:

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

4 (a) Acupuncture is defined as a form of health care developed from traditional and modern Chinese medical concepts
5 that employ acupuncture diagnosis and treatment, and adjunctive therapies and diagnostic techniques, for the
6 promotion, maintenance, and restoration of health and the prevention of disease. To perform acupuncture, a licentiate
7 shall take the National Board of Chiropractic Examiners Acupuncture Examination, receive a passing score of 375 or
8 greater, and certify to the Board that he or she has met the instruction prerequisites for the National Board of
9 Chiropractic Examiners Acupuncture Examination, as set forth by the National Board of Chiropractic Examiners on
10 its website at <https://www.mynbce.org/acupuncture/>. ~~In order to perform acupuncture, a licentiate or applicant for~~
11 ~~licensure shall first certify to the Board that he or she~~ has completed a minimum of 200 hours of instruction sponsored
12 ~~or given by a chiropractic college accredited by the Council on Chiropractic Education or a college or university~~
13 ~~accredited by an accrediting body recognized by the US Department of Education. The 200 hours of instruction must~~
14 ~~contain at least 30 percent practical, hands-on hours. Individual classes can only be taken once for credit. [has met the~~
15 ~~eligibility requirements to sit for the National Board of Chiropractic Examiners Acupuncture Examination, as set forth~~
16 ~~by the National Board of Chiropractic Examiners on its website at <https://www.mynbce.org/>.] To perform~~
17 ~~acupuncture, a licentiate shall also take the National Board of Chiropractic Examiners Acupuncture Examination and~~
18 ~~receive a passing score of 375 or greater.~~

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

- 20 (1) An official transcript from an accredited acupuncture program accredited by an accrediting body
21 recognized by the U.S. Department of Education demonstrating ~~completion of the 200 hours of~~
22 ~~instruction described in this Rule;~~ eligibility to sit for the National Board of Chiropractic Examiners
23 Acupuncture Examination; and
24 (2) Proof of successful completion of the acupuncture examination described in this Rule.

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

30
31 *History Note: Authority G.S. 90-142; 90-143; 90-151;*
32 *Eff. February 1, 2004;*
33 *Amended Eff. July 1, 2006;*
34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
35 *2019;*
36 *Amended Eff. July 1, 2022. 2022;*
37 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0209 is readopted **with changes** as published in 40:07 NCR 645 as follows:

2

3 **21 NCAC 10 .0209 NUTRITIONAL SUPPLEMENTS**

4 For the purpose of enforcing G.S. 90-151.1, the term "~~nutritional supplements~~" "nutritional supplements" includes
5 vitamins, minerals, enzymes, dietary supplements, herbs, homeopathic and naturopathic preparations, glandular
6 extracts, food **concentrates** **concentrates**, and other natural agents. The term "~~nutritional supplements~~" "nutritional
7 supplements" does not include controlled ~~substances~~. substances as defined by G.S. 90-87(5).

8

9 *History Note: Authority G.S. 90-142; 90-151; 90-151.1; 90-154;*

10 *Eff. May 1, 2004;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
12 *~~2019~~ 2019;*

13 *Readopted Eff. April 1, 2026.*

14

15

1 21 NCAC 10 .0210 is readopted **with changes** as published in 40:07 NCR 645 as follows:

2
3 **21 NCAC 10 .0210 INDIVIDUAL-STUDY CONTINUING EDUCATION**

4 (a) Hours permitted. A doctor of chiropractic may obtain as many as eight credit hours of continuing education each
5 year by successfully completing one or more individual-study courses approved by the Board.

6 (b) Course approval. The criteria for Board approval of any individual-study course are as follows:

- 7 (1) no practice-building or motivational courses shall be approved;
- 8 (2) no course shall be approved that requires participants, in order to utilize the information presented,
9 to purchase equipment or clinical supplies available only through the course's instructors, sponsors,
10 or co-sponsors;
- 11 (3) each subject taught shall fall within the extent and limitation of chiropractic licensure in this State
12 as provided in G.S. 90-151;
- 13 (4) the subject matter shall be presented in a manner comparable to instruction at chiropractic colleges
14 accredited by the Council on Chiropractic Education;
- 15 (5) the sponsor shall have a method for recording and verifying a doctor's participation expressed in
16 credit hours and fractions thereof, and the sponsor shall assume responsibility for submitting a
17 certificate of participation to the Board within 60 days after a doctor completes the course; **and**
- 18 (6) the course shall include one or more examinations or other means of verifying that a participating
19 doctor has mastered the material presented in the course.

20 (c) Sponsor's obligation. The sponsor shall provide ~~such~~ the following information **as** to the Board ~~deems necessary~~
21 ~~to so that the Board can~~ evaluate the course according to the criteria set forth in Paragraph (b) of this Rule, ~~including~~
22 ~~the syllabus, a curriculum vitae for each instructor, the method for verifying attendance, and the length of the course.~~
23 ~~Failure to provide information required by the Board shall be a basis for denying the course. The application process~~
24 ~~for obtaining course approval is set forth in Rule .0207 of this Section. Rule:~~

- 25 (1) the course syllabus;
- 26 (2) a curriculum vitae for each instructor;
- 27 (3) the method for verifying attendance; and
- 28 (4) the length of the course.

29 Failure to provide information required by the Board shall be a basis for denying the course. The application process
30 for obtaining course approval is set forth in Rule .0207 of this Section.

31 (d) Professional development continuing education. A doctor of chiropractic may obtain continuing education credit
32 for undertaking the professional development activities described in this Paragraph. Credit shall be awarded based on
33 the actual time spent and shall not exceed two hours annually for all activities combined. To apply for credit, the
34 doctor shall report such activities on his or her annual license renewal form as provided in **Rule .0205(e)** **Rule .0204(d)**
35 of this Section. Approved professional development activities shall include:

- 36 (1) reading scientific, peer-reviewed professional journals; or

1 (2) visiting vendor displays at professional association conventions to become familiar with trends in
2 treatment technologies and new products.

3 (e) Attendance at interstate regulatory meetings. A doctor of chiropractic may obtain as many as 12 hours of
4 continuing education credit annually by attending ~~morning and afternoon sessions of~~ a national meeting of the
5 Federation of Chiropractic Licensing Boards or ~~morning and afternoon sessions of~~ a meeting of the National Board
6 of Chiropractic Examiners.

7

8 *History Note: Authority G.S. 90-142; 90-151; 90-155;*

9 *Eff. July 1, 2004;*

10 *Amended Eff. June 1, 2015;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
12 *~~2019.~~ 2019;*

13 *Readopted Eff. April 1, 2026.*

14

15

1 21 NCAC 10 .0211 is repealed **through readoption** as published in 40:07 NCR 645 as follows:

2

3 **21 NCAC 10 .0211 AGREEMENTS TO PROVIDE FINANCE OR MANAGEMENT SERVICES**

4

5 *History Note: Authority G.S. 90-142; 90-147; 90-157.3;*

6 *Eff. September 1, 2011;*

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

8 *~~2019.~~ 2019.*

9 *Repealed Eff. April 1, 2026.*

10

11

1 21 NCAC 10 .0212 is readopted as published in 40:07 NCR 645-646 as follows:

2
3 **21 NCAC 10 .0212 MEDICAL COLLEGE TRANSFER CREDITS**

4 ~~(a) Purpose of Rule. An increasing number of students who initially enrolled in medical colleges are transferring to~~
5 ~~chiropractic colleges. The standard curricula for the first two years of medical and chiropractic colleges are similar.~~
6 ~~The Board of Chiropractic Examiners believes that it is in the public interest to allow applicants for chiropractic~~
7 ~~licensure in this State to receive credit for hours earned while attending medical college, as such a policy promotes~~
8 ~~the efficient use of classroom resources, reduces wasteful duplication and lowers the cost of obtaining a chiropractic~~
9 ~~degree.~~

10 ~~(b)(a) Declaration of Equivalency. To the extent the curricula of the institutions overlap, the~~ The Board deems a
11 medical college approved by the Liaison Commission on Medical Education or the Committee for the Accreditation
12 of Canadian Medical Schools or an osteopathic college approved by the American Osteopathic Association to be the
13 equivalent of a chiropractic college accredited by the Council on Chiropractic Education.

14 ~~(c)(b) Counting Transfer Credits. For purposes of North Carolina licensure, the Board shall count any and all hours~~
15 ~~earned by an applicant at an approved a medical college~~ as set forth in Paragraph (a) of this Rule that have been
16 accepted as transfer credits by the applicant's chiropractic college.

17
18 *History Note: Authority G.S. 90-142; 90-143;*

19 *Eff. July 1, 2011;*

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

21 *~~2019.~~ 2019;*

22 *Readopted Eff. April 1, 2026.*

21 NCAC 10 .0213 is readopted **with changes** as published in 40:07 NCR 646-647 as follows:

21 NCAC 10 .0213 CERTIFIED CHIROPRACTIC ASSISTANTS

(a) Designation. The Board shall classify Certified Chiropractic Assistants as follows:

- (1) Level 1 – Clinical
- (2) Level 2 – X-ray

For purposes of this Rule, a Certified Chiropractic Assistant – Level 1 is the same as a "chiropractic clinical assistant" as defined in G.S. 90-143.4(a). For purposes of this Rule, a Certified Chiropractic Assistant – Level 2 is the same as a "diagnostic imaging technician" as defined in G.S. 90-143.2 and may be referred to as a "radiologic technologist", "X-ray tech", and "X-ray technician."

(b) Application Procedure. Anyone seeking to be certified as a Chiropractic Assistant shall submit an application found on the Board's website at <https://ncchiroboard.com>. All applicants shall:

- (1) Be at least 18 years of age;
- (2) Demonstrate that he or she graduated from high school or the equivalent;
- ~~(3) Possess good moral character as determined by the Board; and~~
- ~~(4)~~ (3) Submit an application fee of thirty-five dollars ~~(\$35.00)~~ (\$35.00); and
- ~~(5)~~ (4) Submit an application containing the following information:
 - (A) the applicant's name, residential address, phone number, email address, and date of birth;
 - (B) the applicant's educational history and degree attainment;
 - (C) the applicant's employment history;
 - (D) whether the applicant now has or has ever had an addiction to, or dependency on, alcohol or other controlled substances;
 - (E) whether the applicant has ever been convicted of a ~~felony under any laws;~~ felony;
 - (F) whether any criminal charges or criminal investigations, if known, are pending against the applicant;
 - (G) the email address of a person, known by but not related to the applicant, to complete character reference statements on forms prescribed by the Board; ~~the Attestation of Good Moral Character;~~ and
 - (H) a copy of the applicant's government-issued identification document, such as a driver's license or passport.

(c) New Applicants – Level 1.

- (1) Education. In addition to the requirements set forth in Paragraph (b) of this Rule, new applicants shall submit evidence of completion of a clinical assistant education program at least 24 hours in length, of which at least 6 hours shall be in-person didactic training with an instructor or instructors who, based on education and experience, are competent to teach the portion of the curriculum they have been assigned. Credit for online coursework shall not exceed 18 hours, and all online coursework shall precede didactic training. The education program shall provide **sufficient**

1 instruction in the five subjects set forth in G.S. 90-143.4(c) to enable its graduates to satisfy all
2 applicable standards of care. To obtain approval of an education program, the program sponsor shall
3 submit to the Board, at least 60 days prior to the proposed starting date, all instructional materials
4 to be used in the program, including a syllabus of the didactic training, and a curriculum vitae for
5 each instructor.

- 6 (2) Examination. The proficiency examination for new applicants shall assess both academic
7 knowledge and practical skills acquired through education programs and shall be administered at
8 least four times per year on dates and at locations to be announced by the Board at least 30 days in
9 advance and published on the Board's website at <https://ncchiroboard.com>. ~~In its discretion, the~~
10 ~~Board may authorize additional testing sessions based on the number of applications received.~~ The
11 minimum passing score on the examination is 75 percent.

12 (d) New Applicants – Level 2.

- 13 (1) Education. In addition to the requirements set forth in Paragraphs (b) and (c) of this Rule, new
14 applicants shall complete a radiological technologist education program at least 50 hours in length,
15 of which at least 6 hours shall be in-person didactic training with an instructor or instructors who,
16 based on education and experience, are competent to teach the portion of the curriculum they have
17 been assigned, and completion of the practical requirement as set forth in Subparagraph (d)(2) of
18 this Rule. The education program shall provide **sufficient** instruction in the five subjects set forth in
19 G.S. 90-143.2 to enable its graduates to satisfy all applicable standards of care governing the
20 production of X-rays. To obtain approval of an education program, the program sponsor shall submit
21 to the Board, at least 60 days prior to the proposed starting date, all instructional materials to be
22 used in the program, including a syllabus of the didactic training and a curriculum vitae for each
23 instructor. Any person registered as "active" with the American Chiropractic Registry of Radiologic
24 Technologists shall be deemed to have satisfied the educational requirements of this paragraph.

- 25 (2) Practical Requirement. Upon completion of the training set forth in Subparagraph (d)(1) of this Rule,
26 a person desiring certification as a Certified Chiropractic Assistant – Level 2 shall undergo a
27 Practical Examination within six months of completing the written [examination,] examination
28 required in Paragraph (c)(2) of this Rule, whereby the person is evaluated by his or her program
29 sponsor on the following competencies while performing x-ray examinations under the in-person
30 observation of a sponsor for four different patients:

- 31 (A) Image quality;
32 (B) Marking sides of the body;
33 (C) Technique input to controller;
34 (D) Tube/focal film distance;
35 (E) Bucky/tube alignment;
36 (F) Patient positioning;
37 (G) Gonad shielding;

1 (H) Ability to name additional views in the series; ~~and~~

2 (I) ~~Collimation.~~ Collimation;

3 (J) Anatomy viewed; and

4 (K) Technique calculated for measurement of patient.

5 **(3)** The person must complete and score at least 64 total points on each of the Thoracic Spine, Lumbar
6 Spine, and Cervical Spine Practical Examinations. The person shall submit written documentation
7 of the Practical evaluation on a form prescribed by the Board that is available on the Board's website
8 at ~~https://ncchiroboard.com/x-ray-technician.~~ [11 **\(A\) The name and Certified Chiropractic Assistant number of the candidate;**](https://ncchiroboard.com/certified-chiropractic-</u>
9 <u>assistant-level-2-xray/.</u> The person completing the Practical evaluation shall provide on the form the
10 following information:</p></div><div data-bbox=)

12 **(B) The date of the evaluation;**

13 **(C) The sponsoring doctor's name;**

14 **(D) The name and address of the sponsoring doctor's office;**

15 **(E) The signatures of the sponsoring doctor and the candidate; and**

16 **(F) Scoring of the candidate's competencies for the criteria set forth in Subparagraph (d)(2)(A)**
17 **through (K) of this Rule.**

18 **(3) (4)** Examination. The competency examination shall be administered at least three times per year. The
19 Board shall publish on its website, <https://ncchiroboard.com>, the date, time, and location of the
20 examination at least 30 days in advance. ~~In its discretion, the Board may authorize additional testing~~
21 ~~sessions based on the number of applications received.~~ The minimum passing score is 75 percent.

22 (e) Reciprocity Applicants. A "reciprocity applicant" means an applicant who is currently certified or registered as a
23 clinical assistant or X-ray technician in another state whose requirements for certification or registration are
24 substantially similar to or more stringent than the requirements for certification in North Carolina. A reciprocity
25 applicant shall submit a copy of the applicant's current certification or registration as a clinical assistant in a state with
26 which North Carolina reciprocates and shall also submit written confirmation from the state's certifying authority or
27 registrar that the applicant is in good standing in that state. Applicants for reciprocity shall pay the application fee set
28 forth in Rule .0803(a)(1) of this Chapter.

29 (f) Certification Expiration and Renewal. Starting with certifications issued or renewed on or after July 1, 2022, a
30 certificate of competency shall expire on June 30th of the second year following the year in which it was issued unless
31 otherwise renewed. A Level 1 certificate holder seeking to renew shall submit evidence that the applicant has
32 completed six hours of Board-approved continuing education. A Level 2 certificate holder shall complete six hours of
33 education applicable to a Level 1 renewal plus six hours in radiologic technology. A certificate of attendance or
34 completion issued by the course sponsor and filed with the Board shall constitute prima facie evidence that the
35 applicant has completed the number of hours recited in the certificate. The applicant shall pay to the Board a renewal
36 fee in the amount of fifty dollars (\$50.00).

1 (g) Lapsed Certificates. If a certificate of competency has lapsed due to non-renewal and the lapse does not exceed
2 60 days, the certificate holder may obtain reinstatement by making up the accrued deficiency in continuing education.
3 If the lapse is greater than 60 days, no make-up continuing education shall be required, but the certificate holder shall
4 re-take and pass the proficiency examination for new applicants. Regardless of the length of lapse, a certificate holder
5 seeking reinstatement shall pay the renewal fee set forth in Paragraph (f) of this Rule.

6 (h) Exemptions. Graduates of accredited chiropractic colleges and students enrolled in accredited chiropractic colleges
7 who are serving college-sponsored preceptorships in North Carolina are deemed by the Board to have satisfied all
8 requirements imposed by this Rule and shall be deemed competent to perform the duties of a clinical assistant. Any
9 person who qualifies for exemption and who works as a clinical assistant in this state for more than 180 days shall
10 submit the **applicant application** pursuant to this Rule and note the claim of exempt status. Exempt persons shall not
11 be required to pay a certification fee. For the purposes of this Rule, "accredited" shall mean colleges accredited by the
12 Council on Chiropractic Education.

13 (i) Displaying Certificate. The holder of a Level 1 certificate issued pursuant to this Rule shall display the certificate
14 in the chiropractic clinic in which the holder is employed in a location where the certificate may be viewed by patients.
15 The holder of a Level 2 certificate issued pursuant to this Rule shall display the certificate in the x-ray room of the
16 chiropractic clinic in which the holder is employed in a location where the certificate may be viewed by patients.

17
18 *History Note: Authority G.S. 90-142; 90-143.2; 90-143.4; 90-154.3;*
19 *Eff. July 1, 2014;*
20 *Amended Eff. April 1, 2018;*
21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
22 *2019;*
23 *Amended Eff. January 1, 2022; January 1, ~~2020~~ 2020;*
24 *Readopted Eff. April 1, 2026.*
25
26

1 21 NCAC 10 .0215 is readopted **with changes** as published in 40:07 NCR 647 as follows:

2
3 **21 NCAC 10 .0215 PETITION FOR PREDETERMINATION**

4 (a) General. Pursuant to G.S. 93B-8.1(b6), any person with a criminal history may petition the Board at any time for
5 a predetermination of whether the individual's criminal history will likely disqualify the individual from obtaining a
6 license, in accordance with this Rule. The Petition form may be found on the Board's website at
7 <https://ncchiroboard.com>.

8 (b) Petition Procedure. To petition the Board under this Rule, a person must submit to the Board's office a petition
9 for predetermination that contains all of the following information:

- 10 (1) The person's name;
- 11 (2) The last four digits of the person's social security number;
- 12 (3) The person's current residential address;
- 13 (4) The person's current mailing address;
- 14 (5) A nationwide criminal history record report from the criminal records reporting service currently
15 under contract with the Board;
- 16 (6) For each crime identified in the criminal history record report, the following information:
 - 17 (A) Whether the crime was a felony or misdemeanor;
 - 18 (B) The date that the crime occurred;
 - 19 (C) The date the person was convicted of, or plead guilty or nolo contendere to, the crime;
 - 20 (D) The age of the person at the time of the crime;
 - 21 (E) The circumstances surrounding the commission of the crime;
 - 22 (F) The sentence imposed for the crime;
 - 23 (G) The period of time during which the person was incarcerated for the crime;
 - 24 (H) The period of time during which the person was on probation or parole for the crime;
 - 25 (I) Any documentation related to the person's rehabilitation or employment since the date of
26 the crime;
 - 27 (J) Whether the person has undergone any rehabilitative drug or alcohol treatment since the
28 date of the crime;
 - 29 (K) Whether a Certificate of Relief has been granted regarding the crime, pursuant to G.S. 15A
30 173.2; and
 - 31 (L) Any affidavits or other written documents, including character references, for the person.
- 32 (7) An affirmation under oath that the person has read the Instructions for Submitting a Petition for
33 Predetermination and the statutes and rules governing the practice of chiropractic and that the
34 information contained in the petition is true and accurate.

35 Incomplete petitions shall not be considered by the Board. If incomplete petitions received by the Board are not made
36 complete within 30 days of receipt, the incomplete petitions will be returned to the person from whom the request was
37 made.

1 (c) Petition Fee. A non-refundable petition fee of forty-five dollars (\$45.00) shall accompany each petition. This fee
2 ~~may shall~~ be paid by credit card through the Board's website at <https://ncchiroboard.com>, ~~https://ncchiroboard.com or~~
3 ~~by check made payable to the North Carolina Board of Chiropractic Examiners.~~ Cash shall not be accepted.

4 (d) Delegation of Authority for Predetermination. The Board delegates authority for rendering predeterminations
5 under this Rule to the ~~Chiropractic Disciplinary Review Committee.~~ Committee, as set forth in Rule .0503 of this
6 Chapter.

7

8 *History Note: Authority G.S. 90-142; 90-143.3; 90-154; 93B-8.1;*

9 *Eff. January 1, ~~2020.~~ 2020.*

10 *Readopted Eff. April 1, 2026.*

11

12

1 21 NCAC 10 .0216 is readopted as published in 40:07 NCR 647 as follows:

2

3 **21 NCAC 10 .0216 WAIVER**

4 The Board may waive any rule in this Chapter that is not statutorily required if a licensee, or applicant for license or
5 certification, submits a written request. Factors the Board shall use in determining whether to grant the waiver are:

- 6 (1) degree of disruption to the Board;
- 7 (2) cost to the Board;
- 8 (3) degree of benefit to the public;
- 9 (4) whether the requesting party had control over the circumstances that required the requested waiver;
- 10 (5) notice to and opposition by the public;
- 11 (6) need for the waiver; and
- 12 (7) previous requests for waivers submitted from the requesting party.

13

14 *History Note: Authority G.S. 90-142; 150B-19(6);*
15 *Emergency Adoption Eff. April 28, 2020;*
16 *Temporary Adoption Eff. July 24, 2020;*
17 *Eff. July 1, ~~2021~~ 2021;*
18 *Readopted Eff. April 1, 2026.*

19

20

1 21 NCAC 10 .0217 is readopted **with changes** as published in 40:07 NCR 647 as follows:

2
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. Prior to approval, the entity shall submit its Articles of
6 **Incorporation/Organization Incorporation or Articles of Organization** to the Board for the purpose of verifying the
7 legal name of the entity.

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 including a name that implies services beyond the scope of practice set forth in Art. 8, Chapter 90 of the NC General
13 Statutes, or a name that is identical or similar in name to an existing registered business entity.

14 (c) Business entities organized for the purpose of providing professional chiropractic services shall not contain the
15 name of an individual unless:

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

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

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

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

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

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

35
36 *History Note: Authority G.S. 90-142(2); 90-154(b)(9); 90-154.2; 90-157.3; 55B-5; 55B-12;*
37 *Eff. July 1, ~~2022~~ 2022;*

1 21 NCAC 10 .0218 is readopted **with changes** as published in 40:07 NCR 647-648 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~~ **he or she** has read the statutes, ~~rules~~ **rules**, and
14 guidelines regarding 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 years prior to submission of request to serve as a preceptor;
- 18 (3) No prior suspension of the preceptor's license, active or stayed; and
- 19 (4) No prior Board discipline of any kind within 10 years of commencing the preceptor-student
20 relationship.

