

21 NCAC 42B .0202 is adopted with changes as published in 38:24 NCR 1649 as follows:

21 NCAC 42B .0202 BRANCH OFFICE

(a) A branch office is any location, facility, or mobile facility, other than an optometrist's primary office location, in which the optometrist provides professional optometric services as provided in G.S. 90-114 (1)-(3).

(b) Before opening or beginning practice in a branch office, an optometrist ~~must~~ shall obtain a ~~duplicate~~ branch license ~~to which shall be displayed in the branch office, accordance with G.S. 90-118.2.~~ The application for a branch office license must be made ~~on Form BEO-3, which can be acquired from the Board.~~ through the individual licensee's portal on the Board's website. The application requires the applicant furnish the following information:

(1) office name;

(2) phone number;

(3) fax number;

(4) date beginning practice at this location;

(5) whether this location is exclusively or primarily a telemedicine office;

(6) address, city, state, zip code, county; and

(7) ~~comments (if any)~~

(c) Each branch office ~~must~~ shall comply with the requirements for maintaining appropriate medical equipment and record keeping in accordance with 21 NCAC 42E .0102(2) and 42E .0102(5).

~~If in the opinion of the Board Rules 42E .0102(2) and 42E .0102(5) of this Chapter are met, the Board shall notify the optometrist making application of the approval of the request and upon~~ Upon receipt of a the completed branch office application and the required fee required by G.S. 90-123, the Board, subject to G.S. 90-121.2, shall issue such ~~duplicate~~ branch office license. ~~license shall be issued by the Board for the purpose of display in the branch office for which it is issued in compliance with G.S. 90-118.2 and 90-118.4.~~ A ~~duplicate~~ branch office license is not transferable from one practice location to another, nor from one practitioner to another. ~~Within the meaning of this Rule a nursing home is considered a branch office when there is an agreement between the optometrist or his representative that he will provide optometric services on a scheduled basis within the nursing home; provided however, any optometrist who accepts a request to make emergency calls to patients at a nursing home within 20 miles of his practice location(s) as reflected in the Board records is not required to obtain a duplicate license for that location.~~

(d) A branch office license ~~must~~ shall be renewed annually. Failure to do so may result in disciplinary action by the Board.

~~(e) Failure to meet any of the requirements set forth in this rule may result in disciplinary action pursuant to G.S. 90-121.2(a).~~

History Note: Authority G.S. 90-117.5; 90-114; 90-118.2; 90-118.4; 90-118.10; 90-118.11; 90-121.2; 90-123

Eff. February 1, 1976;

Readopted Eff. May 30, 1978;

Amended Eff. April 1, 1993; June 1, 1989; September 30, 1981;

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23,*
2 *2015.*
3 *Eff. October 1, 2024*