

**§ 90-5.1. Powers and duties of the Board.**

- (a) The Board shall have the following powers and duties:
- (1) Administer this Article.
  - (2) Issue interpretations of this Article.
  - (3) Adopt, amend, or repeal rules as may be necessary to carry out and enforce the provisions of this Article.
  - (4) Require an applicant or licensee to submit to the Board evidence of the applicant's or licensee's continuing competence in the practice of medicine.
  - (5) Regulate the retention and disposition of medical records, whether in the possession of a licensee or nonlicensee. In the case of the death of a licensee, the rules may provide for the disposition of the medical records by the estate of the licensee. This subsection shall not apply to records created or maintained by persons licensed under other Articles of this Chapter or to medical records maintained in the normal course of business by licensed health care institutions.
  - (6) Appoint a temporary or permanent custodian for medical records abandoned by a licensee.
  - (7) Develop educational programs to facilitate licensee awareness of provisions contained in this Article and public awareness of the role and function of the Board.
  - (8) Develop and implement methods to identify dyscompetent licensees and licensees who fail to meet acceptable standards of care.
  - (9) Develop and implement methods to assess and improve licensee practice.
  - (10) Develop and implement methods to ensure the ongoing competence of licensees.
- (b) Nothing in subsection (a) of this section shall restrict or otherwise limit powers and duties conferred on the Board in other sections of this Article.
- (c) Notwithstanding any other provision of law, the North Carolina Medical Board shall not set fees pursuant to rules. Any fees set pursuant to rules adopted by the Board and applicable on June 1, 2019, remain valid. (2007-346, s. 5; 2019-191, ss. 5, 45.)