21 (c) Preceptors shall supervise only one student at a time. Preceptors shall obtain verbal consent from every patient
22 who is treated by the student prior to the student commencing treatment. Preceptors shall document consent in the
23 patient's record.

24

25 *History Note: Authority G.S. 90-142(2); 90-142.1;*
 26 *Eff. April 1, ~~2024~~. 2024;*
 27 *Amended Eff. April 1, 2026.*

1 21 NCAC 10 .0302 is readopted **with changes** as published in 40:07 NCR 648 as follows:

2
3 **21 NCAC 10 .0302 ETHICS OF ADVERTISING AND PUBLICITY**

4 Prohibited Advertising. The following shall constitute false or misleading advertising, which constitutes unethical
5 conduct pursuant to G.S. 90-154.2:

- 6 (1) Advertising that purports to guarantee a beneficial result from chiropractic treatment.
- 7 (2) Advertising that promotes a treatment, therapy, or service that constitutes unethical conduct as
8 defined by G.S. 90-154.2 or any rule promulgated by the Board pursuant to G.S. 90-154.3(b).
- 9 (3) Advertising in which the licentiate is identified as a specialist, unless the licentiate has complied
10 with the requirements of ~~21 NCAC 10 .0304~~, **21 NCAC 10 .0304** and any reference to the specialty
11 is immediately preceded by the term "chiropractic." Illustrations are as follows:
- 12 (a) "Pediatrics" standing alone is deemed false or misleading; "chiropractic pediatrics"
13 conforms to this Rule; and
- 14 (b) "Neurologist" standing alone is deemed false or misleading; "chiropractic neurologist"
15 conforms to this Rule.
- 16 (4) Advertising which would lead a reasonable person to believe the licensee holds any other **license(s)**
17 **licenses** authorized under Chapter 90 of the North Carolina General Statutes when the licensee does
18 not hold such license, including but not limited to a medical physician, physical therapist, massage
19 therapist, or acupuncturist.

20
21 *History Note: Authority G.S. 90-142; 90-154.2;*
22 *Eff. February 1, 1976;*
23 *Readopted Eff. January 27, 1978;*
24 *Amended Eff. January 1, 1983; May 8, 1979;*
25 *Legislative Objection Lodged Eff. January 31, 1983;*
26 *Curative Amended Eff. February 28, 1983;*
27 *Curative Amended Eff. March 2, 1983;*
28 *Amended Eff. November 1, 2007; December 1, 1988;*
29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
30 *2019;*
31 *Amended Eff. April 1, 2025; January 1, ~~2020~~ 2020;*
32 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0303 is readopted with changes as published in 40:07 NCR 648 as follows:

2

3 **21 NCAC 10 .0303 SOLICITATION OF AUTO ACCIDENT VICTIMS**

4 (a) In-Person and Telephone Solicitation of Auto Accident Victims. In order to protect the public from
5 misrepresentation, ~~coercion~~ coercion, or undue influence, it shall be unlawful for a doctor of chiropractic, or the
6 doctor's employee, to initiate direct personal contact or telephone contact with any person who has been injured in a
7 motor vehicle collision, or with any person residing in the injured person's household, for a period of 90 days following
8 the collision, if the purpose of initiating contact is, in whole or part, to solicit the injured person to become a patient
9 of the doctor.

10 (b) Acceptance of Referrals From Runners. It shall be unlawful for a doctor of chiropractic to accept as a patient any
11 person injured in an automobile accident who was referred by a runner. As used in this Rule, the term "runner" means
12 any person, ~~firm~~ firm, or corporation that routinely obtains the names of injured persons from motor vehicle accident
13 reports or other public records and then contacts those persons to induce them to seek medical or chiropractic treatment
14 or pursue legal claims.

15 (c) Solicitation of Auto Accident Victims by Mail. A doctor of chiropractic may solicit persons injured in motor
16 vehicle collisions at any time through the use of posted communications such as letters, brochures, information
17 ~~packages~~ packages, and sound or video recordings. The words, "This is an advertisement for chiropractic services"
18 must appear on the communication's envelope or mailing container in print large enough to be easily read.

19 (d) Nonconforming Solicitation Deemed Unethical Conduct. Any solicitation of automobile accident victims which
20 does not conform to the requirements of this Rule shall be considered a violation of the Rules of Ethics of Advertising
21 and Publicity pursuant to G.S. 90-154.2(5).

22

23 *History Note: Authority G.S. 90-142, 90-154, 90-154.2;*

24 *Eff. September 1, 1994;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
26 *~~2019-2019~~;*

27 *Readopted Eff. April 1, 2026.*

28

29

1 21 NCAC 10 .0304 is readopted as published in 40:07 NCR 648 as follows:

2
3 **21 NCAC 10 .0304 DESIGNATION OF SPECIALTIES**

4 (a) Definitions. For purposes of this Rule, the following definitions shall apply:

5 (1) Claim of Specialization: any use of the designations listed in this Rule or any representation stating
6 or implying that, by virtue of additional training, a licentiate possesses greater expertise in any aspect
7 of health care than is possessed by chiropractic physicians who have not had additional training.
8 The ~~mere~~ recitation of academic degrees awarded to a licentiate does not constitute a claim of
9 specialization.

10 (2) Publication: representations regarding any claim of specialization made by a licentiate which may
11 include representations made in advertising, whether printed or broadcast; written representations
12 appearing on professional stationery, business cards, curriculum vitae, or office ~~signage; and oral~~
13 ~~representations made in judicial proceedings.~~ signage.

14 (b) Recognized Specialties. The Board of Examiners recognizes the specialties in the following fields of practice:

- 15 (1) Chiropractic Orthopedics;
16 (2) Chiropractic Radiology;
17 (3) Chiropractic Neurology;
18 (4) Chiropractic Internal Disorders;
19 (5) Chiropractic Pediatrics;
20 (6) Chiropractic Sports Injuries;
21 (7) Chiropractic Nutrition; ~~and~~
22 (8) Chiropractic ~~Rehabilitation.~~ Rehabilitation; and
23 (9) Chiropractic Acupuncture.

24 (c) Any licentiate wishing to request a specialty designation not listed in Paragraph (b) of this Rule shall first submit
25 a written request to the Board and provide evidence that the designation meets the criteria set forth in Paragraph (d)
26 of this Rule. A licentiate shall not publish the specialty designation until the Board has approved, in writing, the
27 specialty designation requested.

28 (d) Criteria for approval. In order to publish a claim of specialization as set forth in Paragraph (b) of this Rule or upon
29 request of a specialty pursuant to Paragraph (c) of this Rule, a licentiate shall demonstrate the following:

- 30 (1) Evidence of completion of a post-graduate course of study in the specialty requested at least 300
31 hours in length and offered by a college approved by the Council on Chiropractic ~~Education;~~
32 Education, provided that the specialty of chiropractic acupuncture only shall require evidence of
33 successful passage of the National Board of Chiropractic Examiners Acupuncture Examination; and
34 (2) Evidence that the licentiate has passed an examination offered by a 501(c)(3) organization whose
35 testing for specialization is recognized by the House of Delegates of the American Chiropractic
36 Association or an exam deemed by the Board to be an equivalent.

1 (e) Claim of Specialty. Any published claim of specialization outside the recognized specialties or any published
2 claim of specialization made by or at the behest of a licentiate who has not satisfied all applicable provisions of this
3 Rule constitutes false or misleading advertising.

4

5 *History Note: Authority G.S. 90-142; 90-154; 90-154.2(5);*

6 *Eff. November 1, 2007;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
8 *2019;*

9 *Amended Eff. January 1, ~~2022~~ 2022;*

10 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0305 is readopted **with changes** as published in 40:07 NCR 648 as follows:

2
3 **21 NCAC 10 .0305 PREPAID TREATMENT PLANS**

4 (a) Prepaid Treatment Plan Defined. A "prepaid treatment plan" is a contract between a patient and a physician under
5 which the patient, instead of paying for services as they are delivered, agrees in advance to pay a pre-determined total
6 amount to the physician for a series of specified treatments and services to be performed by the physician or the
7 physician's staff in the future and that are not covered by insurance. The patient's financial obligation may be payable
8 in a lump sum or in periodic installments.

9 (b) Non-Conforming Plans Unlawful. A physician who offers to a patient a prepaid treatment plan that does not
10 conform to this Rule shall be subject to disciplinary action pursuant to G.S. 90-154(b)(9), committing or attempting
11 to commit fraud, **deception** **deception**, or misrepresentation.

12 (c) Required Contractual Provisions. A prepaid treatment plan shall be in writing and signed by the patient. The
13 physician shall provide an accurate and complete copy of the plan document to the patient. In addition to any
14 permissive provisions not in conflict with this Rule, the plan document shall contain the following mandatory
15 provisions:

- 16 (1) The duration of the plan, measured either by number of office visits or calendar days;
- 17 (2) The therapeutic objectives of the plan, based on a physical examination and assessment of the patient
18 performed by the physician prior to the plan's start date;
- 19 (3) The patient's cost to purchase the plan;
- 20 (4) A description of the services and products that are included within the plan and for which there will
21 be no additional charges;
- 22 (5) A disclaimer, in bold-faced type, that the patient could incur additional charges if services and
23 products not included within the plan are delivered to the patient during the course of treatment;
- 24 (6) A description of the physician's office policy regarding charges for cancelled office visits and office
25 visits not kept; and
- 26 (7) A declaration of the patient's right to terminate the plan early and receive a refund in conformity
27 with Paragraphs (d) and (e) of this Rule.

28 (d) Refund Calculation. The patient shall have the right to terminate a prepaid treatment plan at any point prior to the
29 stated expiration without incurring any financial penalty. The physician may charge the patient the full amount for
30 dispensed products that cannot be re-stocked, including opened nutritional supplements and used cervical pillows,
31 orthotic and neurological appliances, and similar durable medical equipment. In all other respects, the amount of the
32 refund payable to the patient shall be calculated strictly pro-rata, based on the measure of duration recited in the plan
33 document (office visits or calendar days). No other method of refund calculation shall be permitted, and any provision
34 in the plan that specifies another method of calculation shall be void.

35 (e) Notice of Plan Termination; Prompt Refund. The physician may require that a patient give notice of plan
36 termination by delivery of a paper writing dated and signed by the patient or a person authorized to sign **in on** the

1 patient's behalf. The physician shall not impose any other procedural impediments to obtaining a refund. The physician
2 shall issue the appropriate pro-rata refund within ten business days after receiving notice of plan termination.

3 (f) Administrative Fees. The physician shall not collect from a patient any fees for administering a plan other than
4 pass-through fees for which the physician is liable, such as credit card processing fees.

5

6 *History Note: Authority G.S. 90-142; 90-154;*

7 *Eff. April 1, 2017;*

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

9 *~~2019- 2019;~~*

10 *Readopted Eff. April 1, 2026.*

11

12

1 21 NCAC 10 .0306 is readopted as published in 40:07 NCR 648-649 as follows:

2
3 **21 NCAC 10 .0306 PUBLICATION OF NON-DIPLOMATE CREDENTIALS**

4 (a) Scope of Rule. Any credential awarded to a licensee of the Board upon completion of a healthcare-related
5 educational program shall be subject to this Rule except ~~an academic degree or a diploma~~ a credential recognized
6 pursuant to Rule .0304 of this Section.

7 (b) Publication of Unrecognized Credentials Unlawful. It shall constitute ~~false or misleading advertising, in violation~~
8 ~~of G.S. 90-154(b)(1),~~ a violation of the Rules of Ethics of Advertising and Publicity pursuant to G.S. 90-154.2(5) for
9 a licensee to publish a credential that is not recognized by the Board. For purposes of this Rule, "publication" includes
10 representations made in a licensee's print, broadcast or online advertisement, professional stationery, business cards,
11 and office signage.

12 (c) Criteria for Recognition. The criteria for recognition by the Board of a credential subject to this Rule shall be as
13 follows:

- 14 (1) the educational program leading to the awarding of the credential is offered at the post-doctor of
15 chiropractic level;
- 16 (2) for a chiropractic discipline, the educational program is offered or sponsored by a chiropractic
17 college accredited by the Council on Chiropractic Education;
- 18 (3) for a discipline not unique to chiropractic, the educational program is offered or sponsored by a
19 professional school or college accredited by an agency that is the equivalent of the Council on
20 Chiropractic Education; and
- 21 (4) ~~the educational program is 100 hours in duration, except for programs in Acupuncture Meridian~~
22 ~~Therapy, whose duration shall conform to Rule .0208 of this Chapter; and~~
- 23 ~~(5)~~(4) The educational program culminates in a final examination that the candidate must pass to earn the
24 credential.

25 (d) Recognized Credentials. The following credentials are recognized by the Board and may be published upon the
26 credentialed licensee's compliance with Paragraph (e) of this Rule.

- 27 (1) Certified Chiropractic Extremity Practitioner (CCEP);
- 28 (2) Certified Chiropractic Rehabilitation Doctor (CCRD);
- 29 (3) Certified Chiropractic Sports Physician (CCSP);
- 30 (4) Chiropractic Certification in Spinal Trauma (CCST);
- 31 (5) International Chiropractic Sports Physician (ICSP); ~~and~~
- 32 (6) Certificate in Acupuncture-Meridian ~~Therapy.~~ Therapy; and
- 33 (7) Certification by the Academy Council of Chiropractic Pediatrics (CACCP).

34 Any licensee wishing to publish a credential not listed in this Paragraph shall first make written application to the
35 Board and provide evidence that the credential meets the criteria set forth in Paragraph (c) of this Rule. The licensee
36 shall not publish the credential until receipt of Board recognition.

1 (e) Filing Certificates. A licensee shall not publish any recognized credential until he or she files with the Board a
2 copy of the dated certificate or similar document signifying that the licensee successfully completed all program
3 requirements and that the credential was awarded.

4

5 *History Note: Authority G.S. 90-142; 90-154;*

6 *Eff. October 1, 2017;*

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

8 *~~2019.~~ 2019.*

9 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0401 is readopted as published in 40:07 NCR 649 as follows:

2

3

SECTION .0400 - RULE-MAKING PROCEDURES

4

21 NCAC 10 .0401 PETITIONS FOR ADOPTION OF RULES

6 Submission. Rule-making petitions shall be sent to the president of the Board and shall state the petitioner's name and
7 address, and shall contain the information required in G.S. 150B-20(a). The petitioner also may submit the following
8 additional information:

- 9 (1) the reason for its proposal;
- 10 (2) data supporting the proposed rule;
- 11 (3) practices likely to be affected by the proposed rule;
- 12 (4) persons likely to be affected by the proposed rule.

13

14 *History Note: Authority G.S. 90-142; 150B-20;*
 15 *Eff. February 1, 1976;*
 16 *Readopted Eff. January 27, 1978;*
 17 *Amended Eff. December 1, 1988;*
 18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
 19 *2019;*
 20 *Amended Eff. January 1, ~~2020~~ 2020;*
 21 *Readopted Eff. April 1, 2026.*

22

23

1 21 NCAC 10 .0403 is readopted as published in 40:07 NCR 649 as follows:

2

3 **21 NCAC 10 .0403 ORAL PRESENTATIONS AT PUBLIC RULE-MAKING HEARINGS**

4 Oral Presentations at Public Hearing. Any public rule-making hearing required by Article 2A of Chapter 150 of the
5 North Carolina General Statutes shall be conducted by the President of the Board or by any person he or she may
6 delegate. Oral presentations shall not exceed 15 minutes.

7

8 *History Note: Authority G.S. 90-142; 150B-21.1A; 150B-21.2;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. January 27, 1978;*

11 *Amended Eff. December 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
13 *2019;*

14 *Amended Eff. January 1, ~~2020~~ 2020;*

15 *Readopted Eff. April 1, 2026.*

16

17

1 21 NCAC 10 .0406 is readopted as published in 40:07 NCR 649 as follows:

2
3 **21 NCAC 10 .0406 DECLARATORY RULINGS**

4 (a) General. The Board shall respond to requests for declaratory rulings in accordance with G.S. 150B-4.

5 (b) Request for Declaratory Ruling: Contents. A request for a declaratory ruling shall be in writing and addressed to
6 the president. The request shall contain the following information:

- 7 (1) The name and address of the person making the request;
8 (2) The statute or rule to which the request relates;
9 (3) A statement of the manner in which the person has been aggrieved by the statute or rule; and
10 (4) A statement as to whether a hearing is desired, and if desired, the reason therefor.

11 (c) Refusal to Issue Ruling. The Board shall refuse to issue a declaratory ruling under the following circumstances:

- 12 (1) When the Board has already made a controlling decision on similar facts in a contested case;
13 (2) When the facts underlying the request for a ruling were considered at the time of the adoption of the
14 rule in question; or
15 (3) When the subject matter of the request is involved in pending litigation in North Carolina.

16
17 *History Note: Authority G.S. 150B-4;*
18 *Eff. February 1, 1976;*
19 *Readopted Eff. January 27, 1978;*
20 *Amended Eff. January 1, 1983;*
21 *Legislative Objection Lodged Eff. January 31, 1983;*
22 *Curative Amended Eff. February 28, 1983;*
23 *Amended Eff. December 1, 1988;*
24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
25 *2019;*
26 *Amended Eff. January 1, ~~2020~~ 2020;*
27 *Readopted Eff. April 1, 2026.*
28
29

1 21 NCAC 10 .0501 is readopted as published in 40:07 NCR 649 as follows:

2

3 **21 NCAC 10 .0501 FILING COMPLAINTS**

4 Any person who has reason to believe that a Doctor of Chiropractic has violated the laws governing chiropractic may
5 file a complaint with the Board. ~~Board~~ Anyone wishing to file a complaint shall file a form with the Board office that
6 contains the following information:

- 7 (1) the complainant's name and contact information;
- 8 (2) the name and contact information of the person about which the complainant wishes to file the
9 complaint;
- 10 (3) a narrative of the facts about which the complainant wishes to complain; and
- 11 (4) the complainant's signature and the date on which the complaint is made.

12 The complaint form can be found on the Board's website at <https://ncchiroboard.com/complaint-filing-process>.

13

14 *History Note: Authority G.S. 90-142; 90-154;*

15 *Eff. February 1, 1976;*

16 *Readopted Eff. January 27, 1978;*

17 *Amended Eff. December 1, 1988; January 1, 1983; December 20, 1979;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
19 *2019;*

20 *Amended Eff. January 1, ~~2020~~ 2020;*

21 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0503 is readopted with changes as published in 40:07 NCR 649-650 as follows:

2

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

4 (a) General. Complaint allegations ~~that could be that, if taken as true, would~~ be considered violations of the Board's
5 Practice ~~Act~~ Act, based on the findings of the Investigative Report, shall be referred to the Disciplinary Review
6 Committee ~~(DRC), (DRC),~~ along with any investigative report prepared by Board staff. The DRC shall conduct an
7 informal conference with ~~the party~~ the licensee identified in the complaint in order to consider the possibility of
8 resolving the complaint.

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

10 (1) The Board Secretary; and

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

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

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

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

17 (2) Non-Disciplinary Letter of Caution;

18 (3) Resolution by settlement; or

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

21

22 *History Note: Authority G.S. 90-141; 90-142; ~~90-143;~~ 90-154;*

23 *Eff. December 1, 1988;*

24 *Amended Eff. October 1, 2016;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
26 *2019;*

27 *Amended Eff. October 1, 2022; January 1, ~~2020.~~ 2020;*

28 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0504 is readopted **with changes** as published in 40:07 NCR 650 as follows:

2
3 **21 NCAC 10 .0504 DRUG TESTING**

4 (a) Reasonable Suspicion. The Secretary of the Board may require a licentiate to submit to drug or blood alcohol
5 testing if there is reasonable suspicion that the licentiate is consuming drugs or alcohol to such an extent or with such
6 frequency as to impair the ability to treat patients. For purposes of this Rule, reasonable suspicion exists when:

- 7 (1) The licentiate is cited or arrested on drug-related criminal charges;
- 8 (2) The licentiate admits to the Board or to a judicial tribunal that the licentiate has abused alcohol or
9 prescription drugs or consumed illicit drugs; or
- 10 (3) The Secretary receives the sworn affidavit of a credible witness stating that the witness personally
11 observed the licentiate in the licentiate's chiropractic office during business hours and the licentiate's
12 behavior was erratic, ~~unprofessional~~ **unprofessional**, and apparently influenced by drug or alcohol
13 consumption.

14 (b) Approved Laboratory. Any drug test required by the Secretary shall be conducted by an approved laboratory in
15 accordance with the protocol set forth in Article 20, Chapter 95 of the General Statutes, Controlled Substance
16 Examination Regulation.

17 (c) Reporting Results. The results of a licentiate's drug test shall be reported directly to the Secretary by the laboratory
18 conducting the test and shall not be disclosed to any person other than the licentiate except for use as evidence in
19 Board disciplinary actions or when disclosure is mandated by law.

20 (d) Right to Dispute Results. In any Board disciplinary proceeding in which a licentiate's drug test results are
21 introduced into evidence, including a preliminary hearing before the Chiropractic Review Committee, the licentiate
22 may dispute the accuracy of the test results.

23 (e) Effect of Refusal. A licentiate's refusal to submit to a drug test required by the Secretary pursuant to this Rule
24 shall be considered the concealment of information about a matter affecting licensure, in violation of G.S. 90-
25 154(b)(19).

26
27 *History Note: Authority G.S. 90-142; 90-154;*
28 *Eff. October 1, 2009;*
29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
30 *~~2019.~~ 2019;*
31 *Readopted Eff. April 1, 2026.*
32
33

1 21 NCAC 10 .0706 is readopted as published in 40:07 NCR 650 as follows:

2

3 **21 NCAC 10 .0706 CONDUCT OF BOARD HEARING**

4 (a) General. Hearings in contested cases shall be conducted by a majority of the Board, unless a majority of the Board
5 votes to designate an administrative law judge to preside at the hearing in the Office of Administrative Hearings. The
6 president shall serve as presiding officer at Board Hearings unless he or she is absent or disqualified, in which case
7 the vice-president shall preside. Board Hearings shall be conducted as prescribed by G.S. 150B-40.

8 (b) Disqualification. An affidavit seeking disqualification of any Board member, if filed in good faith and in a timely
9 manner, shall be ruled on by the remaining members of the Board. An affidavit is considered timely if it is filed:

10 (1) Prior to the hearing; or

11 (2) As soon after the commencement of the hearing as the affiant becomes aware of facts that give rise
12 to his or her belief that a Board member should be disqualified.

13 (c) Evidence. The admission of evidence in a Board Hearing on a contested case shall be as prescribed in G.S. 150B-
14 41.

15

16 *History Note: Authority G.S. 150B-40; 150B-41;*

17 *Eff. February 1, 1976;*

18 *Readopted Eff. January 27, 1978;*

19 *Amended Eff. January 1, 1989;*

20 *Expired Eff. May 1, 2019 pursuant to G.S. 150B-21.3.A;*

21 *Readopted Eff. January 1, ~~2020~~ 2020;*

22 *Readopted Eff. April 1, 2026.*

23

1 21 NCAC 10 .0708 is readopted **with changes** as published in 40:07 NCR 650 as follows:

2

3 **21 NCAC 10 .0708 CONTINUANCES FOR BOARD HEARINGS**

4 (a) Consistent with ~~G.S. 150B-40(b)~~, **G.S. 150B-40**, all motions for continuance shall be addressed to the secretary,
5 or the designated presiding officer of the contested case hearing. All motions for continuance shall be in writing and
6 received in the office of the Board no less than seven calendar days before the hearing date.

