

21 NCAC 32B .1361 is adopted with changes as published in 39:12 NCR 768-769 as follows:

SECTION .1300 – GENERAL

21 NCAC 32B .1361 **MILITARY RELOCATION LICENSE FOR PHYSICIAN SERVICEMEMBERS AND SPOUSES**

(a) A physician who meets the qualifications listed in this Rule and G.S. § 90-12.02 may apply for a military relocation license for physician servicemembers and spouses.

(b) An applicant for a military relocation license for physician servicemembers and spouses shall:

- (1) complete the Board's online application and providing the applicant's:
 - i. legal name;
 - ii. personal mailing, physical, and email address;
 - iii. work mailing, physical, and email address;
 - iv. telephone number;
 - v. social security number and date of birth;
 - vi. practice plans and areas of practice;
 - vii. chronological history of education and employment from age 18 to present;
 - viii. history of government investigations, substance use history for the past five years, military service, professional liability insurance history, investigations for employment misclassification for the past five years, and history of regulatory actions, hospital privilege, and malpractice;
 - ix. attesting an attestation under oath or affirmation that the information on the application is true and complete, and authorizing the release to the Board of all information pertaining to the application;
- (2) submit documentation of a legal name change, if applicable;
- (3) submit a photograph of the applicant that was taken in the last two years;
- (4) supply a certified copy of applicant's birth certificate if the applicant was born in the U.S. or certified copy of a valid and unexpired U.S. passport. If the applicant does not possess proof of U.S. citizenship, the applicant ~~must~~ shall provide information about applicant's immigration status that the Board will use to verify applicant's eligibility for this license;
- (5) provide proof that applicant is a servicemember of the United States Armed Forces or a spouse of a servicemember of the United States Armed Forces;
- (6) provide a copy of military orders that indicates that the applicant is residing in this State pursuant to such military orders for military service relating to applicant or applicant's spouse;
- (7) provide proof that the applicant holds a current license in another jurisdiction that has licensing requirements that are substantially equivalent or otherwise exceed the requirements for

1 licensure in this State;

- 2 (8) provide proof that the applicant ~~is in good standing in the jurisdiction of licensure~~, has not been
3 disciplined in the last five years by any occupational licensing board, and has no pending
4 investigations by any occupational licensing board;
- 5 (9) provide proof that the applicant has actively practiced medicine an average of 20 hours per
6 week during the 2 years immediately preceding relocation to this State;
- 7 (10) if the applicant is a graduate of a medical school other than those approved by LCME, AOA,
8 COCA, or CACMS, the applicant shall furnish an original ECFMG certification status report
9 of a currently valid certification of the ECFMG. The ECFMG certification status report
10 requirement shall be waived if the applicant has passed the ECFMG examination and
11 successfully completed an approved Fifth Pathway program (original ECFMG score transcript
12 from the ECFMG required);
- 13 (11) submit two completed fingerprint record cards to the Board;
- 14 (12) submit a signed consent form allowing a search of local, state and national files to disclose any
15 criminal record;
- 16 (13) pay to the Board a non-refundable fee pursuant to G.S. 90-13.1(a), plus the cost of a criminal
17 background check; and upon request, supply any additional information the Board deems
18 necessary to evaluate the applicant's qualifications.

19 ~~(e) A military relocation license shall remain active for the duration of the military orders for military service in this~~
20 ~~State and upon which the application was submitted. A military relocation license shall become inactive at the time~~
21 ~~the license holder relocates pursuant to military orders to reside in another state, when the military orders for military~~
22 ~~service in this State expire, or when the applicable servicemember separates from military service. All licensees with~~
23 ~~military relocation licenses shall notify the Board within 15 days of the issuance of new military orders requiring~~
24 ~~relocation to another state, within 15 days of the expiration of military orders, or within 15 days of separation from~~
25 ~~military service.~~

26 ~~(d) The Board shall retain jurisdiction over the holder of an inactive military relocation license.~~

27 ~~(e) A military relocation license may be converted to a full North Carolina license by applying for a full license with~~
28 ~~the Board via a separate application. The Board shall waive the application fee for a full license application if the~~
29 ~~application is submitted within one year of the issuance of the military relocation license. If an application is made to~~
30 ~~convert a military relocation license to a full license when the military relocation license is active, the military~~
31 ~~relocation license shall remain active during the full license application process and until the Board has made a~~
32 ~~licensing decision on the full license application.~~

33 ~~(f) (c)~~ When possible, all reports and Orders ~~must~~ shall be submitted directly to the Board from the primary source.

34 ~~(g) (d)~~ All information required by this Rule shall be provided within one year of submitting the application.

36 *History Note: Authority G.S. 90-5.1(a)(3); G.S. 90-12.02; G.S. 90-13.1;*

37 *Eff. April 1, 2025.*

21 NCAC 32N .0107 is amended with changes as published in 39:12 NCR 769 as follows:

21 NCAC 32N .0107 INVESTIGATIONS AND COMPLAINTS

(a) At the time of first oral or written communication from the Board or staff or agent of the Board to a licensee regarding a complaint or investigation, the Board shall provide the notices set forth in G.S. 90-14(i), except as provided in Paragraph (e) of this Rule. G.S. 90-14(i).

(b) A licensee shall submit a written response to a complaint received by the Board within 45 days from the date of a written request by Board staff. The Board shall grant up to an additional 30 days for the response where the licensee demonstrates good cause as defined in Rule 21 NCAC 32N .0106 for the extension of time. The response shall contain accurate and complete information. Where a licensee fails to respond in the time and manner provided herein, the Board may treat that as a failure to respond to a Board inquiry in a reasonable time and manner as required by G.S. 90-14(a)(14).

