

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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SENATE BILL 721  
House Committee Substitute Favorable 10/22/01  
House Committee Substitute #2 Favorable 10/30/01

Short Title: Occupational Licensing Fees & Per Diem Chngs.

(Public)

Sponsors:

Referred to:

March 29, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE BOARD OF EXAMINERS IN OPTOMETRY AND THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO INCREASE CERTAIN FEES AND TO INCREASE THE COMPENSATION OF BOARD MEMBERS AND TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO INCREASE THE ANNUAL REGISTRATION FEE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 90-122 reads as rewritten:

"§ 90-122. **Compensation and expenses of Board.**

~~Notwithstanding G.S. 93B-5(a), each~~ Each member of the North Carolina State Board of Examiners in Optometry shall receive as compensation for his services in the performance of his duties under this Article ~~a sum not exceeding fifty two hundred dollars (\$50.00) (\$200.00)~~ for each day actually engaged in the performance of the duties of his office, ~~said per diem to be fixed by said Board,~~ and all legitimate and necessary expenses incurred in attending meetings of the said Board.

~~The secretary treasurer shall, as compensation for his services, both as secretary treasurer of the Board and a member thereof, be allowed a reasonable annual salary to be fixed by the Board and shall, in addition thereto, receive all legitimate and necessary expenses incurred by him in attending meetings of the Board and in the discharge of the duties of his office.~~

All per diem allowances and all expenses paid as ~~herein provided~~ in this section shall be paid upon ~~voucher~~ vouchers drawn by the ~~secretary treasurer of the Board who shall likewise draw voucher payable to himself for the salary fixed for him by the Board.~~ Executive Director of the Board in accordance with Board policy.

The Board is authorized and empowered to expend from funds collected ~~hereunder~~ such ~~additional~~ sum or sums as it may determine necessary in the administration and enforcement of this Article, and employ such personnel as it may deem requisite to

1 assist in carrying out the administrative functions required by this Article and by the  
2 Board."

3 SECTION 2. G.S. 90-123 reads as rewritten:

4 "§ 90-123. Fees.

5 In order to provide the means of carrying out and enforcing the provisions of this  
6 Article and the duties of devolving upon the North Carolina State Board of Examiners  
7 in Optometry, ~~said the Board is hereby authorized to charge and collect fees established~~  
8 ~~by its rules not exceeding the following:~~ the following fees:

- 9 (1) Each application for general optometry  
10 examination .....~~\$400.00~~\$800.00
- 11 (2) Each general optometry license renewal, which fee  
12 shall be annually fixed by the Board, and not later  
13 than December 15 of each year written notice of  
14 the amount of the renewal fee shall be given to  
15 each optometrist licensed to practice in this State  
16 by mailing the notice to the last address of record  
17 with the Board of each such optometrist .....~~250.00~~300.00
- 18 (3) Each certificate of license to a resident optometrist  
19 desiring to change to another state or territory .....~~200.00~~300.00
- 20 (4) Each license issued to a practitioner of another  
21 state or territory to practice in this State .....~~250.00~~350.00
- 22 (5) Each license to resume practice issued to an  
23 optometrist who has retired from the practice of  
24 optometry or who has removed from and returned  
25 to this State .....~~250.00~~350.00
- 26 (6) Each application for registration as an optometric  
27 assistant or renewal thereof .....~~50.00~~100.00
- 28 (7) Each application for registration as an optometric  
29 technician or renewal thereof .....~~50.00~~100.00
- 30 (8) Each duplicate license or renewal thereof for each  
31 branch office .....~~50.00~~100.00."

32 SECTION 3. G.S. 90-15.1 reads as rewritten:

33 "§ 90-15.1. Registration every year with Board.