7 (b) Motions for a continuance of a hearing may be granted upon a showing of good cause. In determining whether
8 good cause exists, the presiding officer shall consider the ability of the party requesting a continuance to proceed
9 without a continuance.

10 (c) A motion for a continuance filed less than seven calendar days from the date of the hearing shall be denied if a
11 continuance has been previously granted unless the reason for the motion could not have been ascertained earlier.

12

13 *History Note: Authority ~~G.S. 90-156~~, **G.S. 150B-38(h)**;*

14 *Eff. January 1, ~~2020~~. 2020;*

15 *Readopted Eff. April 1, 2026.*

16

17

1 21 NCAC 10 .0709 is readopted **with changes** as published in 40:07 NCR 650 as follows:

2

3 **21 NCAC 10 .0709 SUBPOENAS**

4 (a) Requests for subpoenas for the attendance and testimony of witnesses or for the production of documents, either
5 at a Board Hearing or for the purposes of discovery, shall:

- 6 (1) be made in writing to the Board;
- 7 (2) identify any document sought;
- 8 (3) include the full name and home or business address of all persons to be subpoenaed; and
- 9 (4) if known, **include** the date, time, and place for responding to the subpoena.

10 The Board shall issue the requested subpoenas within three days of receipt of the request.

11 (b) Subpoenas shall contain the following:

- 12 (1) the caption of the case;
- 13 (2) the name and address of the person subpoenaed;
- 14 (3) the date, hour, and location of the hearing in which the witness is commanded to appear;
- 15 (4) a particularized description of the books, papers, records, or objects the witness is directed to bring
16 with him to the hearing, if any;
- 17 (5) the identity of the party on whose application the subpoena was issued;
- 18 (6) the date of issue;
- 19 (7) the signature of the presiding officer or his designee; and
- 20 (8) a "return of service." The "return of service" form as filled out, shall show:
 - 21 (A) the name and capacity of the person serving the subpoena;
 - 22 (B) the date on which the subpoena was delivered to the person directed to make service;
 - 23 (C) the date on which service was made;
 - 24 (D) the person on whom service was made;
 - 25 (E) the manner in which service was made; and
 - 26 (F) the signature of the person making service.

27 (c) Subpoenas shall be served in a manner set forth in Rule 45 of the N.C. Rules of Civil Procedure.

28 (d) Any person receiving a subpoena from the Board may object thereto by filing a written objection to the subpoena
29 with the Board's office. Written objections shall comply with Rule 45 of the N.C. Rules of Civil Procedure.

30 (e) The party who requested the subpoena may file a written response to the objection. The written response shall be
31 served by the requesting party on the objecting witness with the filing of the response with the Board.

32 (f) After receipt of the objection and response thereto, if any, the Board shall issue a notice of a Hearing on the motion
33 to the party who requested the subpoena and the party challenging the subpoena to be scheduled as soon as practicable,
34 at which time evidence and testimony may be presented, limited to the narrow questions raised by the objection and
35 response.

1 (g) After the close of such Board Hearing, a majority of the Board members hearing the contested case shall rule on
2 the challenge and issue a written decision. A copy of the decision will be issued to all parties and made a part of the
3 record.

4

5 *History Note: Authority G.S. 150B-38; 150B-39; 150B-40;*

6 *Eff. January 1, ~~2020~~ 2020;*

7 *Readopted Eff. April 1, 2026.*

8

9

1 21 NCAC 10 .0803 is readopted as published in 40:07 NCR 650 as follows:

2

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.

13

14 *History Note: Authority G.S. 55B-10; 55B-11; 90-142; 90-143.2; 90-143.4; 90-149; 90-155; 93B-8.1;*
15 *Eff. October 1, ~~2022~~. 2022;*
16 *Readopted Eff. April 1, 2026.*

17

18

Burgos, Alexander N

Subject: FW: [External] Re: Request for Changes - March 2026 RRC Meeting
Attachments: 21 NCAC 10 .0203 (rev'd) (v4).docx

From: Catherine E. Lee <clee@hedrickgardner.com>
Sent: Tuesday, March 17, 2026 2:32 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; dr.joe@ncchiroboard.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Re: Request for Changes - March 2026 RRC Meeting

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Thank you – please see the attached revised rule.

Catherine E. Lee | Partner
Hedrick Gardner Kincheloe & Garofalo LLP.
2710 Wycliff Road, Suite 220 | Raleigh, NC 27607
Phone: 919-341-2639 | Fax: 919-341-2639
clee@hedrickgardner.com | www.hedrickgardner.com



1 21 NCAC 10 .0203 is readopted with changes as published in 40:07 NCR 642-643 as follows:

2
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 examination set forth in G.S. 90-143(b). [Reciprocity applicants shall complete the following:

- 8 (1) ~~completed the application set forth in 21 NCAC 10 .0202(a);~~
- 9 (2) ~~pay the application fee set forth in 21 NCAC 10 .0202(d);~~
- 10 (3) ~~pass the jurisprudence exam set forth in Paragraph (g) of this Rule;~~
- 11 (4) ~~comply with the requirements of G.S. 90-143.1; and~~
- 12 (5) ~~provide an attestation that the applicant meets the requirements of G.S. 90-143.1.]~~

13 (b) Reciprocity Applicants. Reciprocity applicants shall complete the following:

- 14 (1) submit the application set forth in 21 NCAC 10 .0202(a);
- 15 (2) pay the application fee set forth in 21 NCAC 10 .0202(c);
- 16 (3) pass the jurisprudence exam set forth in Paragraph (h) of this Rule;
- 17 (4) comply with the requirements of G.S. 90-143.1; and
- 18 (5) provide an attestation that the applicant meets the requirements of G.S. 90-143.1.]

19 ~~(b)(c)~~ (b)(c) Dates of Examination. The North Carolina jurisprudence examination shall be given at least four times during
20 the calendar year. The Board shall announce an examination date not less than 30 days in advance and shall publish
21 the date of upcoming examinations on the Board's website, www.ncchiroboard.com. The Board shall also individually
22 notify each eligible applicant of the date of the next examination after the applicant's non-refundable application fee
23 has been paid and the written application ~~completed.~~ pursuant to Rule .0202 of this Section has been submitted to the
24 Board.

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

29 ~~(d)(c)~~ (d)(c) Report of Scores. The applicant shall arrange for his or her test results from any National Board examination
30 to be reported to the ~~North Carolina Board.~~ Failure to comply with this Paragraph shall be a basis for delaying the
31 issuance of a license. The Board shall not issue a license to an applicant for whom the Board has not received official
32 score reports from the examination testing provider showing passage of the examination set forth in Paragraph ~~(e)~~
33 (d) of this Rule. [Rule provided from the examination testing provider.]

34 ~~(e)(f)~~ (e)(f) Waiver of National Boards. Notwithstanding the requirements of Paragraph ~~(e) (d)~~ (e) (d) of this Rule, an applicant
35 who submits National Board examinations in conformity with the following schedule shall not be disqualified from
36 licensure in North Carolina:

1 (1) ~~An applicant who graduated from chiropractic college before July 1, 1966 shall not be required to~~
2 ~~submit a score from any National Board examination.~~

3 (2)(1) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall
4 be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective
5 examination termed "Physiotherapy," but shall not be required to submit a score on Part III _____
6 or Part IV.

7 (3)(2) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall
8 be required to submit scores of 375 or higher on National Board Part I, Part II, the elective
9 examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part
10 IV.

11 In order to receive a license, an applicant who qualifies for a waiver of any National Board score pursuant to this
12 Paragraph (e) of this Rule] shall take and pass the Special Purpose Examination for Chiropractic ("SPEC") and the
13 North Carolina Examination. An applicant who qualifies for a waiver of any National Board score shall maintain
14 compliance with G.S. 90-143.3 and Rule .0202 of this Chapter. must submit an application to the Board pursuant to
15 Rule .0202 of this Section.

16 ~~(f)(g)~~ SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing
17 score shall be 375 or higher. In order to take the North Carolina examination, ~~a reciprocity applicant, a waiver~~
18 ~~applicant pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has~~
19 ~~been cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the SPEC. The SPEC exam is~~
20 ~~administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity~~
21 ~~applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or higher~~
22 ~~on Part IV of the National Board examination shall not be required to take and pass the SPEC exam prior to licensure.~~
23 the following individuals must first take and pass the SPEC:

24 (1) a reciprocity applicant;

25 (2) a waiver applicant pursuant to Paragraph ~~(e)~~ (f) of this Rule; and

26 (3) an applicant previously licensed in this State whose _____ license has been ~~cancelled~~ lapsed
27 pursuant to G.S. 90-155 for more than 180 days, unless the applicant has been engaged in continuous
28 licensed chiropractic practice in another state within the United States for the three years preceding
29 the applicant's application to the Board and has not been subject to any disciplinary action impacting
30 the applicant's ability to engage in chiropractic practice. ~~[The SPEC is administered by the National~~
31 Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity applicants
32 and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or
33 higher on Part IV of the National Board examination shall not be required to take and pass the SPEC
34 prior to licensure.]

35 Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375
36 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to
37 licensure. The term "lapsed" in this Rule shall mean "inactive" as used in G.S. 90-155.

1 **(e)(h)** Nature of Examination. The North Carolina jurisprudence examination shall be a test of an applicant's
2 knowledge of North Carolina chiropractic law and regulations. The passing grade shall be 75 percent.

3
4 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;*
5 *Eff. February 1, 1976;*
6 *Readopted Eff. January 27, 1978;*
7 *Amended Eff. January 1, 1983; October 17, 1980;*
8 *Legislative Objection Lodged Eff. January 31, 1983;*
9 *Curative Amendment Eff. February 18, 1983;*
10 *Temporary Amendment Eff. May 1, 1998;*
11 *Amended Eff. October 1, 2018; April 1, 2018; February 1, 2009; July 1, 2004; August 1, 2000;*
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13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
14 *2019;*
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16 *Readopted Eff. April 1, 2026.*

Burgos, Alexander N

Subject: FW: [External] Re: Request for Changes - March 2026 RRC Meeting
Attachments: 21 NCAC 10 .0203 (rev'd) (v4).docx

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, March 17, 2026 2:29 PM
To: Catherine E. Lee <clee@hedrickgardner.com>; dr.joe@ncchiroboard.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: RE: [External] Re: Request for Changes - March 2026 RRC Meeting

Thank you, Catherine! In paragraph (g), page 3 lines 1-2, please remove the last sentence that defines “live on-line continuing education”. This language is not used in this version of the rule, and therefore it is not necessary. The rest of the rule looks good to me.

Best,
Chris

1 21 NCAC 10 .0203 is readopted with changes as published in 40:07 NCR 642-643 as follows:

2
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28 Chiropractic Examiners.

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31 issuance of a license. The Board shall not issue a license to an applicant for whom the Board has not received official
32 score reports from the examination testing provider showing passage of the examination set forth in Paragraph (e)
33 (d) of this Rule. [Rule provided from the examination testing provider.]

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35 who submits National Board examinations in conformity with the following schedule shall not be disqualified from
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1 licensure. The term ‘lapsed’ in this Rule shall mean “inactive” as used in G.S. 90-155. The term “live on-line
2 continuing education” shall have the same meaning as set forth in Rule .0204(e).

3 ~~(g)~~(h) Nature of Examination. The North Carolina jurisprudence examination shall be a test of an applicant's
4 knowledge of North Carolina chiropractic law and regulations. The passing grade shall be 75 percent.

5
6 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;*
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20

Burgos, Alexander N

Subject: FW: [External] Re: Request for Changes - March 2026 RRC Meeting
Attachments: 21 NCAC 10 .0203 (rev'd) (v4).docx; Request for Changes - BoCE Readoptions - 03 2026 (rev'd) (v3).docx

From: Catherine E. Lee <clee@hedrickgardner.com>
Sent: Tuesday, March 17, 2026 12:10 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; dr.joe@ncchiroboard.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Re: Request for Changes - March 2026 RRC Meeting

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Mr. Miller –

Thanks again for speaking with me this morning. As we discussed, please see the Board’s revisions to proposed readoption of Rule .0203. We believe these revisions reflect only the technical corrections that you’ve suggested to Rule .0203 as published in the NC Register. The Board will plan on filing a Notice of Text separately to initiate the amendments discussed below to Rule .0203 outside of the readoption process. Please also see attached our responses to the requests for technical corrections to Rule .0203, with our new responses highlighted in blue.

The Board remains comfortable with Rule .0204 as revised (noting the final version of Rule .0203), and did not identify any further rules that needed revision.

We appreciate your review.

Catherine

Catherine E. Lee | Partner
Hedrick Gardner Kincheloe & Garofalo LLP.
2710 Wycliff Road, Suite 220 | Raleigh, NC 27607
Phone: 919-341-2639 | Fax: 919-341-2639
clee@hedrickgardner.com | www.hedrickgardner.com



1 21 NCAC 10 .0203 is readopted with changes as published in 40:07 NCR 642-643 as follows:

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36 licensure in North Carolina:

1 (1) ~~An applicant who graduated from chiropractic college before July 1, 1966 shall not be required to~~
2 ~~submit a score from any National Board examination.~~

3 (2)(1) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall
4 be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective
5 examination termed "Physiotherapy," but shall not be required to submit a score on Part III _____
6 or Part IV.

7 (3)(2) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall
8 be required to submit scores of 375 or higher on National Board Part I, Part II, the elective
9 examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part
10 IV.

11 In order to receive a license, an applicant who qualifies for a waiver of any National Board score pursuant to this
12 Paragraph (e) of this Rule] shall take and pass the Special Purpose Examination for Chiropractic ("SPEC") and the
13 North Carolina Examination. An applicant who qualifies for a waiver of any National Board score shall maintain
14 compliance with G.S. 90-143.3 and Rule .0202 of this Chapter. must submit an application to the Board pursuant to
15 Rule .0202 of this Section.

16 ~~(f)(g)~~ SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing
17 score shall be 375 or higher. In order to take the North Carolina examination, ~~a reciprocity applicant, a waiver~~
18 ~~applicant pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has~~
19 ~~been cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the SPEC. The SPEC exam is~~
20 ~~administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity~~
21 ~~applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or higher~~
22 ~~on Part IV of the National Board examination shall not be required to take and pass the SPEC exam prior to licensure.~~
23 the following individuals must first take and pass the SPEC:

24 (1) a reciprocity applicant;

25 (2) a waiver applicant pursuant to Paragraph ~~(e)~~ (f) of this Rule; and

26 (3) an applicant previously licensed in this State whose _____ license has been [cancelled] lapsed
27 pursuant to G.S. 90-155 for more than 180 days, unless the applicant has been engaged in continuous
28 licensed chiropractic practice in another state within the United States for the three years preceding
29 the applicant's application to the Board and has not been subject to any disciplinary action impacting
30 the applicant's ability to engage in chiropractic practice. [The SPEC is administered by the National
31 Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity applicants
32 and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or
33 higher on Part IV of the National Board examination shall not be required to take and pass the SPEC
34 prior to licensure.]

35 Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375
36 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to

1 licensure. The term ‘lapsed’ in this Rule shall mean “inactive” as used in G.S. 90-155. The term “live on-line
2 continuing education” shall have the same meaning as set forth in Rule .0204(e).

3 ~~(g)~~(h) Nature of Examination. The North Carolina jurisprudence examination shall be a test of an applicant's
4 knowledge of North Carolina chiropractic law and regulations. The passing grade shall be 75 percent.

5
6 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;*
7 *Eff. February 1, 1976;*
8 *Readopted Eff. January 27, 1978;*
9 *Amended Eff. January 1, 1983; October 17, 1980;*
10 *Legislative Objection Lodged Eff. January 31, 1983;*
11 *Curative Amendment Eff. February 18, 1983;*
12 *Temporary Amendment Eff. May 1, 1998;*
13 *Amended Eff. October 1, 2018; April 1, 2018; February 1, 2009; July 1, 2004; August 1, 2000;*
14 *August 1, 1995; December 1, 1988;*
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; July 1, ~~2021~~, 2021;*
18 *Readopted Eff. April 1, 2026.*
19
20

**Request for Changes Pursuant to
N.C. Gen. Stat. § 150B-21.10**

Staff reviewed these Rules to ensure that each Rule is within the agency's statutory authority, reasonably necessary, clear, and unambiguous, and adopted in accordance with Part 2 of the North Carolina Administrative Procedure Act. Following review, staff has issued this document that may request changes pursuant to G.S. 150B-21.10 from your agency or ask clarifying questions.

Questions contained herein suggest that the rule as written is unclear or there is some ambiguity. If this document includes questions and you do not understand the question, please contact the reviewing attorney to discuss. Failure to respond may result in a staff opinion recommending objection.

Staff may suggest the agency "consider" an idea or language in this document. This is in no way a formal request that the agency adopt the idea or language but rather is offered merely for the agency's consideration which the agency may find preferable and clarifying.

To properly submit rewritten rules, please refer to the following Rules in the NC Administrative Code:

- Rule 26 NCAC 02C .0108 – The Rule addresses general formatting.
- Rule 26 NCAC 02C .0404 – The Rule addresses changing the introductory statement.
- Rule 26 NCAC 02C .0405 – The Rule addresses properly formatting changes made after publication in the NC Register.

Note the following general instructions:

1. You must submit the revised rule via email to oah.rules@oah.nc.gov and copy RRC Counsel. The electronic copy must be saved as the official rule name (XX NCAC XXXX).
2. For rules longer than one page, insert a page number.
3. Use line numbers; if the rule spans more than one page, have the line numbers reset at one for each page.
4. Do not use track changes. Make all changes using manual strikethroughs, underlines and highlighting.
5. You cannot change just one part of a word. For example:
 - Wrong: "~~a~~Association"
 - Right: "~~association~~ Association"
6. Treat punctuation as part of a word. For example:
 - Wrong: "day, ~~;~~ and"
 - Right: "~~day,~~ day, and"
7. Formatting instructions and examples may be found at:
www.ncoah.com/rules/examples.html

If you have any questions regarding proper formatting of edits after reviewing the rules and examples, please contact the reviewing attorney.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0103

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 4: This is the first time you mention the "Board" in your rules. You should state the full name of the Board here before using the shortened version.

Done

(d): Is there any specific / defined procedure as to how the Board selects these additional names for the Governor? If so, you should consider putting it in your rules. This will provide greater clarity regarding the process.

Revised to clarify that the President of the Board shall provide the additional names for submission to the appointing authorities if less than three candidates are elected.

History Note, line 23: Add a semi-colon after "2020".

Done

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0104

DEADLINE FOR RECEIPT: March 13, 2026

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:

General Comment: Is this rule necessary? And if so, why?

By codifying the seal used on the Board documents, the Board helps the regulated public to confirm the authenticity of official Board documents marked with the Seal of the Board.

(a), line 5: Should this say, "..., as set forth in G.S. 147-26, ..."?

Revised accordingly

History Note, Authority: Remove the cite to 90-156.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0105

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0202

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(a), line 7: The word "all" is not necessary.

Revised accordingly

(a)(4): In your rules, do you explain what the Board considers to be "good moral character"? Or is there a specific definition used by the Board? If not, you will need to add this somewhere. The RRC has recently raised concerns of ambiguity over the use of "good moral character" requirements in rules that do not provide a clear standard for regulated persons.

Reference to "good moral character" removed

(a)(4), line 12: Add the word "by" in between "submitted" and "Board-licensed".

Revised accordingly

(a)(7), line 17: Move the word "ever" to follow "has", for consistency with the rest of the rule.

Done

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(a)(8), line 19: Add a comma after “mental”.

Done

(a)(8), line 19: What is an “infirmary” in this context? Does this have some special medical meaning? How would one know what qualifies as a reportable mental or emotional weakness? This provision seems rather vague/unclear.

GS 90-154(b) provides that the Board may refuse to grant a license upon a finding that an applicant has a “physical, mental, emotional infirmity”

As such, the rule tracks the terminology used by the General Assembly in the Board’s Practice Act. In order to better define the term, the Board qualifies infirmity as one that could impair the applicant’s ability to practice chiropractic safely

Thanks for this explanation. I would suggest removing the word “could” from (a)(8), line 19. This would match the statutory language and would help to mitigate any ambiguity.

Revised accordingly.

(a)(9), line 22 and line 24: Replace the “/” with “or”.

Revised accordingly

(a)(10): What kind of “credential”? A chiropractic credential? Be more specific, if possible.

Revised as chiropractic credential

(a)(11), line 28: The phrase “under any laws” is probably not needed.

Revised accordingly

(a)(11), line 29: Add a comma after “date”.

Revised accordingly

(a)(14): “Criminal” charges? “Civil” charges? Both? Something different?

Revised to clarify as disciplinary charges

(a)(15), line 36: Move the word “ever” to follow “has”. Same comment applies to (16) and (17).

Revised accordingly

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(a)(15), lines 36-37: What is a “formal” disciplinary sanction? I would suggest removing the word “formal” unless you believe it is necessary.

Revised accordingly

(a)(19): You should consider defining “Acupuncture” in your rules.

Definition has been added.

Please add “of this Section.” after “... in Rule .0208”.

Revised accordingly.

(a)(22)(A): You can leave it, but the reference to the Board’s website here is not necessary.

Revised accordingly

(a)(22)(C): Consider referencing § 90-143.3 here for clarity to applicants.

Revised accordingly

(a)(23): I believe you mean Paragraph (c), not (d).

Revised accordingly

(b): Is an “exam application” different than a “licensure application”? If so, do they have different deadlines and different requirements? The language used in the rule is not clear.

Revised to clarify exam application is the same as licensure application

(c): Does this mean that electronic payment by credit card is the only way to pay the fee? Or is this statement not meant to be exhaustive?

Revised to clarify that electronic payment by credit card is the only way to pay the fee.

(c), line 35: This was previously paragraph (d). You should denote the paragraph change in the rule text with strikethrough.

Revised accordingly

Thanks. Please underline and highlight “(c)” on page 3, line 1.

Done

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0203

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(a): Since they have their own unique requirements, I would suggest separating out the information for reciprocity applicants (lines 7-12) into its own paragraph.

Revised accordingly

(a)(1): Change "completed" to "complete," for consistency with the rest of the list.

Changed to the word "submit"

(a)(2): I believe you mean 21 NCAC 10 .0202(c), based on the updated version of the rule.

Revised accordingly

(b), line 17: Add "of this Section" after "Rule .0202".

Revised accordingly

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(d), last sentence: For clarity, I would suggest revising this to read as: “The Board shall not issue a license to an applicant for whom the Board has not received official score reports from the examination testing provider showing passage of the examination set forth in Paragraph (c) of this Rule.”

Revised accordingly

Thanks. Please also delete “from the examination testing provider” from the very end of (e). It is now redundant since you incorporated my suggested edit.

Done

(e)(1), line 34: Why do you include “(WCCE)” after Part III? The other exam Parts mentioned in this rule do not include any additional info. Is there a reason for this?

WCCE has been removed

(e), page 2, lines 3-4: This is Paragraph (e) of this Rule. You can just state, “... pursuant to this Paragraph ...” rather than “pursuant to Paragraph (e) of this Rule”.

