

Burgos, Alexander N

From: Catherine E. Lee <clee@hedrickgardner.com>
Sent: Friday, September 4, 2026 1:23 PM
To: Rules, Oah
Cc: Barney, Meghan E; Burgos, Alexander N; dr.joe@ncchiroboard.com
Subject: [External] NCBOCE - Submission of Final Revised Rule 21 NCAC 10 .0203 for review at September RRC Meeting
Attachments: 21 NCAC 10 .0203 (rev'd).docx

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Good afternoon –

On behalf of the North Carolina State Board of Chiropractic Examiners, please see the attached revised final submission for Rule 21 NCAC 10 .0203, for consideration by the RRC at its September meeting.

Thank you

Catherine E. Lee | Partner
Hedrick Gardner Kincheloe & Garofalo LLP.
2710 Wycliff Road, Suite 220 | Raleigh, NC 27607
Phone: 919-341-2639 | Fax: +19193412639
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21 NCAC 10 .0203 is amended **with changes** as published in 40:22 NCR 1803-1805 as follows:

21 NCAC 10 .0203 NORTH CAROLINA EXAMINATION

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

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

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

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

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

(e) Report of Scores. The applicant shall arrange for his or her test results from any National Board examination to be reported to the ~~Board~~ **Board from the examination testing provider**. 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 (d) of this Rule.

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

- (1) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective examination termed "Physiotherapy," but shall not be required to submit a score on Part III or Part IV.
- (2) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall be required to submit scores of 375 or higher on National Board Part I, Part II, the elective examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part IV.

1 In order to receive a license, an applicant who qualifies for a waiver of any National Board score pursuant to this
2 Paragraph shall take and pass the Special Purpose Examination for Chiropractic ("SPEC") and the North Carolina
3 Examination. An applicant seeking licensure who qualifies for a waiver of any National Board score must submit an
4 application for licensure to the Board pursuant to Rule .0202 of this Section.

5 (g) SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing
6 score shall be 375 or higher. In order to take the North Carolina examination, the following individuals must first take
7 and pass the SPEC:

- 8 (1) a reciprocity applicant;
- 9 (2) a waiver applicant pursuant to Paragraph (f) of this Rule; and
- 10 (3) an applicant previously licensed in this State whose active license has been lapsed pursuant to G.S.
11 90-155 for 1096 days or more than 180 days, unless the applicant has been engaged in continuous
12 licensed chiropractic practice in another state within the United States ~~for the three years preceding~~
13 ~~the applicant's application to the Board~~ requiring annual in-person or live on-line continuing
14 education for the period of time during which the applicant's North Carolina-issued license has been
15 lapsed and has not been subject to any disciplinary action impacting the applicant's ability to engage
16 in chiropractic ~~practice.~~ practice; or
- 17 (4) an applicant previously licensed in this State whose active license has been lapsed pursuant to G.S.
18 90-155 for a period of time between 366 and 1095 days, unless the applicant has not been subject
19 to any disciplinary action impacting the applicant's ability to engage in chiropractic practice and:
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22 the period of time during which the applicant's North Carolina-issued license has been
23 lapsed; or
 - 24 (B) the applicant completes the educational sessions or programs set forth in G.S. 90-155(a),
25 plus six (6) additional hours of continuing education for each year during which the
26 applicant's North Carolina license was lapsed. At least six (6) of the total continuing
27 education hours ~~[must]~~ shall address topics of coding, compliance, exam procedures, or
28 documentation. At least six (6) of the total continuing education hours ~~[must]~~ shall be in-
29 person or live on-line.

30 Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375
31 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to
32 licensure. Applicants whose license has been lapsed for 365 days or less shall not be required to take and pass the
33 SPEC prior to licensure if they complete the educational sessions or programs as required by G.S. 90-155(a) or if they
34 have been engaged in continuous licensed chiropractic practice in another state within the United States requiring
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36 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)~~, 0204(e) of this Section.