(c) The licensee's written response to a complaint submitted to the Board in accordance with Paragraph (b) of this Rule shall be provided to the complainant upon written request by the complainant as permitted in G.S. 90-16(e1), except that the response shall not be provided where the Board determines that the complainant has misused the Board's complaint process complaint is vexatious or frivolous or that the release of the response would be harmful to the physical or mental health of the complainant who was a patient of the responding licensee.

(d) A licensee shall submit to an interview within 30 days from the date of an oral or written request from Board staff. The Board may grant up to an additional 15 days for the interview where the licensee demonstrates good cause for the extension of time. The responses to the questions and requests for information, including documents, during the interview shall be complete and accurate. Where the licensee fails to respond in the time and manner provided herein, the Board may shall treat that as a failure to respond to a Board inquiry in a reasonable time and manner as required by G.S. 90-14(a)(14).

(e) The licensee who is the subject of a Board inquiry may retain and consult with legal counsel of his or her choosing in responding to the inquiries as set out in G.S. 90-14(i).

(f) For purposes of G.S. 90-14(l) an investigation is complete when the Board's Chief Investigative Officer, or his or her designee, approves an investigative report for submission to the Board's Disciplinary Committee.

History Note: Authority G.S. 90-5.1(a)(3); 90-14(a)(14); ~~90-14(i); 90-14(a)(i) and (l);~~ 90-14(a); 90-16(e1);

Eff. February 1, 2012;

Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016; 2016;

Amended Eff. April 1, 2025.

21 NCAC 32S .0226 is adopted with changes as published in 39:12 NCR 770 as follows

SECTION .0200 – PHYSICIAN ASSISTANT REGISTRATION

21 NCAC 32S .0226 MILITARY RELOCATION LICENSE FOR PHYSICIAN ASSISTANT SERVICEMEMBERS AND SPOUSES

(a) A physician assistant who meets the qualifications listed in this Rule and G.S. § 90-12.02 may apply for a military relocation license for physician assistant servicemembers and spouses.

(b) An applicant for a military relocation license for physician assistant servicemembers and spouses shall:

(1) complete the Board's online application and providing the applicant's:

i. legal name;

ii. personal mailing, physical, and email address;

iii. work mailing, physical, and email address;

iv. telephone number;

v. social security number and date of birth;

vi. practice plans and areas of practice;

vii. chronological history of education and employment from age 18 to present;

viii. history of government investigations, substance use history for the past five years, military service, professional liability insurance history, investigations for employment misclassification for the past five years, and history of regulatory actions, hospital privilege, and malpractice;

ix. attesting an attestation under oath or affirmation that the information on the application is true and complete, and authorizing the release to the Board of all information pertaining to the application;

(2) submit documentation of a legal name change, if applicable;

(3) submit a photograph of the applicant that was taken in the last two years;

(4) supply a certified copy of applicant's birth certificate if the applicant was born in the U.S. or a certified copy of a valid and unexpired U.S. passport. If the applicant does not possess proof of U.S. citizenship, the applicant ~~must~~ shall provide information about applicant's immigration status that the Board will use to verify applicant's eligibility for this license;

(5) provide proof that applicant is a servicemember of the United States Armed Forces or a spouse of a servicemember of the United States Armed Forces;

(6) provide a copy of military orders that indicates that the applicant is residing in this State pursuant to such military orders for military service relating to applicant or applicant's spouse;

(7) provide proof that the applicant holds a current license in another jurisdiction that has licensing requirements that are substantially equivalent or otherwise exceed the requirements for licensure in this State;

- (8) provide proof that the applicant ~~is in good standing in the jurisdiction of licensure~~, has not been disciplined in the last five years by any occupational licensing board, and has no pending investigations by any occupational licensing board;
- (9) provide proof that the applicant has actively practiced medicine an average of 20 hours per week during the 2 years immediately preceding relocation to this State;
- (10) submit two completed fingerprint record cards to the Board;
- (11) submit a signed consent form allowing a search of local, state and national files to disclose any criminal record;
- (12) pay to the Board a non-refundable fee as required by 21 NCAC 32S .0202, plus the cost of a criminal background check;
- (13) upon request, supply any additional information the Board deems necessary to evaluate the applicant's qualifications.

~~(c) A military relocation license shall remain active for the duration of the military orders for military service in this State and upon which the application was submitted. A military relocation license shall become inactive at the time the license holder relocates pursuant to military orders to reside in another state, when the military orders for military service in this State expire, or when the applicable servicemember separates from military service. All licensees with military relocation licenses shall notify the Board within 15 days of the issuance of new military orders requiring relocation to another state, within 15 days of the expiration of military orders, or within 15 days of separation from military service.~~

~~(d) The Board shall retain jurisdiction over the holder of an inactive military relocation license.~~

~~(e) A military relocation license may be converted to a full North Carolina license by applying for a full license with the Board via a separate application. The Board shall waive the application fee for a full license application if the application is submitted within one year of the issuance of the military relocation license. If an application is made to convert a military relocation license to a full license when the military relocation license is active, the military relocation license shall remain active during the full license application process and until the Board has made a licensing decision on the full license application.~~

~~(f)~~ (c) When possible, all reports and Orders ~~must~~ shall be submitted directly to the Board from the primary source.

~~(g)~~ (d) All information required by this Rule shall be provided within one year of submitting the application.

*History Note: Authority G.S. 90-5.1(a)(3); 90-12.02; ~~21 NCAC 32S .0202(5)~~;
Eff. April 1, 2025.*