Revised accordingly

(f)(2): (e), page 2, lines 3-5 already require these persons to take/pass the SPEC. This seems to be redundant.

Reference to the waiver applicant pursuant to Paragraph (f) is included in Paragraph (g) to ensure that Paragraph (g) is a complete list of individuals who must take and pass the SPEC.

New (g)(3) and (g)(4): It appears that you made substantial revisions here, breaking out different requirements for lapsed licenses based on the length of the lapse and the CE requirements of other states, among other things. Previously, the rule applied to just lapses of “more than 180 days”. Please explain why this new rule version does not constitute a “substantial change” per G.S. 150B-21.2(g). This also applies to the language added to (g) on page 3, lines 16-20.

We have removed the proposed revisions to (g)(3) and (g)(4).

(f)(3): Is G.S. 90-155 the correct citation? If so, which specific provision of that statute is applicable? That statute discusses annual renewal fees and inactive status, but it has no mention of license “cancellation.” Please confirm.

Revised to clarify that this section applies to active licenses that have lapsed pursuant to GS 90-155

(f)(3), lines 21-25: The last three sentences here should be moved to a new, separate line below (3).

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

Revised accordingly

(g): Is the “jurisprudence examination” separate from the “North Carolina examination”? You use these terms inconsistently throughout your rules. It’s not clear if there is a difference. Please revise if needed.

The North Carolina examination and the jurisprudence exam is the same. We have added clarifying language accordingly.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0204

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(c), line 12: The word "only" is not needed.

Revised accordingly

(d)(4): Move "ever" to follow after "has", for consistency.

Revised accordingly

(d)(5), line 27: Add a comma after "mental".

Revised accordingly

(d)(5), line 27: What is an "infirmary" in this context? Does this have some special medical meaning? How would one know what qualifies as a reportable mental or emotional weakness? This provision seems rather vague/unclear.

GS 90-154(b) provides that the Board may refuse to grant a license upon a finding that an applicant has a "physical, mental, emotional infirmity . . ."

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

As such, the rule tracks the terminology used by the General Assembly in the Board's Practice Act. In order to better define the term, the Board qualifies infirmity as one that could impair the applicant's ability to practice chiropractic safely

Thanks for this explanation. I would suggest removing the word "could" from (d)(5), line 27. This would match the statutory language and would help to mitigate any ambiguity.

Done

(d)(6), line 30 and line 32: Replace the "/" with "or".

Revised accordingly

(d)(7): What kind of "credential"? A chiropractic credential? Be more specific, if possible.

Revised to clarify chiropractic credential

Please highlight the added "chiropractic".

Done

(d)(8), line 36: The phrase "under any laws" is probably not needed.

Revised accordingly

(d)(8), line 37: Add a comma after "date".

Revised accordingly

(d)(11): "Criminal" charges? "Civil" charges? Both? Something different?

Revised to clarify as disciplinary charges

(d)(12), line 7: Move the word "ever" to follow "has". Same comment applies to (13) and (14).

Revised accordingly

(d)(12), lines 7-8: What is a "formal" disciplinary sanction? I would suggest removing the word "formal" unless you believe it is necessary.

Revised accordingly

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(d)(16): You should consider defining “Acupuncture” in your rules.

Definition has been added

Please add “of this Section.” after “... in Rule .0208”.

Done

(d)(17)(A): You can leave it, but the reference to the Board’s website here is not necessary.

Revised accordingly

(d)(17)(C): Consider referencing § 90-143.3 here for clarity to applicants.

Revised accordingly

(e), line 32: You use both “on-line” and “online”. Pick one or the other.

Revised accordingly

(j), line 17: Based on your updates, this should be “Rule .0202(c)”.

Revised accordingly

(j), line 20: I believe this should state “.0203(g)” based on the edits you made.

Done

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0207

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 6: Is all of the information required by the "Application" form set forth below in this Rule? Please confirm.

Confirmed

(a)(10): Won't all of these courses provide CE credit? Isn't that the reason why the sponsors are submitting this application to the Board?

The question asks applicants to clarify what type of practitioner (ie doctors of chiropractic, certified chiropractic assistants, or x-ray technicians) will be attending the course for CE credit

(d)(2), line 3: Add a comma after "sponsors".

Revised accordingly

Please ensure that the comma is also highlighted.

Done

(d)(3): What does "within the extent and limitation of chiropractic licensure in this State" mean? Can you make reference to another rule or definition here? This is not very clear.

Revised to clarify

Should this instead state, "... shall pertain to ..."? Please check and revise if necessary.

Revised accordingly.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(e)(3), line 14: Add a comma after “subject matter”.

Revised accordingly

(f), lines 23-24: Is this different than the “agent” mentioned in (e)(4)? Isn’t the agent already responsible for monitoring seminar compliance? Is this an additional person sent by the Board?

The agent referenced in (e)(4) is a proctor provided by the seminar sponsor. The seminar sponsor must also admit a representative of the Board, pursuant to (f). These are two different people.

History Note, Authority: How is 90-155 relevant to this rule?

GS 90-155 provides that shall licensees seeking to renew their license must furnish the Board evidence of having attended two days of educational sessions or programs approved by the Board during the preceding 12 months, provided the Board may waive this educational requirement due to sickness or other hardship of the applicant. This rule provides the parameters for Board approved educational sessions or programs.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0208

DEADLINE FOR RECEIPT: March 13, 2026

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:

General Comment: As mentioned in previous requests, you should consider defining "acupuncture" in your rules.

Revised accordingly

(a), line 10: Would it be possible to provide a more direct link here? I could not easily find the exam eligibility requirements set out on NBCE's website.

Revised to reference acupuncture examination page. However, each part of the NBCE has a different eligibility requirement and all are located on different pages of the NBCE website

*(a), lines 10-11: If the applicant has to take and pass the exam, wouldn't that show that they are also **eligible** to take the exam (lines 8-10)? Otherwise, they wouldn't have been able to sit for it.*

Revised accordingly to clarify

This is still not clear to me. Revised lines 8-15 now seem to suggest that the Board has control over who can sit for the National Board of Chiropractic Examiners Acupuncture Examination, which I assume is not true. Consider revising further for clarity. Would the following make sense? "To perform acupuncture, a licentiate shall take the National Board of Chiropractic Examiners Acupuncture Examination, receive a passing score of 375 or greater, and certify to the Board that he or she has met the instruction prerequisites for the National Board of Chiropractic Examiners Acupuncture Examination, as set forth by the National Board of Chiropractic Examiners on its website at <https://www.mynbce.org/acupuncture/>."

Thank you for this suggestion. Revised accordingly.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(b)(1), line 13: "accredited" by who?

Revised accordingly to clarify

(c), line 18: Capitalize "rule".

Done

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0209

DEADLINE FOR RECEIPT: March 13, 2026

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 6: Add a comma after "food concentrates".

Done

Line 7: I believe there is a formatting issue on this line. I think you are missing strikethrough. Please check this.

Done

The strikethrough on line 7 does not need to be highlighted. It looks like the formatting was originally correct in your published proposed rule.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0210

DEADLINE FOR RECEIPT: March 13, 2026

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:

(b)(5): Add "and" to the end of this item.

Done

(c), line 20: Delete "as".

Done

(d), line 34: Rule .0205 was repealed in 2022. Please update this citation.

Done

(e): Is it necessary to state "morning and afternoon" sessions? Are the sessions always divided in this manner?

Revised to remove superfluous language

I believe "attending" needs to be added back in and should not be struck through (line 4).

Thank you! Done.

History Note, Authority: How is 90-155 relevant here?

GS 90-155 provides that shall licensees seeking to renew their license must furnish the Board evidence of having attended two days of educational sessions or programs approved by the Board during the preceding 12 months, provided the Board may waive this educational requirement due to

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

sickness or other hardship of the applicant. This rule provides the parameters for Board approved educational sessions or programs.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0211 (Repeal)

DEADLINE FOR RECEIPT: March 13, 2026

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:

*Introductory Statement, line 1: Please correct this. For reference, please see the following example on OAH's website:
<https://www.oah.nc.gov/documents/rules/permanent-repeal-through-readoption/download?attachment>.*

Revised accordingly

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0212

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0213

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(b)(3): In your rules, do you explain what the Board considers to be "good moral character"? Or is there a specific definition used by the Board? If not, you will need to add this somewhere. The RRC has recently raised concerns of ambiguity over the use of "good moral character" requirements in rules that do not provide a clear standard for regulated persons.

Revised to remove reference to good moral character

"Good Moral Character" is also mentioned again in this Rule in (b)(4)(G). You may want to make similar edits here as you did for rule .0202.

Revised accordingly

(b)(5)(E): "under any laws" is probably not needed.

Revised accordingly

(c)(1), line 36: Consider removing the word "sufficient". This term can be viewed as vague/ambiguous without additional context.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

Revised accordingly

(d)(1), line 17: Consider removing the word “sufficient”. This term can be viewed as vague/ambiguous without additional context.

Revised accordingly

(d)(2), line 26: What “written examination” are you referring to? I don’t see one mentioned previously in the rule. The exam set forth in (c)(2)? Please clarify.

Revised to reference the examination in (c)(2) of this Rule

(d)(2), page 3, lines 3-4: Are these subsections of the Practical Exam required by this Rule?

Correct

(d)(2), page 3, lines 4-5: Is this evaluation form described in your rules? Are the form’s required contents set forth somewhere in your rules?

Yes, as described above in (d)(2)(A)-(K)

Upon review, the web link in your rule takes you to three Practical Exam forms for applicants. The forms do include a scoring grid for the competencies described in (d)(2)(A)-(K), but they also contain several other fields. For example, one form requires name and CCA Certification number, name of sponsor and license number, office name and address, and signatures of the sponsor and applicant. If these other fields are mandatory, then you should specify them in your rule.

Revised to include all fields set forth on forms.

(h), line 35: I believe “applicant” should be changed to “application”.

Revised accordingly

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0215

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(c): Payment by check is allowed here but removed in .0202. Is this intentional?

Thank you for catching this. Revised accordingly to clarify payment must be made online through the Board website.

(d): What is the Chiropractic Review Committee? Is this defined or explained in your rules or statutes?

Revised to clarify that delegation is provided to Disciplinary Review Committee, which is defined in Rule .0503.

Page 2, line 5: Please add "of this Chapter." after "Rule .0503". Please also highlight all of the added text after the struck through "Committee."

Done

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0216

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0217

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 6: Avoid using slashes in rule text when possible. Here, "/" should be replaced with "or".

Revised accordingly

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0218

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a)(8), line 13: Avoid using slashes in rule text when possible. "/" can be replaced with "or" here.

Revised accordingly

(a)(8), line 13: Add a comma after "rules".

Revised accordingly

(b), line 15: Rules set minimum standards that the regulated public must follow. The use of the terms "at a minimum" or "at least" is unnecessary. Those terms should not be used.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0302

DEADLINE FOR RECEIPT: March 13, 2026

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:

(3), line 10: The comma after “.0304” should be removed.

Revised accordingly

(4), line 16: Change “license(s)” to “licenses”.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0303

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 5: Add a comma after “coercion”.

Done

Ensure that the comma is also highlighted.

Done

(b), line 12: Add a comma after “firm”.

Done

Ensure that the comma is also highlighted.

Done

(b), line 12: Consider removing the word “routinely”. Is it needed? This term can be unclear/ambiguous.

Done

(c), line 17: Add a comma after “packages”.

Done

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0304

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0305

DEADLINE FOR RECEIPT: March 13, 2026

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:

(b), line 11: Add a comma after "deception".

Done

(e), line 36: "on" behalf of the patient or "in" behalf? There may be a typo here.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0306

DEADLINE FOR RECEIPT: March 13, 2026

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:

(d): Are these "credentials" different than the specialties listed in .0304? For example, there is a specialty for "Chiropractic Sports Injuries" and also a credential for "Certified Chiropractic Sports Physician". One is issued by the Board and the other is issued by a different organization? Is that the difference?

That is correct

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0401

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0403

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0406

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0501

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0503

DEADLINE FOR RECEIPT: March 13, 2026

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:

Introductory Statement, line 1: Please add “with changes”.

Done

(a), line 4: Add “be” in between “would” and “considered”.

Done

(a), first sentence: This sentence is sort of confusing. What is this doing? Is the referral based on the complaint allegations (taken to be true)? Or is it only referred after the investigation stage takes place? And what is the “Investigative Report”? Who puts together the “Investigative Report” and when?

Revised to clarify

(b)(2), line 11: I think you should remove “(c)” from the citation.

Done

History Note, Authority: How is 90-143 relevant here?

This citation has been removed

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0504

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a)(3), line 12: Add a comma after “unprofessional”.

Done

(a)(1-3): Is this list exhaustive?

That is correct

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0706

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0708

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 4: Is the cite here to 150B-40(b) accurate? Are 40(a) and 40(c) also applicable?

Reference to subsection (b) removed

History Note, Authority: How is 90-156 applicable here?

This citation has been removed

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0709

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a)(4): Add "include" in between "known," and "the date".

Done

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0803

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

Burgos, Alexander N

Subject: FW: [External] Re: Request for Changes - March 2026 RRC Meeting

From: Catherine E. Lee <clee@hedrickgardner.com>
Sent: Monday, March 16, 2026 2:31 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; dr.joe@ncchiroboard.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Re: Request for Changes - March 2026 RRC Meeting

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Thank you for the opportunity to provide more explanation surrounding Rule .0203.

When the NCBOCE met on January 23, 2026, and voted to readopt its rules that we filed on January 30, 2026, the Board voted to readopt Rule .0203 with the changes below to Para. (g)(3) and (4). It was a mistake on our end that these revisions were not initially submitted with the Form 400 on January 30.

When the NCBOCE decided to adopt these changes on January 23, 2026, its decision was not the direct result of public comments received during the public comment period. Rather, the NCBOCE decided to adopt these changes in light of several recent requests by reciprocal applicants from other jurisdictions to waive the SPEC examination that were received during the public comment period. In reviewing these applications between October 2025 and January 2026, the NCBOCE found the existing rule to be overly restrictive in limiting qualified applicants from obtaining licensure in North Carolina quickly and efficiently. At its October 24, 2025 Board meeting, the Board formed a task force to review this particular issue, which culminated with the task force's recommended revisions to Rule .0203 that were adopted by the Board at its January 23, 2026 meeting.

When the NCBOCE voted for these revisions, it did not believe that the changes would constitute a "substantial change" because the revised rule impacts the interests of the same group of people as that impacted by the rule as published in the NC Register – ie individuals whose NC license has been lapsed for more than 180 days. Further, the subject matter and issues are the same as that set forth in the rule as published in the NC Register. Third, the effect could reasonably be expected based on the proposed text of the rule.

With this further explanation, if you still believe that these revisions in Para. (g)(3) and (4) constitute a substantial change, NCBOCE will be glad to withdraw the revisions that you believe constitute a substantial change. NCBOCE will then initiate rulemaking outside of the readoption process to initiate these changes, with the filing of a Notice of Text.

If you still believe that these revisions in Para. (g)(3) and (g)(4) constitute a substantial change, we respectfully ask that the Rule .0203 be removed from the March RRC agenda so that NCBOCE can vote to readopt Rule .0203 without the substantial changes when it next meets on April 24, 2026.

Thank you
Catherine

Catherine E. Lee | Partner
Hedrick Gardner Kincheloe & Garofalo LLP.
2710 Wycliff Road, Suite 220 | Raleigh, NC 27607
Phone: 919-341-2639 | Fax: 919-341-2639
clee@hedrickgardner.com | www.hedrickgardner.com



From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Monday, March 16, 2026 12:43 PM
To: Catherine E. Lee <clee@hedrickgardner.com>; dr.joe@ncchiroboard.com <dr.joe@ncchiroboard.com>
Cc: Miller, Christopher S <christopher.miller@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: FW: [External] Re: Request for Changes - March 2026 RRC Meeting

Caution! This message was sent from outside your organization.

Thank you, Catherine. I still have questions regarding 21 NCAC 10 .0203. Please see below. For all other rules, I am comfortable with the revisions.

21 NCAC 10 .0203

-

In the permanent final rule submission to OAH, paragraph (f) read as follows:

8 (f) SPEC Examination. In order to take the North Carolina examination, a reciprocity applicant, a waiver app
9 pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has
10 cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the SPEC. The SPEC ex
11 administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Recipi
12 applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or h
13 on Part IV of the National Board examination shall not be required to take and pass the SPEC exam prior to licen
14 the following individuals must first take and pass the SPEC:

- 15 (1) a reciprocity applicant;
- 16 (2) a waiver applicant pursuant to Paragraph (e) of this Rule; and
- 17 (3) an applicant previously licensed in this State whose license has been cancelled pursuant to G.!
18 155 for more than 180 days, unless the applicant has been engaged in continuous lic
19 chiropractic practice in another state within the United States for the three years precedin
20 applicant's application to the Board and has not been subject to any disciplinary action impa
21 the applicant's ability to engage in chiropractic practice. The SPEC is administered by the Na
22 Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity appli
23 and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 3
24 higher on Part IV of the National Board examination shall not be required to take and pass the !
25 prior to licensure.

Then, in my Request for Changes regarding paragraph (f), I asked:

- *(f)(2): (e), page 2, lines 3-5 already require these persons to take/pass the SPEC. This seems to be redundant.*
- *(f)(3): Is G.S. 90-155 the correct citation? If so, which specific provision of that statute is applicable? That statute discusses annual renewal fees and inactive status, but it has no mention of license "cancellation." Please confirm.*
- *(f)(3), lines 21-25: The last three sentences here should be moved to a new, separate line below (3).*

In response, you provided me with the following version (and attached to this email):

(f)(g) SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. In order to take the North Carolina examination, a reciprocity applicant, a waiver applicant pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has been cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the SPEC. The SPEC exam is administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC exam prior to licensure. the following individuals must first take and pass the SPEC:

- (1) a reciprocity applicant;
- (2) a waiver applicant pursuant to Paragraph ~~(e)~~ (f) of this Rule; and
- (3) an applicant previously licensed in this State whose active license has been ~~cancelled~~ lapsed pursuant to G.S. 90-155 for 1096 days or more ~~[more than 180 days,]~~ unless the applicant has been engaged in continuous licensed chiropractic practice in another state within the United States requiring annual in-person or live on-line continuing education for the period of time during which the applicant's North Carolina-issued license has been lapsed ~~[the three years preceding the applicant's application to the Board]~~ and has not been subject to any disciplinary action impacting the applicant's ability to engage in chiropractic practice. ~~[The SPEC is administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to licensure.]~~
- (4) an applicant previously licensed in this State whose active license has been lapsed pursuant to G.S. 90-155 for a period of time between 366 and 1095 days, unless the applicant has not been subject to any disciplinary action impacting the applicant's ability to engage in chiropractic practice and:
 - (i) the applicant has been engaged in continuous licensed chiropractic practice in another state within the United States requiring annual in-person or live on-line continuing education for the period of time during which the applicant's North Carolina-issued license has been lapsed; or
 - (ii) the applicant completes the educational sessions or programs set forth in G.S. 90-155(a), plus six (6) additional hours of continuing education for each year during which the applicant's North Carolina license was lapsed. At least six (6) of the total continuing education hours must address topics of coding, compliance, exam procedures, or documentation. At least six (6) of the total continuing education hours must be in-person or live on-line.

Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to licensure. Applicants whose license has been lapsed for 365 days or less shall not be required to take and pass the SPEC prior to licensure if they complete the educational sessions or programs as required by G.S. 90-155(a) or if they have been engaged in continuous licensed chiropractic practice in another state within the United States requiring annual in-person or live on-line continuing education equivalent to the North Carolina continuing education requirements for the period of time during which the applicant's North Carolina-issued license has been lapsed. The term "lapsed" in this Rule shall mean "inactive" as used in G.S. 90-155. The term "live on-line continuing education" shall have the same meaning as set forth in Rule .0204(e).

As I mentioned, (f)(3) of the submitted final rule broke out an SPEC exam requirement and exemption for "an applicant previously licensed in this State whose license has been cancelled pursuant to G.S. 90-155 for more than 180 days, unless the applicant has been engaged in continuous licensed chiropractic practice in another state within the United States for the three years preceding the applicant's

application to the Board and has not been subject to any disciplinary action impacting the applicant's ability to engage in chiropractic practice.” Then, after my Request for Changes, the Agency provided a very different version that provided different SPEC exam requirements and exemptions for licensees with a lapse of time for (1) 1096 days or more, (2) between 366 and 1095 days, and (3) 365 days or less.

The changes made are not related to any of the requests that I sent on February 27, 2026. As such, I don't understand where they are coming from. In your most recent responses, you state that “the Board voted to revise Paragraph (f), to clarify that certain individuals whose licenses had been lapsed for more than 180 days would be excused from the SPEC examination, if they had been engaged in chiropractic practice in another jurisdiction while the North Carolina license was lapsed and had taken certain continuing education hours while the North Carolina license was lapsed.” Did the Board originally submit the wrong version of the final rule to OAH? Or was there another vote and adoption by the Board after this to make these additional edits with the additional timeframes (after you had already submitted the rule to OAH for RRC review)? If so, when did this take place? And can you please also provide me with the public comments in support of these changes? At this time, I still believe that these amendments likely constitute “substantial changes” under the APA.

Thanks,
Chris

Chris Miller

Rules Review Commission Counsel

North Carolina Office of Administrative Hearings | Rules Division

1711 New Hope Church Road

Raleigh, NC 27609

(984) 236-1935

NOTICE: E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by authorized State officials.

1 21 NCAC 10 .0203 is readopted with changes as published in 40:07 NCR 642-643 as follows:

2
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 examination set forth in G.S. 90-143(b). [Reciprocity applicants shall complete the following:

- 8 (1) ~~completed the application set forth in 21 NCAC 10 .0202(a);~~
- 9 (2) ~~pay the application fee set forth in 21 NCAC 10 .0202(d);~~
- 10 (3) ~~pass the jurisprudence exam set forth in Paragraph (g) of this Rule;~~
- 11 (4) ~~comply with the requirements of G.S. 90-143.1; and~~
- 12 (5) ~~provide an attestation that the applicant meets the requirements of G.S. 90-143.1.]~~

13 (b) Reciprocity Applicants. Reciprocity applicants shall complete the following:

- 14 (1) complete the application set forth in 21 NCAC 10 .0202(a);
- 15 (2) pay the application fee set forth in 21 NCAC 10 .0202(c);
- 16 (3) pass the jurisprudence exam set forth in Paragraph (h) of this Rule;
- 17 (4) comply with the requirements of G.S. 90-143.1; and
- 18 (5) provide an attestation that the applicant meets the requirements of G.S. 90-143.1.

19 (b)(c) Dates of Examination. The North Carolina jurisprudence examination shall be given at least four times during
20 the calendar year. The Board shall announce an examination date not less than 30 days in advance and shall publish
21 the date of upcoming examinations on the Board's website, www.ncchiroboard.com. The Board shall also individually
22 notify each eligible applicant of the date of the next examination after the applicant's non-refundable application fee
23 has been paid and the written application ~~completed.~~ pursuant to Rule .0202 of this Section has been submitted to the
24 Board.