34 Every person licensed to practice medicine by the North Carolina Medical Board  
35 shall register annually with the Board within 30 days of the person's birthday. A person  
36 who registers with the Board shall report to the Board the person's name and office and  
37 residence address and any other information required by the Board, and shall pay a  
38 registration fee ~~fixed by the Board not in excess of one hundred twenty-five dollars~~  
39 ~~(\$100.00)~~(\$125.00). A physician who is not actively engaged in the practice of  
40 medicine in North Carolina and who does not wish to register the license may direct the  
41 Board to place the license on inactive status. For purposes of annual registration, the  
42 Board shall use a simplified registration form which allows registrants to confirm

1 information on file with the Board. A physician who fails to register as required by this  
2 section shall pay an additional fee of twenty dollars (\$20.00) to the Board. The license  
3 of any physician who fails to register and who remains unregistered for a period of 30  
4 days after certified notice of the failure is automatically inactive. Except as provided in  
5 G.S. 90-12(d), a person whose license is inactive shall not practice medicine in North  
6 Carolina nor be required to pay the annual registration fee. Upon payment of all  
7 accumulated fees and penalties, the license of the physician may be reinstated, subject  
8 to the Board requiring the physician to appear before the Board for an interview and to  
9 comply with other licensing requirements. The penalty may not exceed the maximum  
10 fee for a license under G.S. 90-13."

11 **SECTION 4.** G.S. 90-155 reads as rewritten:

12 **"§ 90-155. Annual fee for renewal of license.**

13 Any person practicing chiropractic in this State, in order to renew his license, shall,  
14 on or before the first Tuesday after the first Monday in January in each year after a  
15 license is issued to him as herein provided, pay to the secretary of the Board of  
16 Chiropractic Examiners a renewal license fee as prescribed and set by the said Board  
17 which fee shall not be more than one hundred fifty dollars (~~\$100.00~~)(\$150.00), and shall  
18 furnish the Board evidence that he has attended two days of educational sessions or  
19 programs approved by the Board during the preceding 12 months, provided the Board  
20 may waive this educational requirement due to sickness or other hardship of applicant.

21 Any license or certificate granted by the Board under this Article shall  
22 automatically be canceled if the holder thereof fails to secure a renewal within 30 days  
23 from the time herein provided; but any license thus canceled may, upon evidence of  
24 good moral character and proper proficiency, be restored upon the payment of the  
25 renewal fee and an additional twenty-five dollars (\$25.00) reinstatement fee.

26 If any licensee of the Board retires from active practice, the licensee may renew his  
27 license annually by paying the license fee and shall not be required to furnish the Board  
28 proof of continuing education; however, if at a later time the licensee desires to resume  
29 active practice, the licensee shall first appear before the Board and the Board shall  
30 determine his competency to practice."

31 **SECTION 5.** G.S. 90-156 reads as rewritten:

32 **"§ 90-156. Pay of Board and authorized expenditures.**

33 Notwithstanding G.S. 93B-5(a), the ~~The~~ members of the Board of Chiropractic  
34 Examiners shall receive as compensation for their services a sum not to exceed two  
35 hundred dollars (\$200.00) for each day during which they are engaged in the official  
36 business of the Board and their actual expenses, including transportation and lodging,  
37 when meeting for the purpose of holding examinations, and performing any other duties  
38 placed upon them by this Article, ~~such expenses~~ to be paid by the treasurer of the Board  
39 out of the moneys received by him as license fees, or from renewal fees. The Board  
40 shall also expend out of such fund so much as may be necessary for preparing licenses,  
41 securing seal, providing for programs for licensed doctors of chiropractic in North  
42 Carolina, and all other necessary expenses in connection with the duties of the Board."

1                   **SECTION 6.** G.S. 90-149 reads as rewritten:

2   "**§ 90-149. Application fee.**

3       Each applicant shall pay the secretary of ~~said~~ the Board a fee as prescribed and set  
4 by the Board which fee shall not be more than ~~one~~three hundred dollars  
5 ~~(\$100.00)~~(\$300.00)."

6                   **SECTION 7.** This act becomes effective January 1, 2002.