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

History Note: Authority G.S. 90-142; 90-143; 90-143.1; 90-143.3; 90-144; 90-145; 90-146;
Eff. February 1, 1976;
Readopted Eff. January 27, 1978;
Amended Eff. January 1, 1983; October 17, 1980;
Legislative Objection Lodged Eff. January 31, 1983;
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2019;
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Readopted Eff. April 1, ~~2026~~, 2026;
Amended Eff. October 1, 2026.

Burgos, Alexander N

Subject: FW: [External] RE: September RRC Meeting-Request for Changes

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Sent: Friday, September 4, 2026 1:16 PM
To: Catherine E. Lee <clee@hedrickgardner.com>; dr.joe@ncchiroboard.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
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Ms. Lee,

I'm satisfied with the changes made. Please send the final revised rules to oah.rules@oah.nc.gov and cc Mr. Burgos and I.

These rules are final for review and can be placed on August's agenda. Please let us know if anyone from your agency (other than you) will be present for the meeting, in-person or on WebEx.

Thank you,

Meghan

Meghan Barney
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1925
Email: meghan.barney@oah.nc.gov

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Thank you for catching that, I have attached a revised version with the bracketed text on page 3 struck through.

We appreciate your help in making this rule better!

Catherine

Catherine E. Lee | Partner

Hedrick Gardner Kincheloe & Garofalo LLP.

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Burgos, Alexander N

Subject: FW: [External] RE: September RRC Meeting-Request for Changes

From: Barney, Meghan E <meghan.barney@oah.nc.gov>
Sent: Friday, September 4, 2026 12:49 PM
To: Catherine E. Lee <clee@hedrickgardner.com>; dr.joe@ncchiroboard.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] RE: September RRC Meeting-Request for Changes

Ms. Lee,

Thank you for getting everything back to me so quickly. I looked over your responses and the edited rule, and I appreciate the changes you made. There was only one issue I noted. On the last edit, Page 3, Line 2, ".0204(e)." was bracketed and highlighted, I assume to be stricken, but the strike line was not added. Please take a look at this and make any edit you deem necessary to comply with required formatting. Thank you.

Meghan

Meghan Barney
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1925
Email: meghan.barney@oah.nc.gov

From: Catherine E. Lee <clee@hedrickgardner.com>
Sent: Friday, September 4, 2026 9:14 AM
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If you have any questions, please don't hesitate to contact me.

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Burgos, Alexander N

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Attachments: Responses to Request for Changes - Chiropractic Examiners 21 NCAC 10 .0203- 09 2026.docx; 21 NCAC 10 .0203 (rev'd).docx

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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: "aAssociation"
 - 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.

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

AGENCY: BOARD OF CHIROPRACTIC EXAMINERS

RULE CITATION: 21 NCAC 10 .0203

DEADLINE FOR RECEIPT: September 16, 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:

(e), Line 23, Is there a particular way the Board wants the results reported? In the next line, Line 24, you reference "official score report." Is this what is required?

We have revised to clarify that the test results must be sent to the Board from the examination testing provider.

(f), Page 2, Line 3-4 Is this a separate application for the waiver or are you just saying that a person who qualifies for a waiver still submits the regular application under .0202? Please clarify.

This provision means that a person who qualifies for a waiver must apply for licensure by submitting an application per Rule .0202. There is no separate application for a waiver. We have added clarifying language.

(g)(2) Line 9 remove "and"

Done

(g)(3) Line 16 change "practice." to "practice; or"

Done

(g)(4)(B) Line 27 change "must" to "shall"

Done

(g)(4)(B) Line 28 change "must" to "shall"

Done

Meghan Barney
Commission Counsel
Date submitted to agency: September 2, 2026

(g), Page 3, Line 2 add "of this Section" after "Rule .0204(e)"

Done

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

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(e) Report of Scores. The applicant shall arrange for his or her test results from any National Board examination to be reported to the ~~Board~~ **Board from the examination testing provider**. 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 (d) of this Rule.