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

29 (d)(c) Report of Scores. The applicant shall arrange for his or her test results from any National Board examination
30 to be reported to the North Carolina Board. Failure to comply with this Paragraph shall be a basis for delaying the
31 issuance of a license. The Board shall not issue a license to an applicant for whom the Board has not received official
32 score reports from the examination testing provider showing passage of the examination set forth in Paragraph (e)
33 (d) of this Rule provided from the examination testing provider.

34 (e)(f) Waiver of National Boards. Notwithstanding the requirements of Paragraph (e) (d) of this Rule, an applicant
35 who submits National Board examinations in conformity with the following schedule shall not be disqualified from
36 licensure in North Carolina:

1 (1) ~~An applicant who graduated from chiropractic college before July 1, 1966 shall not be required to~~
2 ~~submit a score from any National Board examination.~~

3 (2)(1) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall
4 be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective
5 examination termed "Physiotherapy," but shall not be required to submit a score on Part III _____
6 or Part IV.

7 (3)(2) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall
8 be required to submit scores of 375 or higher on National Board Part I, Part II, the elective
9 examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part
10 IV.

11 In order to receive a license, an applicant who qualifies for a waiver of any National Board score pursuant to this
12 Paragraph (e) of this Rule] shall take and pass the Special Purpose Examination for Chiropractic ("SPEC") and the
13 North Carolina Examination. An applicant who qualifies for a waiver of any National Board score shall maintain
14 compliance with G.S. 90-143.3 and Rule .0202 of this Chapter. must submit an application to the Board pursuant to
15 Rule .0202 of this Section.

16 ~~(f)(g)~~ SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing
17 score shall be 375 or higher. In order to take the North Carolina examination, ~~a reciprocity applicant, a waiver~~
18 ~~applicant pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has~~
19 ~~been cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the SPEC. The SPEC exam is~~
20 ~~administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity~~
21 ~~applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or higher~~
22 ~~on Part IV of the National Board examination shall not be required to take and pass the SPEC exam prior to licensure.~~
23 the following individuals must first take and pass the SPEC:

- 24 (1) a reciprocity applicant;
25 (2) a waiver applicant pursuant to Paragraph _____ of this Rule; and
26 (3) an applicant previously licensed in this State whose _____ license has been [_____]
27 pursuant to G.S. 90-155 for 1096 days or more [more than 180 days,] unless the applicant has been
28 engaged in continuous licensed chiropractic practice in another state within the United States
29 _____ for _____
30 _____ [_____]
31 _____] and has not been subject to any disciplinary action impacting
32 the applicant's ability to engage in chiropractic practice. [The SPEC is administered by the National
33 Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity applicants
34 and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or
35 higher on Part IV of the National Board examination shall not be required to take and pass the SPEC
36 prior to licensure.]

1 (4) an applicant previously licensed in this State whose active license has been lapsed pursuant to G.S.
2 90-155 for a period of time between 366 and 1095 days, unless the applicant has not been subject
3 to any disciplinary action impacting the applicant's ability to engage in chiropractic practice and:

4 (i) the applicant has been engaged in continuous licensed chiropractic practice in
5 another state within the United States requiring annual in-person or live on-line
6 continuing education for the period of time during which the applicant's North
7 Carolina-issued license has been lapsed; or

8 (ii) the applicant completes the educational sessions or programs set forth in G.S. 90-
9 155(a), plus six (6) additional hours of continuing education for each year during
10 which the applicant's North Carolina license was lapsed. At least six (6) of the
11 total continuing education hours must address topics of coding, compliance, exam
12 procedures, or documentation. At least six (6) of the total continuing education
13 hours must be in-person or live on-line.

14 Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375
15 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to
16 licensure. Applicants whose license has been lapsed for 365 days or less shall not be required to take and pass the
17 SPEC prior to licensure if they complete the educational sessions or programs as required by G.S. 90-155(a) or if they
18 have been engaged in continuous licensed chiropractic practice in another state within the United States requiring
19 annual in-person or live on-line continuing education equivalent to the North Carolina continuing education
20 requirements for the period of time during which the applicant's North Carolina-issued license has been lapsed. The
21 term "lapsed" in this Rule shall mean "inactive" as used in G.S. 90-155. The term "live on-line continuing education"
22 shall have the same meaning as set forth in Rule .0204(e).

23 (g)(h) Nature of Examination. The North Carolina jurisprudence examination shall be a test of an applicant's
24 knowledge of North Carolina chiropractic law and regulations. The passing grade shall be 75 percent.

25
26 *History Note:* Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;
27 Eff. February 1, 1976;

28 Readopted Eff. January 27, 1978;

29 Amended Eff. January 1, 1983; October 17, 1980;

30 Legislative Objection Lodged Eff. January 31, 1983;

31 Curative Amendment Eff. February 18, 1983;

32 Temporary Amendment Eff. May 1, 1998;

33 Amended Eff. October 1, 2018; April 1, 2018; February 1, 2009; July 1, 2004; August 1, 2000;
34 August 1, 1995; December 1, 1988;

35 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,
36 2019;

37 Amended Eff. October 1, 2022; July 1, ~~2021~~; 2021;

1
2
3

Readopted Eff. April 1, 2026.

**Request for Changes Pursuant to
N.C. Gen. Stat. § 150B-21.10**

Staff reviewed these Rules to ensure that each Rule is within the agency's statutory authority, reasonably necessary, clear, and unambiguous, and adopted in accordance with Part 2 of the North Carolina Administrative Procedure Act. Following review, staff has issued this document that may request changes pursuant to G.S. 150B-21.10 from your agency or ask clarifying questions.

Questions contained herein suggest that the rule as written is unclear or there is some ambiguity. If this document includes questions and you do not understand the question, please contact the reviewing attorney to discuss. Failure to respond may result in a staff opinion recommending objection.

Staff may suggest the agency "consider" an idea or language in this document. This is in no way a formal request that the agency adopt the idea or language but rather is offered merely for the agency's consideration which the agency may find preferable and clarifying.

To properly submit rewritten rules, please refer to the following Rules in the NC Administrative Code:

- Rule 26 NCAC 02C .0108 – The Rule addresses general formatting.
- Rule 26 NCAC 02C .0404 – The Rule addresses changing the introductory statement.
- Rule 26 NCAC 02C .0405 – The Rule addresses properly formatting changes made after publication in the NC Register.

Note the following general instructions:

1. You must submit the revised rule via email to oah.rules@oah.nc.gov and copy RRC Counsel. The electronic copy must be saved as the official rule name (XX NCAC XXXX).
2. For rules longer than one page, insert a page number.
3. Use line numbers; if the rule spans more than one page, have the line numbers reset at one for each page.
4. Do not use track changes. Make all changes using manual strikethroughs, underlines and highlighting.
5. You cannot change just one part of a word. For example:
 - Wrong: "~~a~~Association"
 - Right: "~~association~~ Association"
6. Treat punctuation as part of a word. For example:
 - Wrong: "day, and"
 - Right: "~~day,~~ day, and"
7. Formatting instructions and examples may be found at:
www.ncoah.com/rules/examples.html

If you have any questions regarding proper formatting of edits after reviewing the rules and examples, please contact the reviewing attorney.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0103

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 4: This is the first time you mention the "Board" in your rules. You should state the full name of the Board here before using the shortened version.

Done

(d): Is there any specific / defined procedure as to how the Board selects these additional names for the Governor? If so, you should consider putting it in your rules. This will provide greater clarity regarding the process.

Revised to clarify that the President of the Board shall provide the additional names for submission to the appointing authorities if less than three candidates are elected.

History Note, line 23: Add a semi-colon after "2020".

Done

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0104

DEADLINE FOR RECEIPT: March 13, 2026

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:

General Comment: Is this rule necessary? And if so, why?

By codifying the seal used on the Board documents, the Board helps the regulated public to confirm the authenticity of official Board documents marked with the Seal of the Board.

(a), line 5: Should this say, "..., as set forth in G.S. 147-26, ..."?

Revised accordingly

History Note, Authority: Remove the cite to 90-156.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0105

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0202

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(a), line 7: The word "all" is not necessary.

Revised accordingly

(a)(4): In your rules, do you explain what the Board considers to be "good moral character"? Or is there a specific definition used by the Board? If not, you will need to add this somewhere. The RRC has recently raised concerns of ambiguity over the use of "good moral character" requirements in rules that do not provide a clear standard for regulated persons.

Reference to "good moral character" removed

(a)(4), line 12: Add the word "by" in between "submitted" and "Board-licensed".

Revised accordingly

(a)(7), line 17: Move the word "ever" to follow "has", for consistency with the rest of the rule.

Done

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(a)(8), line 19: Add a comma after “mental”.

Done

(a)(8), line 19: What is an “infirmary” in this context? Does this have some special medical meaning? How would one know what qualifies as a reportable mental or emotional weakness? This provision seems rather vague/unclear.

GS 90-154(b) provides that the Board may refuse to grant a license upon a finding that an applicant has a “physical, mental, emotional infirmity”

As such, the rule tracks the terminology used by the General Assembly in the Board’s Practice Act. In order to better define the term, the Board qualifies infirmity as one that could impair the applicant’s ability to practice chiropractic safely

Thanks for this explanation. I would suggest removing the word “could” from (a)(8), line 19. This would match the statutory language and would help to mitigate any ambiguity.

Revised accordingly.

(a)(9), line 22 and line 24: Replace the “/” with “or”.

Revised accordingly

(a)(10): What kind of “credential”? A chiropractic credential? Be more specific, if possible.

Revised as chiropractic credential

(a)(11), line 28: The phrase “under any laws” is probably not needed.

Revised accordingly

(a)(11), line 29: Add a comma after “date”.

Revised accordingly

(a)(14): “Criminal” charges? “Civil” charges? Both? Something different?

Revised to clarify as disciplinary charges

(a)(15), line 36: Move the word “ever” to follow “has”. Same comment applies to (16) and (17).

Revised accordingly

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(a)(15), lines 36-37: What is a “formal” disciplinary sanction? I would suggest removing the word “formal” unless you believe it is necessary.

Revised accordingly

(a)(19): You should consider defining “Acupuncture” in your rules.

Definition has been added.

Please add “of this Section.” after “... in Rule .0208”.

Revised accordingly.

(a)(22)(A): You can leave it, but the reference to the Board’s website here is not necessary.

Revised accordingly

(a)(22)(C): Consider referencing § 90-143.3 here for clarity to applicants.

Revised accordingly

(a)(23): I believe you mean Paragraph (c), not (d).

Revised accordingly

(b): Is an “exam application” different than a “licensure application”? If so, do they have different deadlines and different requirements? The language used in the rule is not clear.

Revised to clarify exam application is the same as licensure application

(c): Does this mean that electronic payment by credit card is the only way to pay the fee? Or is this statement not meant to be exhaustive?

Revised to clarify that electronic payment by credit card is the only way to pay the fee.

(c), line 35: This was previously paragraph (d). You should denote the paragraph change in the rule text with strikethrough.

Revised accordingly

Thanks. Please underline and highlight “(c)” on page 3, line 1.

Done

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0203

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(a): Since they have their own unique requirements, I would suggest separating out the information for reciprocity applicants (lines 7-12) into its own paragraph.

Revised accordingly

(a)(1): Change "completed" to "complete," for consistency with the rest of the list.

Revised accordingly

(a)(2): I believe you mean 21 NCAC 10 .0202(c), based on the updated version of the rule.

Revised accordingly

(b), line 17: Add "of this Section" after "Rule .0202".

Revised accordingly

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(d), last sentence: For clarity, I would suggest revising this to read as: “The Board shall not issue a license to an applicant for whom the Board has not received official score reports from the examination testing provider showing passage of the examination set forth in Paragraph (c) of this Rule.”

Revised accordingly

Thanks. Please also delete “from the examination testing provider” from the very end of (e). It is now redundant since you incorporated my suggested edit.

Done

(e)(1), line 34: Why do you include “(WCCE)” after Part III? The other exam Parts mentioned in this rule do not include any additional info. Is there a reason for this?

WCCE has been removed

(e), page 2, lines 3-4: This is Paragraph (e) of this Rule. You can just state, “... pursuant to this Paragraph ...” rather than “pursuant to Paragraph (e) of this Rule”.

Revised accordingly

(f)(2): (e), page 2, lines 3-5 already require these persons to take/pass the SPEC. This seems to be redundant.

Reference to the waiver applicant pursuant to Paragraph (f) is included in Paragraph (g) to ensure that Paragraph (g) is a complete list of individuals who must take and pass the SPEC.

New (g)(3) and (g)(4): It appears that you made substantial revisions here, breaking out different requirements for lapsed licenses based on the length of the lapse and the CE requirements of other states, among other things. Previously, the rule applied to just lapses of “more than 180 days”. Please explain why this new rule version does not constitute a “substantial change” per G.S. 150B-21.2(g). This also applies to the language added to (g) on page 3, lines 16-20.

Thank you. Paragraph (f), as published in the NC Register, provided that individuals whose license had been lapsed for more than 180 days would be required to pass the SPEC examination in order to obtain reinstatement of NC licensure. Following the public comment period, the Board voted to revise Paragraph (f), to clarify that certain individuals whose licenses had been lapsed for more than 180 days would be excused from the SPEC examination, if they had been engaged in chiropractic practice in another jurisdiction while the North Carolina license was lapsed and had taken certain continuing education hours while the North Carolina license was lapsed.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

We believe that these changes do not constitute a “substantial change” because the revised rule impacts the interests of the same group of people as that impacted by the rule as published in the NC Register – ie individuals whose NC license has been lapsed for more than 180 days. Further, the subject matter and issues are the same as that set forth in the rule as published in the NC Register. Third, we believe that the effect could reasonably be expected based on the proposed text of the rule – the Board considered and implemented feedback from the regulated public during the public comment period in deciding to make these proposed changes.

(f)(3): Is G.S. 90-155 the correct citation? If so, which specific provision of that statute is applicable? That statute discusses annual renewal fees and inactive status, but it has no mention of license “cancellation.” Please confirm.

Revised to clarify that this section applies to active licenses that have lapsed pursuant to GS 90-155

(f)(3), lines 21-25: The last three sentences here should be moved to a new, separate line below (3).

Revised accordingly

(g): Is the “jurisprudence examination” separate from the “North Carolina examination”? You use these terms inconsistently throughout your rules. It’s not clear if there is a difference. Please revise if needed.

The North Carolina examination and the jurisprudence exam is the same. We have added clarifying language accordingly.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0204

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(c), line 12: The word "only" is not needed.

Revised accordingly

(d)(4): Move "ever" to follow after "has", for consistency.

Revised accordingly

(d)(5), line 27: Add a comma after "mental".

Revised accordingly

(d)(5), line 27: What is an "infirmary" in this context? Does this have some special medical meaning? How would one know what qualifies as a reportable mental or emotional weakness? This provision seems rather vague/unclear.

GS 90-154(b) provides that the Board may refuse to grant a license upon a finding that an applicant has a "physical, mental, emotional infirmity . . ."

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

As such, the rule tracks the terminology used by the General Assembly in the Board's Practice Act. In order to better define the term, the Board qualifies infirmity as one that could impair the applicant's ability to practice chiropractic safely

Thanks for this explanation. I would suggest removing the word "could" from (d)(5), line 27. This would match the statutory language and would help to mitigate any ambiguity.

Done

(d)(6), line 30 and line 32: Replace the "/" with "or".

Revised accordingly

(d)(7): What kind of "credential"? A chiropractic credential? Be more specific, if possible.

Revised to clarify chiropractic credential

Please highlight the added "chiropractic".

Done

(d)(8), line 36: The phrase "under any laws" is probably not needed.

Revised accordingly

(d)(8), line 37: Add a comma after "date".

Revised accordingly

(d)(11): "Criminal" charges? "Civil" charges? Both? Something different?

Revised to clarify as disciplinary charges

(d)(12), line 7: Move the word "ever" to follow "has". Same comment applies to (13) and (14).

Revised accordingly

(d)(12), lines 7-8: What is a "formal" disciplinary sanction? I would suggest removing the word "formal" unless you believe it is necessary.

Revised accordingly

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(d)(16): You should consider defining “Acupuncture” in your rules.

Definition has been added

Please add “of this Section.” after “... in Rule .0208”.

Done

(d)(17)(A): You can leave it, but the reference to the Board’s website here is not necessary.

Revised accordingly

(d)(17)(C): Consider referencing § 90-143.3 here for clarity to applicants.

Revised accordingly

(e), line 32: You use both “on-line” and “online”. Pick one or the other.

Revised accordingly

(j), line 17: Based on your updates, this should be “Rule .0202(c)”.

Revised accordingly

(j), line 20: I believe this should state “.0203(g)” based on the edits you made.

Done

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0207

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 6: Is all of the information required by the "Application" form set forth below in this Rule? Please confirm.

Confirmed

(a)(10): Won't all of these courses provide CE credit? Isn't that the reason why the sponsors are submitting this application to the Board?

The question asks applicants to clarify what type of practitioner (ie doctors of chiropractic, certified chiropractic assistants, or x-ray technicians) will be attending the course for CE credit

(d)(2), line 3: Add a comma after "sponsors".

Revised accordingly

Please ensure that the comma is also highlighted.

Done

(d)(3): What does "within the extent and limitation of chiropractic licensure in this State" mean? Can you make reference to another rule or definition here? This is not very clear.

Revised to clarify

Should this instead state, "... shall pertain to ..."? Please check and revise if necessary.

Revised accordingly.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(e)(3), line 14: Add a comma after “subject matter”.

Revised accordingly

(f), lines 23-24: Is this different than the “agent” mentioned in (e)(4)? Isn’t the agent already responsible for monitoring seminar compliance? Is this an additional person sent by the Board?

The agent referenced in (e)(4) is a proctor provided by the seminar sponsor. The seminar sponsor must also admit a representative of the Board, pursuant to (f). These are two different people.

History Note, Authority: How is 90-155 relevant to this rule?

GS 90-155 provides that shall licensees seeking to renew their license must furnish the Board evidence of having attended two days of educational sessions or programs approved by the Board during the preceding 12 months, provided the Board may waive this educational requirement due to sickness or other hardship of the applicant. This rule provides the parameters for Board approved educational sessions or programs.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0208

DEADLINE FOR RECEIPT: March 13, 2026

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:

General Comment: As mentioned in previous requests, you should consider defining "acupuncture" in your rules.

Revised accordingly

(a), line 10: Would it be possible to provide a more direct link here? I could not easily find the exam eligibility requirements set out on NBCE's website.

Revised to reference acupuncture examination page. However, each part of the NBCE has a different eligibility requirement and all are located on different pages of the NBCE website

*(a), lines 10-11: If the applicant has to take and pass the exam, wouldn't that show that they are also **eligible** to take the exam (lines 8-10)? Otherwise, they wouldn't have been able to sit for it.*

Revised accordingly to clarify

This is still not clear to me. Revised lines 8-15 now seem to suggest that the Board has control over who can sit for the National Board of Chiropractic Examiners Acupuncture Examination, which I assume is not true. Consider revising further for clarity. Would the following make sense? "To perform acupuncture, a licentiate shall take the National Board of Chiropractic Examiners Acupuncture Examination, receive a passing score of 375 or greater, and certify to the Board that he or she has met the instruction prerequisites for the National Board of Chiropractic Examiners Acupuncture Examination, as set forth by the National Board of Chiropractic Examiners on its website at <https://www.mynbce.org/acupuncture/>."

Thank you for this suggestion. Revised accordingly.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

(b)(1), line 13: "accredited" by who?

Revised accordingly to clarify

(c), line 18: Capitalize "rule".

Done

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0209

DEADLINE FOR RECEIPT: March 13, 2026

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 6: Add a comma after "food concentrates".

Done

Line 7: I believe there is a formatting issue on this line. I think you are missing strikethrough. Please check this.

Done

The strikethrough on line 7 does not need to be highlighted. It looks like the formatting was originally correct in your published proposed rule.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0210

DEADLINE FOR RECEIPT: March 13, 2026

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:

(b)(5): Add "and" to the end of this item.

Done

(c), line 20: Delete "as".

Done

(d), line 34: Rule .0205 was repealed in 2022. Please update this citation.

Done

(e): Is it necessary to state "morning and afternoon" sessions? Are the sessions always divided in this manner?

Revised to remove superfluous language

I believe "attending" needs to be added back in and should not be struck through (line 4).

Thank you! Done.

History Note, Authority: How is 90-155 relevant here?

GS 90-155 provides that shall licensees seeking to renew their license must furnish the Board evidence of having attended two days of educational sessions or programs approved by the Board during the preceding 12 months, provided the Board may waive this educational requirement due to

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

sickness or other hardship of the applicant. This rule provides the parameters for Board approved educational sessions or programs.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0211 (Repeal)

DEADLINE FOR RECEIPT: March 13, 2026

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:

*Introductory Statement, line 1: Please correct this. For reference, please see the following example on OAH's website:
<https://www.oah.nc.gov/documents/rules/permanent-repeal-through-readoption/download?attachment>.*

Revised accordingly

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0212

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0213

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(b)(3): In your rules, do you explain what the Board considers to be "good moral character"? Or is there a specific definition used by the Board? If not, you will need to add this somewhere. The RRC has recently raised concerns of ambiguity over the use of "good moral character" requirements in rules that do not provide a clear standard for regulated persons.

Revised to remove reference to good moral character

"Good Moral Character" is also mentioned again in this Rule in (b)(4)(G). You may want to make similar edits here as you did for rule .0202.

Revised accordingly

(b)(5)(E): "under any laws" is probably not needed.

Revised accordingly

(c)(1), line 36: Consider removing the word "sufficient". This term can be viewed as vague/ambiguous without additional context.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

Revised accordingly

(d)(1), line 17: Consider removing the word “sufficient”. This term can be viewed as vague/ambiguous without additional context.

Revised accordingly

(d)(2), line 26: What “written examination” are you referring to? I don’t see one mentioned previously in the rule. The exam set forth in (c)(2)? Please clarify.

Revised to reference the examination in (c)(2) of this Rule

(d)(2), page 3, lines 3-4: Are these subsections of the Practical Exam required by this Rule?

Correct

(d)(2), page 3, lines 4-5: Is this evaluation form described in your rules? Are the form’s required contents set forth somewhere in your rules?

Yes, as described above in (d)(2)(A)-(K)

Upon review, the web link in your rule takes you to three Practical Exam forms for applicants. The forms do include a scoring grid for the competencies described in (d)(2)(A)-(K), but they also contain several other fields. For example, one form requires name and CCA Certification number, name of sponsor and license number, office name and address, and signatures of the sponsor and applicant. If these other fields are mandatory, then you should specify them in your rule.

Revised to include all fields set forth on forms.

(h), line 35: I believe “applicant” should be changed to “application”.

Revised accordingly

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0215

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

(c): Payment by check is allowed here but removed in .0202. Is this intentional?

Thank you for catching this. Revised accordingly to clarify payment must be made online through the Board website.

(d): What is the Chiropractic Review Committee? Is this defined or explained in your rules or statutes?

Revised to clarify that delegation is provided to Disciplinary Review Committee, which is defined in Rule .0503.

Page 2, line 5: Please add "of this Chapter." after "Rule .0503". Please also highlight all of the added text after the struck through "Committee."

Done

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0216

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0217

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 6: Avoid using slashes in rule text when possible. Here, "/" should be replaced with "or".

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0218

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a)(8), line 13: Avoid using slashes in rule text when possible. "/" can be replaced with "or" here.

Revised accordingly

(a)(8), line 13: Add a comma after "rules".

