

Occupational Boards and Licensing

See full summary documents for additional detail

H436 - Unauthorized Practice of Law Changes. (SL 2016-60)

S.L. 2016-60 exempts certain acts from the definition of the practice of law, including: operation of a Web site that offers consumers the ability to generate legal documents based on the consumer's answers to questions; completion of certain pre-printed documents by licensed real estate brokers; and completion of documents related to the sale or lease of a motor vehicle by a licensed motor vehicle dealer.

This act became effective June 30, 2016.

H728 - Amend Various Licensing Board Laws/Fees. (SL 2016-117)

S.L. 2016-117 makes various changes to several occupational licensing boards' statutes and fees, as follows:

- Extends the period after employment for a chiropractic clinical assistant to obtain a certificate of competency from the State Board of Chiropractic Examiners and raises the maximum allowable annual renewal fee for a chiropractic license from \$150 to \$300.
- Makes several changes to the statutes governing the North Carolina Medical Board, including increasing the application fee payable to the Medical Board for each applicant for a license to practice medicine and surgery in the State and the annual registration fee for every person licensed to practice medicine by the Board. These provisions also amend the peer review agreement to provide that the Medical Board may enter into agreements with the North Carolina Medical Society, the North Carolina Academy of Physician Assistants, and the North Carolina Physicians Health Program (Program) to identify, review, and evaluate licensees of the Board who have been referred to the Program, with regard to their ability to function in their professional capacity and to coordinate regimens for treatment and rehabilitation. Any information acquired, created, or used in good faith by the Program under this health program is privileged, confidential, and not subject to discovery, subpoena, or other means of legal compulsion for release.
- Creates a new apprenticeship requirement option for opticians and a six-month intern requirement for licensure, and lowers apprenticeship requirements for licensure from 3.5 to 2.5 years. These provisions also increase the Board of Opticians' fees and create four new fees.
- Increases the Real Estate Commission's application fee for new licensees from \$30 to \$100, and allows the Commission to increase the application fee from \$100 to \$120 by rule, but provides that the Commission may not increase the application fee by more than \$5 during a 12-month period. This section also increases the Commission's license renewal fee from \$30 to \$45, and allows the Commission to increase the renewal fee from \$45 to \$60 by rule, but provides that the Commission may not increase the application fee by more than \$5 during a 12-month period. This section also allows the postlicensing education requirements for real estate brokers to be satisfied by online instruction. These provisions become effective July 1, 2017.

Except as otherwise provided, this act becomes effective October 1, 2016.

H742 - Professional Engineer Licensure/Allow School Maintenance Plumbers.

Sec. 1: Clarify the Requirements for Initial Licensure as a Professional Engineer. (SL 2016-105)

Sec. 1 of S.L. 2016-105 rewrites the provision related to licensure as a professional engineer to clarify the requirements. This section also eliminates the requirement that the applicant must meet the education, experience, and examination requirements in a particular order.

Additionally, this section clarifies the process for obtaining an engineer intern certificate and provides that an applicant for a professional engineer's license must meet stated requirements for education, examination, and experience. This section retains the existing authority for licensure by comity, long-established practice, faculty members, and doctors of engineering.

This section becomes effective October 1, 2016.

The summary for the section of this act that pertains to school maintenance plumbers may be found in the Education subject area.

H742 - Professional Engineer Licensure/Allow School Maintenance Plumbers.

Secs. 2 and 3: Allow Employment of School Maintenance Plumbers. (SL 2016-105)

Sections 2 and 3 of S.L. 2016-105:

- Direct the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to establish and issue State and local government plumbing and heating technician licenses for persons who wish to engage in the installation, repair, or replacement of plumbing or heating groups numbers one, two, and three as an employee of a State or local government agency.
- Clarify that a licensee who is regularly employed by a local board of education may maintain an individual license and contract to perform work during the hours that the licensee is off-duty from the licensee's regular employer.

These sections become effective October 1, 2016.

BILL ANALYSIS:

Section 2 of S.L. 2016-105 directs the State Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to establish and issue State and local government plumbing, heating group number one, heating group number two, or heating group number three technician licenses.

These would be issued to (i) persons who do not possess the required contractor license but desire to engage in the installation, repair, or replacement of plumbing, heating group number one, heating group number two, or heating group number three solely as an employee of a State or local government agency, and (ii) persons who do possess the required contractor license but who also desire to engage in the installation, repair or replacement of plumbing, heating group number one, heating group number two, or heating group number three as an employee of a State or local government agency without listing their contractor license in the name of the State or local government agency.

Section 3 clarifies that a licensee who is regularly employed by a local board of education may maintain an individual license and contract to perform work during the hours that the licensee is off-duty from the licensee's regular employer.

EFFECTIVE DATE: These sections become effective October 1, 2016.

H1030 - 2016 Appropriations Act.

Sec. 12F.1: Medication-Assisted Opioid Use Disorder Treatment Pilot Program. (SL 2016-94)

Sec. 12F.1 of S.L. 2016-94 creates a three-year pilot program conducted by designated federally qualified health centers located in North Carolina and overseen by the Department of Health and Human Services to study the effectiveness of combining behavioral therapy with the utilization of a nonnarcotic, nonaddictive, extended-release injectable formulation of opioid antagonist approved by the United States Food and Drug Administration, for the prevention of relapse to opioid dependence.

This section became effective July 14, 2016.

H1145 - Disapprove Dental Examiners Rule. (SL 2016-31)

S.L. 2016-31 disapproves the General Anesthesia and Sedation Definitions Rule (21 NCAC 16Q .0101) as adopted by the North Carolina Board of Dental Examiners and approved by the Rules Review Commission, changes the effective dates of other related rules, and directs the Board not to enforce certain rules.

This act became effective June 22, 2016.

S481 - Fund Small Businesses/Department of Revenue Rulings/City Rights of Way.

Part III: Prohibit Cities from Charging Fees for Utility Use of Right-of-Way. (SL 2016-103)

Part III of S.L. 2016-103 prohibits a city from imposing a fee on telecommunications, video programming, electricity, or gas utilities for activities conducted in the city's right-of-way, unless the city's right-of-way management expenses related to these activities exceed distributions to the city of sales tax from the utilities' customers. Payments under G.S. 62-350 for pole attachments are not affected.

The prohibition on cities charging fees for utilities' use of right-of-way becomes effective July 1, 2017, and during the period July 22, 2016, through July 1, 2017, cities may charge fees not exceeding fees in effect as of June 1, 2016.

S734 - Statewide Standing Order/Opioid Antagonist. (SL 2016-17)

S.L. 2016-17 increases accessibility to opioid overdose treatment by authorizing the State Health Director to prescribe the opioid antagonist naloxone hydrochloride by means of a statewide standing order. The act also specifically lists the State Health Director among those individuals who are statutorily granted immunity from civil or criminal liability for authorized actions.

This act became effective June 20, 2016.

S770 - North Carolina Farm Act of 2016.

Sec. 17: Authorize Certified Well Drillers to Install Certain Water Pipes and Electrical Wiring in a Single Ditch. (SL 2016-113)

Sec. 17 of S.L. 2016-113 authorizes certified well contractors to install both water pipes and electrical wiring in a single ditch when running electrical wires from a well pump to the pressure switch and water pipes from the well to the water tank. The ditch must be as deep as the deepest applicable minimum cover requirement for the electrical wiring or water pipes. This section also directs the Building Code Council to amend the State Electrical Code and the State Plumbing Code consistent with this section.

This section becomes effective October 1, 2016.