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

- (1) An applicant who graduated from chiropractic college between July 1, 1966 and June 30, 1986 shall be required to submit scores of 375 or higher on National Board Part I, Part II, and the elective examination termed "Physiotherapy," but shall not be required to submit a score on Part III or Part IV.
- (2) An applicant who graduated from chiropractic college between July 1, 1986 and June 30, 1997 shall be required to submit scores of 375 or higher on National Board Part I, Part II, the elective examination termed "Physiotherapy," and Part III, but shall not be required to submit a score on Part IV.

1 In order to receive a license, an applicant who qualifies for a waiver of any National Board score pursuant to this
2 Paragraph shall take and pass the Special Purpose Examination for Chiropractic ("SPEC") and the North Carolina
3 Examination. An applicant seeking licensure who qualifies for a waiver of any National Board score must submit an
4 application for licensure to the Board pursuant to Rule .0202 of this Section.

5 (g) SPEC Examination. The SPEC is administered by the National Board of Chiropractic Examiners. The passing
6 score shall be 375 or higher. In order to take the North Carolina examination, the following individuals must first take
7 and pass the SPEC:

- 8 (1) a reciprocity applicant;
- 9 (2) a waiver applicant pursuant to Paragraph (f) of this Rule; and
- 10 (3) an applicant previously licensed in this State whose active license has been lapsed pursuant to G.S.
11 90-155 for 1096 days or more than 180 days, unless the applicant has been engaged in continuous
12 licensed chiropractic practice in another state within the United States ~~for the three years preceding~~
13 ~~the applicant's application to the Board~~ requiring annual in-person or live on-line continuing
14 education for the period of time during which the applicant's North Carolina-issued license has been
15 lapsed and has not been subject to any disciplinary action impacting the applicant's ability to engage
16 in chiropractic ~~practice.~~ practice; or
- 17 (4) an applicant previously licensed in this State whose active license has been lapsed pursuant to G.S.
18 90-155 for a period of time between 366 and 1095 days, unless the applicant has not been subject
19 to any disciplinary action impacting the applicant's ability to engage in chiropractic practice and:
 - 20 (A) the applicant has been engaged in continuous licensed chiropractic practice in another state
21 within the United States requiring annual in-person or live on-line continuing education for
22 the period of time during which the applicant's North Carolina-issued license has been
23 lapsed; or
 - 24 (B) the applicant completes the educational sessions or programs set forth in G.S. 90-155(a),
25 plus six (6) additional hours of continuing education for each year during which the
26 applicant's North Carolina license was lapsed. At least six (6) of the total continuing
27 education hours [must] shall address topics of coding, compliance, exam procedures, or
28 documentation. At least six (6) of the total continuing education hours [must] shall be in-
29 person or live on-line.

30 Reciprocity applicants and waiver applicants pursuant to Paragraph (f) of this Rule who have achieved a score of 375
31 or higher on Part IV of the National Board examination shall not be required to take and pass the SPEC prior to
32 licensure. Applicants whose license has been lapsed for 365 days or less shall not be required to take and pass the
33 SPEC prior to licensure if they complete the educational sessions or programs as required by G.S. 90-155(a) or if they
34 have been engaged in continuous licensed chiropractic practice in another state within the United States requiring
35 annual in-person or live on-line continuing education equivalent to the North Carolina continuing education
36 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).] .0204(e) of this Section.

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

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

Burgos, Alexander N

From: Barney, Meghan E
Sent: Wednesday, September 2, 2026 2:12 PM
To: dr.joe@ncchiroboard.com
Cc: Burgos, Alexander N
Subject: September RRC Meeting-Request for Changes
Attachments: Request for Changes - Chiropractic Examiners 21 NCAC 10 .0203- 09 2026.docx

Good afternoon,

I'm the attorney who reviewed the rule submitted by the Board of Chiropractic Examiners for the September 2026 RRC meeting. The RRC will formally review the rule at its meeting on Tuesday, September 29, 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 close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised rules to me via email, no later than 5 p.m. on September 16, 2026. Let me know if you have any questions.

Thanks,
Meghan

Meghan Barney
Rules Review Commission Counsel
Office of Administrative Hearings
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Email: meghan.barney@oah.nc.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.