Revised accordingly

(b), line 15: Rules set minimum standards that the regulated public must follow. The use of the terms "at a minimum" or "at least" is unnecessary. Those terms should not be used.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0302

DEADLINE FOR RECEIPT: March 13, 2026

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:

(3), line 10: The comma after “.0304” should be removed.

Revised accordingly

(4), line 16: Change “license(s)” to “licenses”.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0303

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 5: Add a comma after “coercion”.

Done

Ensure that the comma is also highlighted.

Done

(b), line 12: Add a comma after “firm”.

Done

Ensure that the comma is also highlighted.

Done

(b), line 12: Consider removing the word “routinely”. Is it needed? This term can be unclear/ambiguous.

Done

(c), line 17: Add a comma after “packages”.

Done

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0304

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0305

DEADLINE FOR RECEIPT: March 13, 2026

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:

(b), line 11: Add a comma after "deception".

Done

(e), line 36: "on" behalf of the patient or "in" behalf? There may be a typo here.

Revised accordingly

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0306

DEADLINE FOR RECEIPT: March 13, 2026

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:

(d): Are these “credentials” different than the specialties listed in .0304? For example, there is a specialty for “Chiropractic Sports Injuries” and also a credential for “Certified Chiropractic Sports Physician”. One is issued by the Board and the other is issued by a different organization? Is that the difference?

That is correct

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0401

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0403

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0406

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0501

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0503

DEADLINE FOR RECEIPT: March 13, 2026

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:

Introductory Statement, line 1: Please add “with changes”.

Done

(a), line 4: Add “be” in between “would” and “considered”.

Done

(a), first sentence: This sentence is sort of confusing. What is this doing? Is the referral based on the complaint allegations (taken to be true)? Or is it only referred after the investigation stage takes place? And what is the “Investigative Report”? Who puts together the “Investigative Report” and when?

Revised to clarify

(b)(2), line 11: I think you should remove “(c)” from the citation.

Done

History Note, Authority: How is 90-143 relevant here?

This citation has been removed

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0504

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a)(3), line 12: Add a comma after “unprofessional”.

Done

(a)(1-3): Is this list exhaustive?

That is correct

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

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0706

DEADLINE FOR RECEIPT: N/A

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:

No comments.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0708

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a), line 4: Is the cite here to 150B-40(b) accurate? Are 40(a) and 40(c) also applicable?

Reference to subsection (b) removed

History Note, Authority: How is 90-156 applicable here?

This citation has been removed

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0709

DEADLINE FOR RECEIPT: March 13, 2026

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:

(a)(4): Add "include" in between "known," and "the date".

Done

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 27, 2026

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

AGENCY: STATE BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0803

DEADLINE FOR RECEIPT: March 13, 2026

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:

Fee Consultation: On Form 0400, you indicated that you requested a fee consultation for this rule on 8/28/25. Did the consultation take place? And if so, when? I also note that the relevant statute, G.S. 12-3.1(a), states that the request should be submitted "on the same date the notice of text of the rule is published."

The Board submitted a request for a fee consultation on August 28, 2025, and the Notice of Text for the proposed rules were submitted for readoption to OAH on September 5, 2025. Gov Ops did not respond to the request for consultation.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 27, 2026

Burgos, Alexander N

Subject: FW: [External] Re: Request for Changes - March 2026 RRC Meeting
Attachments: 21 NCAC 10 .0103 (rev'd).docx; 21 NCAC 10 .0104 (rev'd).docx; 21 NCAC 10 .0202 (rev'd).docx; 21 NCAC 10 .0203 (rev'd)(v2).docx; 21 NCAC 10 .0204 (rev'd)(v2).docx; 21 NCAC 10 .0207 (rev'd).docx; 21 NCAC 10 .0208 (rev'd).docx; 21 NCAC 10 .0209 (rev'd).docx; 21 NCAC 10 .0210 (rev'd).docx; 21 NCAC 10 .0211 (Repeal) (rev'd).docx; 21 NCAC 10 .0213 (rev'd).docx; 21 NCAC 10 .0215 (rev'd).docx; 21 NCAC 10 .0217 (rev'd).docx; 21 NCAC 10 .0218 (rev'd).docx; 21 NCAC 10 .0302 (rev'd).docx; 21 NCAC 10 .0303 (rev'd).docx; 21 NCAC 10 .0305 (rev'd).docx; 21 NCAC 10 .0503 (rev'd).docx; 21 NCAC 10 .0504 (rev'd).docx; 21 NCAC 10 .0708 (rev'd).docx; 21 NCAC 10 .0709 (rev'd).docx; Request for Changes - BoCE Readoptions - 03 2026 (rev'd).docx

From: Catherine E. Lee <clee@hedrickgardner.com>
Sent: Sunday, March 8, 2026 10:41 AM
To: dr.joe@ncchiroboard.com; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: [External] Re: Request for Changes - March 2026 RRC Meeting

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Mr. Miller -

Thank you for the opportunity to make the technical corrections requested below. Please see the attached responses and revised proposed rules on behalf of NCBOCE.

Catherine

Catherine E. Lee | Partner
Hedrick Gardner Kincheloe & Garofalo LLP.
2710 Wycliff Road, Suite 220 | Raleigh, NC 27607
Phone: 919-341-2639 | Fax: 919-341-2639
clee@hedrickgardner.com | www.hedrickgardner.com



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be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

1 21 NCAC 10 .0103 is readopted **with changes** as published in 40:07 NCR 640 as follows:

2

3 **21 NCAC 10 .0103 STRUCTURE OF BOARD**

4 (a) As necessary to meet the requirements of G.S. 90-140, the **State Board of Chiropractic Examiners (“Board”)** ~~Board~~
5 shall hold an election for chiropractic candidates for appointment. Notice of the election shall be published on the
6 Board's website at <https://ncchiroboard.com> at least 30 days in advance of the election.

7 (b) The election shall be administered by the Board of Chiropractic Examiners. Any member of the Board who is
8 nominated to succeed himself or herself shall be disqualified from conducting the vote in which he or she is a nominee.

9 (c) Each candidate shall provide two letters of endorsement from chiropractors licensed by the Board. The letters
10 shall be submitted to the Board no less than 21 days before the election.

11 (d) If less than three candidates are elected, the Board shall provide additional names **at the direction of the President**
12 **of the Board** to the Governor, President Pro Tempore of the Senate, and Speaker of the House in order to comply with
13 G.S. 90-140.

14

15 *History Note: Authority G.S. 90-139; 90-140; 90-142;*
16 *Eff. February 1, 1976;*
17 *Readopted Eff. January 27, 1978;*
18 *Amended Eff. January 1, 1983; May 8, 1979;*
19 *Legislative Objection Lodged Eff. January 31, 1983;*
20 *Curative Amended Eff. February 18, 1983;*
21 *Amended Eff. June 1, 1994; December 1, 1988;*
22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
23 *2019;*
24 *Amended Eff. July 1, 2021; January 1, ~~2020~~.*
25 *Readopted Eff. April 1, 2026.*

26

27

1 21 NCAC 10 .0104 is readopted **with changes** as published in 40:07 NCR 640-641 as follows:

2

3 **21 NCAC 10 .0104 SEAL OF THE BOARD OF CHIROPRACTIC EXAMINERS**

4 (a) The official seal of the Board consists of two concentric circles, with the ~~word "Seal" inside~~ Seal of the State of
5 North Carolina, as set forth in G.S. [~~147-2,~~ **147-26,** comprising the inner circle surrounded by the phrase "North
6 Carolina Board of Chiropractic Examiners, Organized May 5, 1917" in the area between the circles.

7 (b) The Seal of the State of North Carolina, as set forth in G.S. 147-26, without alteration, has also been adopted for
8 use by the ~~Board where appropriate.~~ Board.

9

10 *History Note: Authority G.S. 90-142; **90-156;***

11 *Eff. February 1, 1976;*

12 *Readopted Eff. January 27, 1978;*

13 *Amended Eff. December 1, 1988;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
15 *~~2019.~~ 2019;*

16 *Readopted Eff. April 1, 2026.*

17

18

21 NCAC 10 .0202 is readopted with changes as published in 40:07 NCR 641-642 as follows:

21 NCAC 10 .0202 APPLICATION FOR LICENSURE

(a) General. Application for licensure to practice chiropractic pursuant to G.S. 90-143 shall be made in writing upon forms provide by the Board. Application forms and instructions may be found on the Board's website, www.ncchiroboard.com. Applications not completed within 12 months following submission to the Board shall be denied. [All applications] Applications shall contain the following:

- (1) the applicant's name, residential address, phone number, email address, and date of birth;
- (2) the social security number of the applicant;
- (3) the applicant's educational history and degree attainment;
- (4) character reference statements on forms prescribed by the Board of three persons not related to the [applicant attesting to the applicant's good moral character,] two of which must be submitted by Board-licensed chiropractic physicians in good standing with the Board;
- (5) the applicant's employment history;
- (6) whether the applicant now has or has ever had an addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (7) whether the applicant [ever] has ever been under clinical treatment for addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (8) whether the applicant has any physical, [mental] mental, or emotional infirmities that could impair his or her ability to practice chiropractic safely and, if so, an explanation of the same;
- (9) whether the applicant has ever been certified, licensed, or registered to practice chiropractic by the Board, by another occupational Board, or in another [state/jurisdiction] state or jurisdiction and, if so:
 - (A) whether the credential is in good standing;
 - (B) in what [state/jurisdiction] state or jurisdiction was the credential issued; and
 - (C) the issuance date and expiration date of the credential.
- (10) whether the applicant has ever had a chiropractic credential denied, limited, reprimanded, suspended, or revoked and, if so, an explanation of the same;
- (11) whether the applicant has ever been convicted of a felony or misdemeanor [under any laws] and, if so, the nature, [date] date, and jurisdiction of the conviction;
- (12) whether any criminal charges or criminal investigations, if known, are pending against the applicant and if so, the details of said charges or investigations;
- (13) whether any court, board, agency, or professional organization regulating chiropractic has disciplined the applicant and, if so, an explanation of the same;
- (14) whether any disciplinary charges are pending against the applicant before any court, board, agency, or professional organization regulating chiropractic and, if so, an explanation of the same;

- 1 (15) whether the applicant ~~[ever]~~ has ~~ever~~ voluntarily given up any licensure privileges in order to avoid
2 ~~[formal]~~ disciplinary sanctions;
- 3 (16) whether the applicant ~~[ever]~~ has ~~ever~~ been sanctioned or suspended from participation in Medicare
4 or Medicaid and, if so, an explanation of the same;
- 5 (17) whether the applicant ~~[ever]~~ has ~~ever~~ been denied membership in a professional association or, if
6 admitted, ever been suspended or had membership not renewed due to a breach of ethics and, if so,
7 an explanation of the same;
- 8 (18) whether the applicant has had a malpractice judgment entered against him or her and, if so, an
9 explanation for the same;
- 10 (19) whether the applicant is certified by the Board or the National Board of Chiropractic Examiners to
11 practice ~~[Acupuncture;]~~ Acupuncture, as defined in Rule .0208.
- 12 (20) A copy of the applicant's government-issued identification document, such as a driver's license or
13 passport;
- 14 (21) A certified self-query response from the National Practitioner Data Bank ("NPDB") sent directly to
15 the Board regarding the applicant's record with NPDB;
- 16 (22) the applicant's affirmation that:
- 17 (A) the applicant has read and will comply with Article 8 of Chapter 90 of the North Carolina
18 General Statutes and the administrative rules promulgated by the Board; ~~[Board, which are~~
19 available on the Board's website at <https://nechiroboard.com/>;
- 20 (B) the information provided by the applicant in the application is true;
- 21 (C) the applicant consents to a criminal history record ~~[check;]~~ check as required by G.S.
22 90-143.3; and
- 23 (D) the applicant has read and understands the public notice statement on employee
24 misclassification that is set forth in the application and has disclosed any investigations for
25 employee misclassification, and its results, over the preceding 12-month period, as
26 prescribed by G.S. 143-789; and
- 27 (23) the application fee, as prescribed in Paragraph ~~[(d)]~~ (c) of this Rule.

28 ~~(b) Description of Forms. The written application shall consist of two forms, the Application Form and the Character~~
29 ~~Reference Form. The following information shall be required to complete each form:~~

- 30 (1) ~~The application form shall include the personal background of the applicant; educational history; a~~
31 ~~recent photograph; and a statement confirming that the applicant has read, understands, and will~~
32 ~~abide by the General Statutes and administrative rules governing chiropractic.~~
- 33 (2) ~~The character reference form shall include the statements of three persons not related to the applicant~~
34 ~~attesting to the applicant's good moral character.~~

35 ~~(e)~~(b) Deadlines for Filing Applications. Applications ~~for the North Carolina examination~~ shall be received at the
36 Board office no later than 15 days before the ~~next examination~~ date on which the applicant wishes to sit for
37 examination, as provided in Rule .0203(b) of this Section.

1 ~~(d)~~(c) Application Fee. A non-refundable application fee of three hundred dollars (\$300.00) shall accompany each
2 application. This fee ~~may~~ **shall** be paid by credit card through the Board's website, ~~www.ncchiroboard.com, or by~~
3 ~~check made payable to the North Carolina Board of Chiropractic Examiners. Cash shall not be accepted.~~
4 www.ncchiroboard.com.

5
6 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-145; 90-146; 90-149;*
7 *Eff. February 1, 1976;*
8 *Readopted Eff. January 27, 1978;*
9 *Amended Eff. October 17, 1980;*
10 *Legislative Objection Lodged Eff. December 17, 1982;*
11 *Curative Amendment Eff. December 30, 1982;*
12 *Amended Eff. January 1, 1983;*
13 *Legislative Objection Lodged Eff. January 31, 1983;*
14 *Curative Amendment Eff. February 28, 1983;*
15 *Amended Eff. January 1, 1989;*
16 *Temporary Amendment Eff. January 1, 2003;*
17 *Temporary Amendment Expired October 31, 2003;*
18 *Amended Eff. April 1, 2018; August 1, 2004; February 1, 2004;*
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
20 *~~2019~~ 2019;*
21 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0203 is readopted with changes as published in 40:07 NCR 642-643 as follows:

2
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 examination set forth in G.S. 90-143(b). [Reciprocity applicants shall complete the following:

- 8 (1) ~~completed the application set forth in 21 NCAC 10 .0202(a);~~
- 9 (2) ~~pay the application fee set forth in 21 NCAC 10 .0202(d);~~
- 10 (3) ~~pass the jurisprudence exam set forth in Paragraph (g) of this Rule;~~
- 11 (4) ~~comply with the requirements of G.S. 90-143.1; and~~
- 12 (5) ~~provide an attestation that the applicant meets the requirements of G.S. 90-143.1.]~~

13 (b) Reciprocity Applicants. Reciprocity applicants shall complete the following:

- 14 (1) complete the application set forth in 21 NCAC 10 .0202(a);
- 15 (2) pay the application fee set forth in 21 NCAC 10 .0202(c);
- 16 (3) pass the jurisprudence exam set forth in Paragraph (h) of this Rule;
- 17 (4) comply with the requirements of G.S. 90-143.1; and
- 18 (5) provide an attestation that the applicant meets the requirements of G.S. 90-143.1.

19 (b)(c) Dates of Examination. The North Carolina jurisprudence examination shall be given at least four times during
20 the calendar year. The Board shall announce an examination date not less than 30 days in advance and shall publish
21 the date of upcoming examinations on the Board's website, www.ncchiroboard.com. The Board shall also individually
22 notify each eligible applicant of the date of the next examination after the applicant's non-refundable application fee
23 has been paid and the written application ~~completed.~~ pursuant to Rule .0202 of this Section has been submitted to the
24 Board.

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

29 (d)(e) Report of Scores. The applicant shall arrange for his or her test results from any National Board examination
30 to be reported to the North Carolina Board. Failure to comply with this Paragraph shall be a basis for delaying the
31 issuance of a license. The Board shall not issue a license to an applicant for whom the Board has not received official
32 score reports from the examination testing provider showing passage of the examination set forth in Paragraph (e)
33 (d) of this Rule provided from the examination testing provider.

34 (e)(f) Waiver of National Boards. Notwithstanding the requirements of Paragraph (e) (d) of this Rule, an applicant
35 who submits National Board examinations in conformity with the following schedule shall not be disqualified from
36 licensure in North Carolina:

1 (1) ~~An applicant who graduated from chiropractic college before July 1, 1966 shall not be required to~~
2 ~~submit a score from any National Board examination.~~

3 (2)(1) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall
4 be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective
5 examination termed "Physiotherapy," but shall not be required to submit a score on Part III _____
6 or Part IV.

7 (3)(2) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall
8 be required to submit scores of 375 or higher on National Board Part I, Part II, the elective
9 examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part
10 IV.

11 In order to receive a license, an applicant who qualifies for a waiver of any National Board score pursuant to this
12 Paragraph (e) of this Rule shall take and pass the Special Purpose Examination for Chiropractic ("SPEC") and the
13 North Carolina Examination. An applicant who qualifies for a waiver of any National Board score shall maintain
14 compliance with G.S. 90-143.3 and Rule .0202 of this Chapter. must submit an application to the Board pursuant to
15 Rule .0202 of this Section.

16 (f)(g) SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing
17 score shall be 375 or higher. In order to take the North Carolina examination, ~~a reciprocity applicant, a waiver~~
18 ~~applicant pursuant to Paragraph (e) of this Rule, or an applicant previously licensed in this State whose license has~~
19 ~~been cancelled pursuant to G.S. 90-155 for more than 180 days shall first take and pass the SPEC. The SPEC exam is~~
20 ~~administered by the National Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity~~
21 ~~applicants and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or higher~~
22 ~~on Part IV of the National Board examination shall not be required to take and pass the SPEC exam prior to licensure.~~
23 the following individuals must first take and pass the SPEC:

24 (1) a reciprocity applicant;

25 (2) a waiver applicant pursuant to Paragraph _____ of this Rule; and

26 (3) an applicant previously licensed in this State whose _____ license has been [_____] _____
27 pursuant to G.S. 90-155 for 1096 days or more [more than 180 days,] unless the applicant has been
28 engaged in continuous licensed chiropractic practice in another state within the United States
29 _____ for _____

30 _____ [_____
31 _____] and has not been subject to any disciplinary action impacting
32 the applicant's ability to engage in chiropractic practice. [The SPEC is administered by the National
33 Board of Chiropractic Examiners. The passing score shall be 375 or higher. Reciprocity applicants
34 and waiver applicants pursuant to Paragraph (e) of this Rule who have achieved a score of 375 or
35 higher on Part IV of the National Board examination shall not be required to take and pass the SPEC
36 prior to licensure.]

1 (4) an applicant previously licensed in this State whose active license has been lapsed pursuant to G.S.
2 90-155 for a period of time between 366 and 1095 days, unless the applicant has not been subject
3 to any disciplinary action impacting the applicant's ability to engage in chiropractic practice and:

4 (i) the applicant has been engaged in continuous licensed chiropractic practice in
5 another state within the United States requiring annual in-person or live on-line
6 continuing education for the period of time during which the applicant's North
7 Carolina-issued license has been lapsed; or

8 (ii) the applicant completes the educational sessions or programs set forth in G.S. 90-
9 155(a), plus six (6) additional hours of continuing education for each year during
10 which the applicant's North Carolina license was lapsed. At least six (6) of the
11 total continuing education hours must address topics of coding, compliance, exam
12 procedures, or documentation. At least six (6) of the total continuing education
13 hours must be in-person or live on-line.

14 Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375
15 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to
16 licensure. Applicants whose license has been lapsed for 365 days or less shall not be required to take and pass the
17 SPEC prior to licensure if they complete the educational sessions or programs as required by G.S. 90-155(a) or if they
18 have been engaged in continuous licensed chiropractic practice in another state within the United States requiring
19 annual in-person or live on-line continuing education equivalent to the North Carolina continuing education
20 requirements for the period of time during which the applicant's North Carolina-issued license has been lapsed. The
21 term "lapsed" in this Rule shall mean "inactive" as used in G.S. 90-155. The term "live on-line continuing education"
22 shall have the same meaning as set forth in Rule .0204(e).

23 (g)(h) Nature of Examination. The North Carolina jurisprudence examination shall be a test of an applicant's
24 knowledge of North Carolina chiropractic law and regulations. The passing grade shall be 75 percent.

25
26 *History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;*
27 *Eff. February 1, 1976;*
28 *Readopted Eff. January 27, 1978;*
29 *Amended Eff. January 1, 1983; October 17, 1980;*
30 *Legislative Objection Lodged Eff. January 31, 1983;*
31 *Curative Amendment Eff. February 18, 1983;*
32 *Temporary Amendment Eff. May 1, 1998;*
33 *Amended Eff. October 1, 2018; April 1, 2018; February 1, 2009; July 1, 2004; August 1, 2000;*
34 *August 1, 1995; December 1, 1988;*
35 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
36 *2019;*
37 *Amended Eff. October 1, 2022; July 1, ~~2021~~; 2021;*

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Readopted Eff. April 1, 2026.

21 NCAC 10 .0204 is readopted **with changes** as published in 40:07 NCR 643-644 as follows:

21 NCAC 10 .0204 LICENSURE; RENEWAL OF LICENSE

(a) Initial Licensure. The initial license awarded to an applicant who passed the examination shall be mailed to the address appearing on the application form.

(b) Change of Contact Information. The licentiate shall inform the Board of any change in his or her contact information. Updated contact information shall be forwarded to the Board office email at ncboce@ncchiroboard.com within 30 days after any such change.

(c) General. The renewal, inactivation, and restoration of a license are governed by G.S. 90-155 and this Rule. A current license that is not renewed shall be placed on inactive status on January 30th of the following year. A licentiate desiring license renewal shall submit to the Board, on or before the date of inactivation, a completed license renewal form accompanied by the renewal fee as provided in Paragraph (i) of this Rule. The renewal fee shall **only** be paid through the Board's website, www.ncchiroboard.com.

(d) License Renewal Notification and Form. On or before December 1 of each year, the Board shall email to each licentiate, at the licentiate's current email address on file with the Board, license renewal instructions. The license renewal form with instructions shall also be available at the Board's website, www.ncchiroboard.com, or upon request at the Board's office. A licentiate desiring license renewal shall note on the form changes in name, address, specialty, employment circumstances, and criminal convictions since the last renewal form was submitted to the Board. The licentiate shall also note on the form any professional development continuing education for which the licentiate seeks credit pursuant to Rule .0210(d) of this Chapter. All renewal applications shall contain the following:

- (1) the applicant's name, residential address, phone number, email address, and date of birth;
- (2) the social security number of the applicant;
- (3) whether the applicant now has or has ever had an addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (4) whether the applicant **ever** has **ever** been under clinical treatment for addiction to, or dependency on, alcohol or other controlled substances and, if so, an explanation of the same;
- (5) whether the applicant has any physical, **mental**, **mental**, or emotional infirmities that could impair his or her ability to practice chiropractic safely and, if so, an explanation of the same;
- (6) whether the applicant has ever been certified, licensed, or registered to practice chiropractic by the Board, by another occupational Board, or in another **[state/jurisdiction]; state or jurisdiction;** and if so:
 - (A) whether the credential is in good standing;
 - (B) in what **[state/jurisdiction] state or jurisdiction** was the credential issued; and
 - (C) the issuance date and expiration date of the credential.
- (7) whether the applicant has ever had a chiropractic credential denied, limited, reprimanded, suspended, or revoked and, if so, an explanation of the same;

- 1 (8) whether the applicant has ever been convicted of a felony or misdemeanor [under any laws] since
2 the last renewal and, if so, the nature, [date] date, and jurisdiction of the conviction;
- 3 (9) whether any criminal charges or criminal investigations, if known, are pending against the applicant
4 and if so, the details of said charges or investigations;
- 5 (10) whether any court, board, agency, or professional organization regulating chiropractic has
6 disciplined the applicant and, if so, an explanation of the same;
- 7 (11) whether any disciplinary charges are pending against the applicant before any court, board, agency,
8 or professional organization regulating chiropractic and, if so, an explanation of the same;
- 9 (12) whether the applicant [ever] has ever voluntarily given up any licensure privileges in order to avoid
10 [formal] disciplinary sanctions;
- 11 (13) whether the applicant [ever] has ever been sanctioned or suspended from participation in Medicare
12 or Medicaid and, if so, an explanation of the same;
- 13 (14) whether the applicant [ever] has ever been denied membership in a professional association or, if
14 admitted, ever been suspended or had membership not renewed due to a breach of ethics and, if so,
15 an explanation of the same;
- 16 (15) whether the applicant has had a malpractice judgment entered against him or her since his or her
17 last renewal and, if so, an explanation for the same;
- 18 (16) whether the applicant is certified by the Board or the National Board of Chiropractic Examiners to
19 practice [Acupuncture;] Acupuncture, as defined in Rule .0208.
- 20 (17) the applicant's affirmation that:
- 21 (A) the applicant has read and will comply with Article 8 of Chapter 90 of the North Carolina
22 General Statutes and the administrative rules promulgated by the Board; [Board, which are
23 available on the Board's website at <https://ncechiroboard.com/>]
- 24 (B) the information provided by the applicant in the application is true;
- 25 (C) the applicant consents to a criminal history record [check;] check as required by G.S.
26 90-143.3; and
- 27 (D) the applicant has read and understands the public notice statement on employee
28 misclassification that is set forth in the application and has disclosed any investigations for
29 employee misclassification, and its results, over the preceding 12-month period, as
30 prescribed by G.S. 143-789; and
- 31 ~~(15)~~(18) the renewal fee, as prescribed in Paragraph (i) of this Rule.

32 (e) Continuing Education. As used in G.S. 90-155, one "day" of continuing education shall mean nine hours. Except
33 as provided in Paragraphs (f), (g) and (h) of this Rule, a licentiate seeking license renewal shall obtain 18 hours (2
34 days) of Board-approved continuing education each calendar year. At least 10 hours shall be obtained by attending in-
35 person or live on-line online educational sessions. Live online hours include the opportunity to interact with the
36 instructor in real-time. As many as eight hours may be obtained in the manner set forth in Rule .0210 of this Section.

1 The Board shall not award credit for any continuing education hours until the sponsor or licentiate submits to the
2 Board the sponsor's certificate of attendance or course completion.

3 (f) First-Year Continuing Education Exemptions. A licentiate who was enrolled in chiropractic college at any time
4 during the year of initial licensure or a licentiate initially licensed after September 1st of the current year shall be
5 permitted to renew his or her license for the ensuing year without obtaining continuing education but shall be required
6 to submit a license renewal form and pay the renewal fee. In subsequent years, a licentiate shall not be permitted to
7 renew his or her license until the continuing education requirements set forth in Paragraph (e) of this Rule are satisfied.

8 (g) Hardship Waivers. A licentiate seeking a hardship waiver of the continuing education requirement shall make
9 written application to the Board no later than December 15th of the current year explaining the nature and
10 circumstances of the hardship. Upon the applicant's showing that compliance with the continuing education
11 requirement poses an undue hardship, the Board shall waive the requirement in whole or part or grant an extension of
12 time within which to comply. "Undue hardship" shall include protracted medical illness, natural disaster, or extended
13 absence from the United States.

14 (h) Military Hardship. A licentiate who is serving in the Armed Forces of the United States and to whom G.S. 93B-
15 15(a) grants an extension of time to pay a renewal fee shall also be granted an identical extension of time to complete
16 the continuing education required for license renewal.

17 (i) Renewal Fee. A renewal fee in the maximum amount allowed by G.S. 90-155 shall be paid by each licentiate
18 applying for renewal.

19 (j) Restoration of Inactive ~~License License~~ and Evidence of Proficiency. In order to provide evidence of proficiency,
20 a former licentiate whose license has ~~lapsed shall comply with Rule .0203(f) when seeking restoration of active~~
21 ~~licensure been inactive for 180 or fewer days due to non-compliance with G.S. 90-155 shall be re-examined~~ and shall
22 pay the non-refundable application fee prescribed in Rule ~~.0202(d)~~ .0202(c) of this Section and shall demonstrate
23 compliance with continuing education requirements. ~~A former licentiate whose license has been inactive for more~~
24 ~~than 180 days shall comply with Rule .0203(f) of this Section in addition to this Paragraph.~~ Payment of the application
25 fee shall not constitute payment of the reinstatement fee of twenty-five dollars (\$25.00) mandated by G.S. 90-155.

26
27 *History Note: Authority G.S. 90-142; 90-145; 90-155; 90-148; 93B-15;*

28 *Eff. February 1, 1976;*

29 *Readopted Eff. January 27, 1978;*

30 *Amended Eff. January 1, 1983;*

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

32 *Curative Amended Eff. February 28, 1983;*

33 *Amended Eff. July 1, 2014; December 1, 1988;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
35 *2019;*

36 *Amended Eff. July 1, 2025; January 1, 2024; January 1, 2022; January 1, ~~2020~~ 2020;*

37 *Readopted Eff. April 1, 2026.*

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1 21 NCAC 10 .0207 is readopted **with changes** as published in 40:07 NCR 644 as follows:

2
3 **21 NCAC 10 .0207 CONTINUING EDUCATION SEMINARS**

4 (a) Approval of Seminars. Only continuing education seminars approved by the Board shall count towards satisfying
5 the requirements for license renewal. The sponsor and co-sponsors of any proposed seminar shall be responsible for
6 submitting all the information outlined on the Board's Course Application ("Application") to enable the Board to
7 evaluate the seminar in accordance with this Rule. The Application can be found on and must be submitted pursuant
8 to instructions on the Board's website at <https://ncchiroboard.com>. All applications must reflect that the seminar for
9 which approval is being sought has been previously approved no more than 12 months prior to the date of the seminar
10 by one of the following organizations:

- 11 (1) Any chiropractic college recognized by the Council on Chiropractic Education (CCE);
- 12 (2) Federation of Chiropractic Licensing Boards, PACE program; or
- 13 (3) Any other chiropractic association that can demonstrate an active membership base of at least 200
14 members.

15 (b) Applications. In addition to the information set forth in Paragraph (a) of this Rule, all Applications must also
16 contain the following information:

- 17 (1) Whether the course's target audience is doctors of chiropractic, certified chiropractic assistants, or
18 x-ray technicians;
- 19 (2) The course title;
- 20 (3) The beginning and end dates on which the course will be offered;
- 21 (4) Whether the course will be offered online or in a physical location;
- 22 (5) If the course is offered in a physical location, the cities and states in which the course will be offered;
- 23 (6) The manner in which the sponsor or co-sponsor will verify the attendance of licentiates;
- 24 (7) The name and contact information of the sponsor and co-sponsor;
- 25 (8) The website at which information on the course offering will be available;
- 26 (9) The number of continuing education credits that the licentiates can obtain by attending the course;
27 and
- 28 (10) Whether the course will provide doctors of chiropractic, certified chiropractic assistants, or x-ray
29 technicians with continuing education credit toward eligibility for licensure renewal, certification,
30 or recertification.

31 The Application shall be submitted at least 30 days prior to the date of the proposed seminar. Incomplete applications
32 will not be processed.

33 (c) Duration of Approval. A seminar approval issued by the Board shall expire at the end of the calendar year for
34 which approved. If the sponsor or co-sponsors of an approved seminar wish to repeat the seminar on a date beyond
35 the approval period, a new application shall be submitted to the Board.

36 (d) Criteria for Approval. The Board's criteria for approving continuing education seminars is as follows:

- 37 (1) No practice-building or motivational seminars shall be approved;

- 1 (2) No seminar shall be approved that requires attendees, in order to be able to utilize the information
2 presented at the seminar, to purchase equipment or clinical supplies available only through the
3 seminar's instructors, ~~sponsors~~ ~~sponsors~~, or co-sponsors;
- 4 (3) Each seminar subject ~~shall fall within the extent and limitation of~~ ~~pertains to~~ chiropractic licensure
5 in this State; and
- 6 (4) Each instructor shall submit a curriculum vitae or the equivalent demonstrating that he or she has
7 an educational background in, or professional experience with, the subject or subjects he or she is
8 scheduled to teach.

9 (e) Duties of Seminar Sponsor. Sponsors and co-sponsors of any approved continuing education seminar shall:

- 10 (1) Disclose on all brochures and advertising materials the name and address of each sponsor and co-
11 sponsor and whether each sponsor and co-sponsor is a for-profit or not-for-profit entity;
- 12 (2) Be liable for all expenses incurred in holding the seminar;
- 13 (3) Give notice to the Board of any material changes in the seminar, including date, location, subject
14 ~~matter~~ ~~matter~~, or instructors; and
- 15 (4) Provide an agent at the seminar site who shall:
- 16 (A) Monitor and report the attendance of each person attending the seminar, in accordance with
17 the method identified in the Course Application submitted for the course;
- 18 (B) Supervise the agenda and prohibit the presentation of any subject matter not approved by
19 the Board; and
- 20 (C) Complete and submit to the Board a post-seminar review summarizing any problems
21 experienced and any variance between the application for approval and the seminar as
22 presented.

23 (f) Sanction for Non-Compliance. By applying for seminar approval, each sponsor and co-sponsor agrees to admit to
24 the seminar at no charge a representative of the Board for the purpose of observing compliance with this Rule. If the
25 Board determines that a sponsor or co-sponsor has falsified the application for approval, has failed to keep attendance,
26 has allowed the seminar as presented to vary from the agenda as set forth in the application, or has failed to adhere to
27 any other provision of this Rule, the Board shall refuse to approve future seminar applications from the offending
28 sponsor or co-sponsor or from any principal who is a partner or shareholder in the offending sponsor or co-sponsor.

29
30 *History Note: Authority G.S. 90-142; 90-155; 90-143.2; 90-143.4;*

31 *Eff. January 1, 2004;*

32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
33 *2019;*

34 *Amended Eff. July 1, 2021; January 1, ~~2020~~. 2020;*

35 *Readopted Eff. April 1, 2026.*

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21 NCAC 10 .0208 is readopted **with changes** as published in 40:07 NCR 644-645 as follows:

21 NCAC 10 .0208 ACUPUNCTURE

(a) **Acupuncture is defined as a form of health care developed from traditional and modern Chinese medical concepts that employ acupuncture diagnosis and treatment, and adjunctive therapies and diagnostic techniques, for the promotion, maintenance, and restoration of health and the prevention of disease. To perform acupuncture, a licentiate shall take the National Board of Chiropractic Examiners Acupuncture Examination and receive a passing score of 375 or greater.** In order to **take the National Board of Chiropractic Examiners Acupuncture Examination, perform acupuncture,** a licentiate or applicant for licensure shall first certify to the Board that he or she ~~has completed a minimum of 200 hours of instruction sponsored or given by a chiropractic college accredited by the Council on Chiropractic Education or a college or university accredited by an accrediting body recognized by the US Department of Education. The 200 hours of instruction must contain at least 30 percent practical, hands on hours. Individual classes can only be taken once for credit.~~ **has met the eligibility requirements to sit for the National Board of Chiropractic Examiners Acupuncture Examination, as set forth by the National Board of Chiropractic Examiners on its website at ~~[https://www.mynbce.org/] https://www.mynbce.org/acupuncture/.~~ To perform acupuncture, a licentiate shall also take the National Board of Chiropractic Examiners Acupuncture Examination and receive a passing score of 375 or greater.**

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

- (1) An official transcript from an **accredited** acupuncture program **accredited by an accrediting body recognized by the U.S. Department of Education** demonstrating ~~completion of the 200 hours of instruction described in this Rule;~~ **eligibility to sit for the National Board of Chiropractic Examiners Acupuncture Examination;** and
- (2) Proof of successful completion of the acupuncture examination described in this Rule.

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

*History Note: Authority G.S. 90-142; 90-143; 90-151;
Eff. February 1, 2004;
Amended Eff. July 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. July 1, 2022. 2022;
Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0209 is readopted **with changes** as published in 40:07 NCR 645 as follows:

2

3 **21 NCAC 10 .0209 NUTRITIONAL SUPPLEMENTS**

4 For the purpose of enforcing G.S. 90-151.1, the term "~~nutritional supplements~~" "nutritional supplements" includes
5 vitamins, minerals, enzymes, dietary supplements, herbs, homeopathic and naturopathic preparations, glandular
6 extracts, food **concentrates** ~~concentrates~~, and other natural agents. The term "~~nutritional supplements~~" "nutritional
7 supplements" does not include controlled **substances**, substances as defined by G.S. 90-87(5).

8

9 *History Note: Authority G.S. 90-142; 90-151; 90-151.1; 90-154;*

10 *Eff. May 1, 2004;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
12 *~~2019~~ 2019;*

13 *Readopted Eff. April 1, 2026.*

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1 21 NCAC 10 .0210 is readopted **with changes** as published in 40:07 NCR 645 as follows:

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3 **21 NCAC 10 .0210 INDIVIDUAL-STUDY CONTINUING EDUCATION**

4 (a) Hours permitted. A doctor of chiropractic may obtain as many as eight credit hours of continuing education each
5 year by successfully completing one or more individual-study courses approved by the Board.

6 (b) Course approval. The criteria for Board approval of any individual-study course are as follows:

- 7 (1) no practice-building or motivational courses shall be approved;
- 8 (2) no course shall be approved that requires participants, in order to utilize the information presented,
9 to purchase equipment or clinical supplies available only through the course's instructors, sponsors,
10 or co-sponsors;
- 11 (3) each subject taught shall fall within the extent and limitation of chiropractic licensure in this State
12 as provided in G.S. 90-151;
- 13 (4) the subject matter shall be presented in a manner comparable to instruction at chiropractic colleges
14 accredited by the Council on Chiropractic Education;
- 15 (5) the sponsor shall have a method for recording and verifying a doctor's participation expressed in
16 credit hours and fractions thereof, and the sponsor shall assume responsibility for submitting a
17 certificate of participation to the Board within 60 days after a doctor completes the course; **and**
- 18 (6) the course shall include one or more examinations or other means of verifying that a participating
19 doctor has mastered the material presented in the course.

20 (c) Sponsor's obligation. The sponsor shall provide ~~such~~ the following information **as** ~~to~~ the Board ~~deems necessary~~
21 ~~to so that the Board can~~ evaluate the course according to the criteria set forth in Paragraph (b) of this Rule, ~~including~~
22 ~~the syllabus, a curriculum vitae for each instructor, the method for verifying attendance, and the length of the course.~~
23 ~~Failure to provide information required by the Board shall be a basis for denying the course. The application process~~
24 ~~for obtaining course approval is set forth in Rule .0207 of this Section.~~ Rule:

- 25 (1) the course syllabus;
- 26 (2) a curriculum vitae for each instructor;
- 27 (3) the method for verifying attendance; and
- 28 (4) the length of the course.

29 Failure to provide information required by the Board shall be a basis for denying the course. The application process
30 for obtaining course approval is set forth in Rule .0207 of this Section.

31 (d) Professional development continuing education. A doctor of chiropractic may obtain continuing education credit
32 for undertaking the professional development activities described in this Paragraph. Credit shall be awarded based on
33 the actual time spent and shall not exceed two hours annually for all activities combined. To apply for credit, the
34 doctor shall report such activities on his or her annual license renewal form as provided in **Rule .0205(e)** **Rule .0204(d)**
35 of this Section. Approved professional development activities shall include:

- 36 (1) reading scientific, peer-reviewed professional journals; or

1 (2) visiting vendor displays at professional association conventions to become familiar with trends in
2 treatment technologies and new products.

3 (e) Attendance at interstate regulatory meetings. A doctor of chiropractic may obtain as many as 12 hours of
4 continuing education credit annually by ~~attending morning and afternoon sessions of~~ a national meeting of the
5 Federation of Chiropractic Licensing Boards or ~~morning and afternoon sessions of~~ a meeting of the National Board
6 of Chiropractic Examiners.

7

8 *History Note: Authority G.S. 90-142; 90-151; 90-155;*

9 *Eff. July 1, 2004;*

10 *Amended Eff. June 1, 2015;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
12 *~~2019.~~ 2019;*

13 *Readopted Eff. April 1, 2026.*

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1 21 NCAC 10 .0211 is repealed **through readoption** as published in 40:07 NCR 645 as follows:

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3 **21 NCAC 10 .0211 AGREEMENTS TO PROVIDE FINANCE OR MANAGEMENT SERVICES**

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5 *History Note: Authority G.S. 90-142; 90-147; 90-157.3;*

6 *Eff. September 1, 2011;*

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

8 *~~2019.~~ 2019.*

9 *Repealed Eff. April 1, 2026.*

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21 NCAC 10 .0213 is readopted **with changes** as published in 40:07 NCR 646-647 as follows:

21 NCAC 10 .0213 CERTIFIED CHIROPRACTIC ASSISTANTS

(a) Designation. The Board shall classify Certified Chiropractic Assistants as follows:

- (1) Level 1 – Clinical
- (2) Level 2 – X-ray

For purposes of this Rule, a Certified Chiropractic Assistant – Level 1 is the same as a "chiropractic clinical assistant" as defined in G.S. 90-143.4(a). For purposes of this Rule, a Certified Chiropractic Assistant – Level 2 is the same as a "diagnostic imaging technician" as defined in G.S. 90-143.2 and may be referred to as a "radiologic technologist", "X-ray tech", and "X-ray technician."

(b) Application Procedure. Anyone seeking to be certified as a Chiropractic Assistant shall submit an application found on the Board's website at <https://ncchiroboard.com>. All applicants shall:

- (1) Be at least 18 years of age;
- (2) Demonstrate that he or she graduated from high school or the equivalent;
- ~~(3) Possess good moral character as determined by the Board; and~~
- ~~(4)~~ (3) Submit an application fee of thirty-five dollars ~~(\$35.00)~~ **(\$35.00)**; and
- ~~(5)~~ (4) Submit an application containing the following information:
 - (A) the applicant's name, residential address, phone number, email address, and date of birth;
 - (B) the applicant's educational history and degree attainment;
 - (C) the applicant's employment history;
 - (D) whether the applicant now has or has ever had an addiction to, or dependency on, alcohol or other controlled substances;
 - (E) whether the applicant has ever been convicted of a **felony under any laws;** **felony;**
 - (F) whether any criminal charges or criminal investigations, if known, are pending against the applicant;
 - (G) the email address of a person, known by but not related to the applicant, to complete the Attestation of Good Moral Character; and
 - (H) a copy of the applicant's government-issued identification document, such as a driver's license or passport.

(c) New Applicants – Level 1.

- (1) Education. In addition to the requirements set forth in Paragraph (b) of this Rule, new applicants shall submit evidence of completion of a clinical assistant education program at least 24 hours in length, of which at least 6 hours shall be in-person didactic training with an instructor or instructors who, based on education and experience, are competent to teach the portion of the curriculum they have been assigned. Credit for online coursework shall not exceed 18 hours, and all online coursework shall precede didactic training. The education program shall provide **sufficient** instruction in the five subjects set forth in G.S. 90-143.4(c) to enable its graduates to satisfy all

1 applicable standards of care. To obtain approval of an education program, the program sponsor shall
2 submit to the Board, at least 60 days prior to the proposed starting date, all instructional materials
3 to be used in the program, including a syllabus of the didactic training, and a curriculum vitae for
4 each instructor.

- 5 (2) Examination. The proficiency examination for new applicants shall assess both academic
6 knowledge and practical skills acquired through education programs and shall be administered at
7 least four times per year on dates and at locations to be announced by the Board at least 30 days in
8 advance and published on the Board's website at <https://ncchiroboard.com>. ~~In its discretion, the~~
9 ~~Board may authorize additional testing sessions based on the number of applications received.~~ The
10 minimum passing score on the examination is 75 percent.

11 (d) New Applicants – Level 2.

- 12 (1) Education. In addition to the requirements set forth in Paragraphs (b) and (c) of this Rule, new
13 applicants shall complete a radiological technologist education program at least 50 hours in length,
14 of which at least 6 hours shall be in-person didactic training with an instructor or instructors who,
15 based on education and experience, are competent to teach the portion of the curriculum they have
16 been assigned, and completion of the practical requirement as set forth in Subparagraph (d)(2) of
17 this Rule. The education program shall provide **sufficient** instruction in the five subjects set forth in
18 G.S. 90-143.2 to enable its graduates to satisfy all applicable standards of care governing the
19 production of X-rays. To obtain approval of an education program, the program sponsor shall submit
20 to the Board, at least 60 days prior to the proposed starting date, all instructional materials to be
21 used in the program, including a syllabus of the didactic training and a curriculum vitae for each
22 instructor. Any person registered as "active" with the American Chiropractic Registry of Radiologic
23 Technologists shall be deemed to have satisfied the educational requirements of this paragraph.

- 24 (2) Practical Requirement. Upon completion of the training set forth in Subparagraph (d)(1) of this Rule,
25 a person desiring certification as a Certified Chiropractic Assistant – Level 2 shall undergo a
26 Practical Examination within six months of completing the written [examination,] examination
27 required in Paragraph (c)(2) of this Rule, whereby the person is evaluated by his or her program
28 sponsor on the following competencies while performing x-ray examinations under the in-person
29 observation of a sponsor for four different patients:

- 30 (A) Image quality;
31 (B) Marking sides of the body;
32 (C) Technique input to controller;
33 (D) Tube/focal film distance;
34 (E) Bucky/tube alignment;
35 (F) Patient positioning;
36 (G) Gonad shielding;
37 (H) Ability to name additional views in the series; and

- 1 (I) ~~Collimation.~~ Collimation;
- 2 (J) Anatomy viewed; and
- 3 (K) Technique calculated for measurement of patient.

4 The person must complete and score at least 64 total points on each of the Thoracic Spine, Lumbar Spine, and Cervical
5 Spine Practical Examinations. The person shall submit written documentation of the Practical evaluation on a form
6 prescribed by the Board that is available on the Board's website at ~~https://ncchiroboard.com/x-ray-technician.~~
7 https://ncchiroboard.com/certified-chiropractic-assistant-level-2-xray/.

- 8 (3) Examination. The competency examination shall be administered at least three times per year. The
9 Board shall publish on its website, <https://ncchiroboard.com>, the date, time, and location of the
10 examination at least 30 days in advance. ~~In its discretion, the Board may authorize additional testing~~
11 ~~sessions based on the number of applications received.~~ The minimum passing score is 75 percent.

12 (e) Reciprocity Applicants. A "reciprocity applicant" means an applicant who is currently certified or registered as a
13 clinical assistant or X-ray technician in another state whose requirements for certification or registration are
14 substantially similar to or more stringent than the requirements for certification in North Carolina. A reciprocity
15 applicant shall submit a copy of the applicant's current certification or registration as a clinical assistant in a state with
16 which North Carolina reciprocates and shall also submit written confirmation from the state's certifying authority or
17 registrar that the applicant is in good standing in that state. Applicants for reciprocity shall pay the application fee set
18 forth in Rule .0803(a)(1) of this Chapter.

19 (f) Certification Expiration and Renewal. Starting with certifications issued or renewed on or after July 1, 2022, a
20 certificate of competency shall expire on June 30th of the second year following the year in which it was issued unless
21 otherwise renewed. A Level 1 certificate holder seeking to renew shall submit evidence that the applicant has
22 completed six hours of Board-approved continuing education. A Level 2 certificate holder shall complete six hours of
23 education applicable to a Level 1 renewal plus six hours in radiologic technology. A certificate of attendance or
24 completion issued by the course sponsor and filed with the Board shall constitute prima facie evidence that the
25 applicant has completed the number of hours recited in the certificate. The applicant shall pay to the Board a renewal
26 fee in the amount of fifty dollars (\$50.00).

27 (g) Lapsed Certificates. If a certificate of competency has lapsed due to non-renewal and the lapse does not exceed
28 60 days, the certificate holder may obtain reinstatement by making up the accrued deficiency in continuing education.
29 If the lapse is greater than 60 days, no make-up continuing education shall be required, but the certificate holder shall
30 re-take and pass the proficiency examination for new applicants. Regardless of the length of lapse, a certificate holder
31 seeking reinstatement shall pay the renewal fee set forth in Paragraph (f) of this Rule.

32 (h) Exemptions. Graduates of accredited chiropractic colleges and students enrolled in accredited chiropractic colleges
33 who are serving college-sponsored preceptorships in North Carolina are deemed by the Board to have satisfied all
34 requirements imposed by this Rule and shall be deemed competent to perform the duties of a clinical assistant. Any
35 person who qualifies for exemption and who works as a clinical assistant in this state for more than 180 days shall
36 submit the **applicant application** pursuant to this Rule and note the claim of exempt status. Exempt persons shall not

1 be required to pay a certification fee. For the purposes of this Rule, "accredited" shall mean colleges accredited by the
2 Council on Chiropractic Education.

3 (i) Displaying Certificate. The holder of a Level 1 certificate issued pursuant to this Rule shall display the certificate
4 in the chiropractic clinic in which the holder is employed in a location where the certificate may be viewed by patients.
5 The holder of a Level 2 certificate issued pursuant to this Rule shall display the certificate in the x-ray room of the
6 chiropractic clinic in which the holder is employed in a location where the certificate may be viewed by patients.

7

8 *History Note: Authority G.S. 90-142; 90-143.2; 90-143.4; 90-154.3;*

9 *Eff. July 1, 2014;*

10 *Amended Eff. April 1, 2018;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
12 *2019;*

13 *Amended Eff. January 1, 2022; January 1, ~~2020~~ 2020;*

14 *Readopted Eff. April 1, 2026.*

15

16

1 21 NCAC 10 .0215 is readopted **with changes** as published in 40:07 NCR 647 as follows:

2
3 **21 NCAC 10 .0215 PETITION FOR PREDETERMINATION**

4 (a) General. Pursuant to G.S. 93B-8.1(b6), any person with a criminal history may petition the Board at any time for
5 a predetermination of whether the individual's criminal history will likely disqualify the individual from obtaining a
6 license, in accordance with this Rule. The Petition form may be found on the Board's website at
7 <https://ncchiroboard.com>.

8 (b) Petition Procedure. To petition the Board under this Rule, a person must submit to the Board's office a petition
9 for predetermination that contains all of the following information:

- 10 (1) The person's name;
- 11 (2) The last four digits of the person's social security number;
- 12 (3) The person's current residential address;
- 13 (4) The person's current mailing address;
- 14 (5) A nationwide criminal history record report from the criminal records reporting service currently
15 under contract with the Board;
- 16 (6) For each crime identified in the criminal history record report, the following information:
 - 17 (A) Whether the crime was a felony or misdemeanor;
 - 18 (B) The date that the crime occurred;
 - 19 (C) The date the person was convicted of, or plead guilty or nolo contendere to, the crime;
 - 20 (D) The age of the person at the time of the crime;
 - 21 (E) The circumstances surrounding the commission of the crime;
 - 22 (F) The sentence imposed for the crime;
 - 23 (G) The period of time during which the person was incarcerated for the crime;
 - 24 (H) The period of time during which the person was on probation or parole for the crime;
 - 25 (I) Any documentation related to the person's rehabilitation or employment since the date of
26 the crime;
 - 27 (J) Whether the person has undergone any rehabilitative drug or alcohol treatment since the
28 date of the crime;
 - 29 (K) Whether a Certificate of Relief has been granted regarding the crime, pursuant to G.S. 15A
30 173.2; and
 - 31 (L) Any affidavits or other written documents, including character references, for the person.
- 32 (7) An affirmation under oath that the person has read the Instructions for Submitting a Petition for
33 Predetermination and the statutes and rules governing the practice of chiropractic and that the
34 information contained in the petition is true and accurate.

35 Incomplete petitions shall not be considered by the Board. If incomplete petitions received by the Board are not made
36 complete within 30 days of receipt, the incomplete petitions will be returned to the person from whom the request was
37 made.

1 (c) Petition Fee. A non-refundable petition fee of forty-five dollars (\$45.00) shall accompany each petition. This fee
2 ~~may shall~~ be paid by credit card through the Board's website at <https://ncchiroboard.com>, ~~https://ncchiroboard.com or~~
3 ~~by check made payable to the North Carolina Board of Chiropractic Examiners.~~ Cash shall not be accepted.

4 (d) Delegation of Authority for Predetermination. The Board delegates authority for rendering predeterminations
5 under this Rule to the ~~Chiropractic Disciplinary Review Committee.~~ Committee, as set forth in Rule .0503.

6
7 *History Note: Authority G.S. 90-142; 90-143.3; 90-154; 93B-8.1;*

8 *Eff. January 1, ~~2020.~~ 2020.*

9 *Readopted Eff. April 1, 2026.*

10

11

21 NCAC 10 .0217 is readopted **with changes** as published in 40:07 NCR 647 as follows:

21 NCAC 10 .0217 PROFESSIONAL ENTITIES

(a) A chiropractor who seeks to deliver chiropractic services through a professional corporation or professional limited liability company shall first obtain Board approval. Prior to approval, the entity shall submit its Articles of ~~Incorporation/Organization~~ **Incorporation or Articles of Organization** to the Board for the purpose of verifying the legal name of the entity.

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

(c) Business entities organized for the purpose of providing professional chiropractic services shall not contain the name of an individual unless:

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

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

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

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

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

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

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

1 21 NCAC 10 .0218 is readopted **with changes** as published in 40:07 NCR 647-648 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~~ **he or she** has read the statutes, ~~rules~~ **rules**, and
14 guidelines regarding 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 years prior to submission of request to serve as a preceptor;
- 18 (3) No prior suspension of the preceptor's license, active or stayed; and
- 19 (4) No prior Board discipline of any kind within 10 years of commencing the preceptor-student
20 relationship.

21 (c) Preceptors shall supervise only one student at a time. Preceptors shall obtain verbal consent from every patient
22 who is treated by the student prior to the student commencing treatment. Preceptors shall document consent in the
23 patient's record.

24

25 *History Note: Authority G.S. 90-142(2); 90-142.1;*

26 *Eff. April 1, ~~2024~~. 2024;*

27 *Amended Eff. April 1, 2026.*

1 21 NCAC 10 .0302 is readopted **with changes** as published in 40:07 NCR 648 as follows:

2
3 **21 NCAC 10 .0302 ETHICS OF ADVERTISING AND PUBLICITY**

4 Prohibited Advertising. The following shall constitute false or misleading advertising, which constitutes unethical
5 conduct pursuant to G.S. 90-154.2:

- 6 (1) Advertising that purports to guarantee a beneficial result from chiropractic treatment.
- 7 (2) Advertising that promotes a treatment, therapy, or service that constitutes unethical conduct as
8 defined by G.S. 90-154.2 or any rule promulgated by the Board pursuant to G.S. 90-154.3(b).
- 9 (3) Advertising in which the licentiate is identified as a specialist, unless the licentiate has complied
10 with the requirements of ~~21 NCAC 10 .0304~~, **21 NCAC 10 .0304** and any reference to the specialty
11 is immediately preceded by the term "chiropractic." Illustrations are as follows:
- 12 (a) "Pediatrics" standing alone is deemed false or misleading; "chiropractic pediatrics"
13 conforms to this Rule; and
- 14 (b) "Neurologist" standing alone is deemed false or misleading; "chiropractic neurologist"
15 conforms to this Rule.
- 16 (4) Advertising which would lead a reasonable person to believe the licensee holds any other **license(s)**
17 **licenses** authorized under Chapter 90 of the North Carolina General Statutes when the licensee does
18 not hold such license, including but not limited to a medical physician, physical therapist, massage
19 therapist, or acupuncturist.

20
21 *History Note: Authority G.S. 90-142; 90-154.2;*
22 *Eff. February 1, 1976;*
23 *Readopted Eff. January 27, 1978;*
24 *Amended Eff. January 1, 1983; May 8, 1979;*
25 *Legislative Objection Lodged Eff. January 31, 1983;*
26 *Curative Amended Eff. February 28, 1983;*
27 *Curative Amended Eff. March 2, 1983;*
28 *Amended Eff. November 1, 2007; December 1, 1988;*
29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
30 *2019;*
31 *Amended Eff. April 1, 2025; January 1, ~~2020~~ 2020;*
32 *Readopted Eff. April 1, 2026.*

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1 21 NCAC 10 .0303 is readopted with changes as published in 40:07 NCR 648 as follows:

2

3 **21 NCAC 10 .0303 SOLICITATION OF AUTO ACCIDENT VICTIMS**

4 (a) In-Person and Telephone Solicitation of Auto Accident Victims. In order to protect the public from
5 misrepresentation, ~~coercion~~ coercion, or undue influence, it shall be unlawful for a doctor of chiropractic, or the
6 doctor's employee, to initiate direct personal contact or telephone contact with any person who has been injured in a
7 motor vehicle collision, or with any person residing in the injured person's household, for a period of 90 days following
8 the collision, if the purpose of initiating contact is, in whole or part, to solicit the injured person to become a patient
9 of the doctor.

10 (b) Acceptance of Referrals From Runners. It shall be unlawful for a doctor of chiropractic to accept as a patient any
11 person injured in an automobile accident who was referred by a runner. As used in this Rule, the term "runner" means
12 any person, firm firm, or corporation that regularly obtains the names of injured persons from motor vehicle accident
13 reports or other public records and then contacts those persons to induce them to seek medical or chiropractic treatment
14 or pursue legal claims.

15 (c) Solicitation of Auto Accident Victims by Mail. A doctor of chiropractic may solicit persons injured in motor
16 vehicle collisions at any time through the use of posted communications such as letters, brochures, information
17 ~~packages~~ packages, and sound or video recordings. The words, "This is an advertisement for chiropractic services"
18 must appear on the communication's envelope or mailing container in print large enough to be easily read.

19 (d) Nonconforming Solicitation Deemed Unethical Conduct. Any solicitation of automobile accident victims which
20 does not conform to the requirements of this Rule shall be considered a violation of the Rules of Ethics of Advertising
21 and Publicity pursuant to G.S. 90-154.2(5).

22

23 *History Note: Authority G.S. 90-142, 90-154, 90-154.2;*

24 *Eff. September 1, 1994;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
26 *~~2019-2019;~~*

27 *Readopted Eff. April 1, 2026.*

28

29

1 21 NCAC 10 .0305 is readopted **with changes** as published in 40:07 NCR 648 as follows:

2
3 **21 NCAC 10 .0305 PREPAID TREATMENT PLANS**

4 (a) Prepaid Treatment Plan Defined. A "prepaid treatment plan" is a contract between a patient and a physician under
5 which the patient, instead of paying for services as they are delivered, agrees in advance to pay a pre-determined total
6 amount to the physician for a series of specified treatments and services to be performed by the physician or the
7 physician's staff in the future and that are not covered by insurance. The patient's financial obligation may be payable
8 in a lump sum or in periodic installments.

9 (b) Non-Conforming Plans Unlawful. A physician who offers to a patient a prepaid treatment plan that does not
10 conform to this Rule shall be subject to disciplinary action pursuant to G.S. 90-154(b)(9), committing or attempting
11 to commit fraud, **deception** **deception**, or misrepresentation.

12 (c) Required Contractual Provisions. A prepaid treatment plan shall be in writing and signed by the patient. The
13 physician shall provide an accurate and complete copy of the plan document to the patient. In addition to any
14 permissive provisions not in conflict with this Rule, the plan document shall contain the following mandatory
15 provisions:

- 16 (1) The duration of the plan, measured either by number of office visits or calendar days;
- 17 (2) The therapeutic objectives of the plan, based on a physical examination and assessment of the patient
18 performed by the physician prior to the plan's start date;
- 19 (3) The patient's cost to purchase the plan;
- 20 (4) A description of the services and products that are included within the plan and for which there will
21 be no additional charges;
- 22 (5) A disclaimer, in bold-faced type, that the patient could incur additional charges if services and
23 products not included within the plan are delivered to the patient during the course of treatment;
- 24 (6) A description of the physician's office policy regarding charges for cancelled office visits and office
25 visits not kept; and
- 26 (7) A declaration of the patient's right to terminate the plan early and receive a refund in conformity
27 with Paragraphs (d) and (e) of this Rule.

28 (d) Refund Calculation. The patient shall have the right to terminate a prepaid treatment plan at any point prior to the
29 stated expiration without incurring any financial penalty. The physician may charge the patient the full amount for
30 dispensed products that cannot be re-stocked, including opened nutritional supplements and used cervical pillows,
31 orthotic and neurological appliances, and similar durable medical equipment. In all other respects, the amount of the
32 refund payable to the patient shall be calculated strictly pro-rata, based on the measure of duration recited in the plan
33 document (office visits or calendar days). No other method of refund calculation shall be permitted, and any provision
34 in the plan that specifies another method of calculation shall be void.

35 (e) Notice of Plan Termination; Prompt Refund. The physician may require that a patient give notice of plan
36 termination by delivery of a paper writing dated and signed by the patient or a person authorized to sign **in on** the

1 patient's behalf. The physician shall not impose any other procedural impediments to obtaining a refund. The physician
2 shall issue the appropriate pro-rata refund within ten business days after receiving notice of plan termination.
3 (f) Administrative Fees. The physician shall not collect from a patient any fees for administering a plan other than
4 pass-through fees for which the physician is liable, such as credit card processing fees.

5

6 *History Note: Authority G.S. 90-142; 90-154;*

7 *Eff. April 1, 2017;*

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

9 *~~2019- 2019;~~*

10 *Readopted Eff. April 1, 2026.*

11

12

1 21 NCAC 10 .0503 is readopted as published in 40:07 NCR 649-650 as follows:

2

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

4 (a) General. Complaint allegations ~~that could be~~ that, if taken as true, would **be** considered violations of the Board's
5 Practice ~~Act~~ **Act, based on the findings of the Investigative Report,** shall be referred to the Disciplinary Review
6 Committee ~~(DRC), (DRC),~~ **along with any investigative report prepared by Board staff.** The DRC shall conduct an
7 informal conference with ~~the party~~ the licensee identified in the complaint in order to consider the possibility of
8 resolving the complaint.

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

10 (1) The Board Secretary; and

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

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

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

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

17 (2) Non-Disciplinary Letter of Caution;

18 (3) Resolution by settlement; or

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

21

22 *History Note: Authority G.S. 90-141; 90-142; ~~90-143;~~ 90-154;*

23 *Eff. December 1, 1988;*

24 *Amended Eff. October 1, 2016;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
26 *2019;*

27 *Amended Eff. October 1, 2022; January 1, ~~2020.~~ 2020;*

28 *Readopted Eff. April 1, 2026.*

1 21 NCAC 10 .0504 is readopted **with changes** as published in 40:07 NCR 650 as follows:

2
3 **21 NCAC 10 .0504 DRUG TESTING**

4 (a) Reasonable Suspicion. The Secretary of the Board may require a licentiate to submit to drug or blood alcohol
5 testing if there is reasonable suspicion that the licentiate is consuming drugs or alcohol to such an extent or with such
6 frequency as to impair the ability to treat patients. For purposes of this Rule, reasonable suspicion exists when:

- 7 (1) The licentiate is cited or arrested on drug-related criminal charges;
- 8 (2) The licentiate admits to the Board or to a judicial tribunal that the licentiate has abused alcohol or
9 prescription drugs or consumed illicit drugs; or
- 10 (3) The Secretary receives the sworn affidavit of a credible witness stating that the witness personally
11 observed the licentiate in the licentiate's chiropractic office during business hours and the licentiate's
12 behavior was erratic, ~~unprofessional~~ **unprofessional**, and apparently influenced by drug or alcohol
13 consumption.

14 (b) Approved Laboratory. Any drug test required by the Secretary shall be conducted by an approved laboratory in
15 accordance with the protocol set forth in Article 20, Chapter 95 of the General Statutes, Controlled Substance
16 Examination Regulation.

17 (c) Reporting Results. The results of a licentiate's drug test shall be reported directly to the Secretary by the laboratory
18 conducting the test and shall not be disclosed to any person other than the licentiate except for use as evidence in
19 Board disciplinary actions or when disclosure is mandated by law.

20 (d) Right to Dispute Results. In any Board disciplinary proceeding in which a licentiate's drug test results are
21 introduced into evidence, including a preliminary hearing before the Chiropractic Review Committee, the licentiate
22 may dispute the accuracy of the test results.

23 (e) Effect of Refusal. A licentiate's refusal to submit to a drug test required by the Secretary pursuant to this Rule
24 shall be considered the concealment of information about a matter affecting licensure, in violation of G.S. 90-
25 154(b)(19).

26
27 *History Note: Authority G.S. 90-142; 90-154;*
28 *Eff. October 1, 2009;*
29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
30 *~~2019.~~ 2019;*
31 *Readopted Eff. April 1, 2026.*
32
33

1 21 NCAC 10 .0708 is readopted **with changes** as published in 40:07 NCR 650 as follows:

2

3 **21 NCAC 10 .0708 CONTINUANCES FOR BOARD HEARINGS**

4 (a) Consistent with ~~G.S. 150B-40(b)~~, **G.S. 150B-40**, all motions for continuance shall be addressed to the secretary,
5 or the designated presiding officer of the contested case hearing. All motions for continuance shall be in writing and
6 received in the office of the Board no less than seven calendar days before the hearing date.

7 (b) Motions for a continuance of a hearing may be granted upon a showing of good cause. In determining whether
8 good cause exists, the presiding officer shall consider the ability of the party requesting a continuance to proceed
9 without a continuance.

10 (c) A motion for a continuance filed less than seven calendar days from the date of the hearing shall be denied if a
11 continuance has been previously granted unless the reason for the motion could not have been ascertained earlier.

12

13 *History Note:* Authority ~~G.S. 90-156~~, **G.S. 150B-38(h)**;

14 *Eff. January 1, 2020. 2020;*

15 *Readopted Eff. April 1, 2026.*

16

17

1 21 NCAC 10 .0709 is readopted **with changes** as published in 40:07 NCR 650 as follows:

2

3 **21 NCAC 10 .0709 SUBPOENAS**

4 (a) Requests for subpoenas for the attendance and testimony of witnesses or for the production of documents, either
5 at a Board Hearing or for the purposes of discovery, shall:

- 6 (1) be made in writing to the Board;
- 7 (2) identify any document sought;
- 8 (3) include the full name and home or business address of all persons to be subpoenaed; and
- 9 (4) if known, **include** the date, time, and place for responding to the subpoena.

10 The Board shall issue the requested subpoenas within three days of receipt of the request.

11 (b) Subpoenas shall contain the following:

- 12 (1) the caption of the case;
- 13 (2) the name and address of the person subpoenaed;
- 14 (3) the date, hour, and location of the hearing in which the witness is commanded to appear;
- 15 (4) a particularized description of the books, papers, records, or objects the witness is directed to bring
16 with him to the hearing, if any;
- 17 (5) the identity of the party on whose application the subpoena was issued;
- 18 (6) the date of issue;
- 19 (7) the signature of the presiding officer or his designee; and
- 20 (8) a "return of service." The "return of service" form as filled out, shall show:
 - 21 (A) the name and capacity of the person serving the subpoena;
 - 22 (B) the date on which the subpoena was delivered to the person directed to make service;
 - 23 (C) the date on which service was made;
 - 24 (D) the person on whom service was made;
 - 25 (E) the manner in which service was made; and
 - 26 (F) the signature of the person making service.

27 (c) Subpoenas shall be served in a manner set forth in Rule 45 of the N.C. Rules of Civil Procedure.

28 (d) Any person receiving a subpoena from the Board may object thereto by filing a written objection to the subpoena
29 with the Board's office. Written objections shall comply with Rule 45 of the N.C. Rules of Civil Procedure.

30 (e) The party who requested the subpoena may file a written response to the objection. The written response shall be
31 served by the requesting party on the objecting witness with the filing of the response with the Board.

32 (f) After receipt of the objection and response thereto, if any, the Board shall issue a notice of a Hearing on the motion
33 to the party who requested the subpoena and the party challenging the subpoena to be scheduled as soon as practicable,
34 at which time evidence and testimony may be presented, limited to the narrow questions raised by the objection and
35 response.

1 (g) After the close of such Board Hearing, a majority of the Board members hearing the contested case shall rule on
2 the challenge and issue a written decision. A copy of the decision will be issued to all parties and made a part of the
3 record.

4

5 *History Note: Authority G.S. 150B-38; 150B-39; 150B-40;*

6 *Eff. January 1, ~~2020~~ 2020;*

7 *Readopted Eff. April 1, 2026.*

8

9

Burgos, Alexander N

From:
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Catherine Lee is our attorney and should be invited. clee@hedrickgardner.com

Serving,

Dr. Joe Siragusa
D.C., DIANM, M.Ed.
Executive Director
North Carolina State Board of Chiropractic Examiners

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The North Carolina Board of Chiropractic Examiners was established May 5, 1917 by the NC General Assembly (G.S 90-139) to properly regulate doctors of chiropractic for the benefit and protection of the people of North Carolina. The North Carolina Board of Chiropractic Examiners also regulates and certifies Chiropractic Clinical Assistants (G.S. 90-143.4) and Diagnostic Imaging (X-Ray) Technicians (G.S. 90-143.2). The board is charged with establishing standards for licensing and practice; enforcing those standards; and administering licensing examinations. The Board is also charged with developing and enforcing ethical standards, investigating complaints, and disciplining individuals who violate ethical standards, Board rules or state licensing laws.

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

On Feb 26, 2026, at 4:31 PM, Miller, Christopher S <christopher.miller@oah.nc.gov> wrote:

Good afternoon, Dr. Siragusa.

I'm the staff attorney who reviewed the rule readoptions submitted by the North Carolina State Board of Chiropractic Examiners for the March 2026 RRC meeting. The RRC will

formally review these Rules at its meeting on Thursday, March 26, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get closer to the meeting. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Attached is my initial Request for Changes Pursuant to G.S. 150B-21.10. Please submit your responses and the revised rules to me via email, no later than 5 p.m. on **March 13, 2026**.

Please let me know if you have any questions or concerns.

Regards,

Chris Miller

Rules Review Commission Counsel

North Carolina Office of Administrative Hearings | Rules Division

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