

Occupational Boards and Licensing

See full summary documents for additional detail

H44 - Local Government Regulatory Reform 2015, Sec. 3.5: Well Drilling Changes (SL 2015-246)

Sec. 3.5 of S.L. 2015-246 does all of the following:

- Clarifies that when a well contractor obtains a permit to drill a well, that permit includes authorization for the electrical work needed to install the well that the well contractor is licensed to perform. Effective December 1, 2015.
- Requires the Well Contractors Certification Commission to allow well contractors with valid licenses from other states to sit, without delay, for licensure in this State upon satisfactory proof that the qualifications of the other state are equal to holders of similar licenses in this State. Effective December 1, 2015.
- Allows any property owner to request and receive a permit for an irrigation water well to be used for irrigation or other non-potable purposes, which may not be interconnected to the plumbing connected to any public water system, unless the public water system is being assisted by the Local Government Commission. Effective August 1, 2016.
- Effective August 1, 2016, for undeveloped and unimproved property, allows a property owner to obtain a permit for a private drinking water well to serve the property and for as long as that well is operational, the property may not be required to connect to a public water system, unless one of the following apply:
 - The private drinking water well has failed and cannot be repaired.
 - The water is contaminated.
 - The public water system is being assisted by the Local Government Commission.
 - The public water system is in the process of expanding or repairing the public water system and is actively making progress to having water lines installed directly available to provide water service to that property within the 24 months. (Expires July 1, 2017.)

H97 - 2015 Appropriations Act, Sec. 14.7: Use of Oyster Shells Prohibited in Commercial Landscaping (SL 2015-241)

Sec. 14.7 of S.L. 2015-241 prohibits the use of oyster shells as a ground cover by landscape contractors, and charges the Marine Fisheries Commission with enforcement of the prohibition.

This section became effective October 1, 2015.

H195 - Allow Substitution of Biosimilars (SL 2015-27)

S.L. 2015-27 amends the North Carolina Pharmacy Practice Act by doing the following:

- Provides definitions for biological and interchangeable products.
- Allows for the substitution of an interchangeable biological product for a prescribed drug product.

- Requires communication between a pharmacist and prescriber under certain circumstances when a biological product is dispensed.
- Requires the Board of Pharmacy to maintain a list of biological products determined by the FDA to be interchangeable with a specific biological product.
- Extends the liability protection a pharmacist currently has for substituting a generic drug product for a prescribed drug product to the substitution of an interchangeable drug product for a prescribed drug product.

This act became effective October 1, 2015. The provisions of the act that require communication between a pharmacist and prescriber when a biological product is dispensed expire on October 1, 2020.

H437 - Create Permit Exemptions/Home Renal Products (SL 2015-28)

S.L. 2015-28 amends the North Carolina Pharmacy Practice Act to create a pharmacy permit exemption for dispensing and delivery of dialysate or drugs necessary to perform home renal dialysis; to allow pharmacies to ship medications for home use by patients with renal failure to dialysis facilities; and to create an exemption from device and medical equipment permits for home renal products.

This act became effective October 1, 2015.

H647 - Epi Pens in All Child-Serving Businesses (SL 2015-274)

S.L. 2015-274 permits the prescribing and dispensing of epinephrine auto-injectors to authorized entities where allergens capable of causing anaphylaxis may be present. The act allows trained employees or agents of the authorized entities to provide or administer epinephrine under certain circumstances to specified individuals and provides immunity for individuals acting in accordance with the act. Actions taken pursuant to the act do not constitute the practice of medicine. Additionally, the act permits the Board of Pharmacy to adopt rules pertaining to the authorization necessary for entities to obtain an epinephrine prescription for emergency health circumstances.

This act became effective December 31, 2015.

H651 - Appraisal Board Recordkeeping and Background Checks (SL 2015-200)

S.L. 2015-200 establishes a statute of limitations for civil actions against a real estate appraiser and requires appraisal management companies that require real estate appraisers to submit criminal background checks as a condition of employment to accept criminal background checks performed within the preceding 12 months.

This act became effective October 1, 2015, and applies to contracts entered into, renewed, or amended on or after that date. Nothing in the act is to be construed as being applicable to or affecting any pending litigation.

H724 - Amend Composition of North Carolina Medical Board (SL 2015-213)

S.L. 2015-213 revises the membership of the North Carolina Medical Board to provide that at least one physician assistant and at least one nurse practitioner must serve as members of the Board.

This act became effective August 11, 2015.

H765 - Regulatory Reform Act of 2015, Sec. 1.7: Joint Legislative Administrative Procedure Oversight Committee to Make Recommendations on Occupational Licensing Board Changes (SL 2015-286)

Sec. 1.7 of S.L. 2015-286 directs the Joint Legislative Administrative Procedure Oversight Committee (APO) to review the recommendations contained in the Program Evaluation Division report entitled "Occupational Licensing Agencies Should Not be Centralized, but Stronger Oversight is Needed" to determine how to improve the oversight of occupational licensing boards. The section directs APO to consult with various interested parties in conducting its review and to propose legislation to the 2016 Session of the 2015 General Assembly.

This section became effective October 22, 2015.

H765 - Regulatory Reform Act of 2015, Sec. 2.2: Manufactured Home License/Criminal History Check (SL 2015-286)

Sec. 2.2 of S.L. 2015-286 amends the law regulating applications for manufactured home licenses to clarify that only applicants for initial licensure need consent to a criminal history record check. The section also clarifies that an applicant is a person applying for initial licensure as a manufactured home salesperson or a set-up contractor.

This section became effective October 22, 2015.

H765 - Regulatory Reform Act of 2015, Sec. 4.14A: Clarify Certification Requirements for Plumbing Contractors Who Install or Repair Grease Traps (SL 2015-286)

Sec. 4.14A of S.L. 2015-286 clarifies the exemption from the requirements for certification under the On-Site Wastewater Contractors and Inspectors statutes for licensed plumbing contractors. Specifically, this clarification provides that a plumbing contractor need not be a certified on-site wastewater contractor in order to install or repair a grease trap, interceptor, or separator upstream from a septic tank or similar depository that complies with the requirements of the local health department.

This section became effective October 22, 2015.

H765 - Regulatory Reform Act of 2015, Sec. 1.5: Occupational Licensing Board Investigators and Inspectors (SL 2015-286)

Sec. 1.5 of S.L. 2015-286 amends the law governing occupational licensing boards to prohibit a board from contracting with or employing a person licensed by the board to serve as an investigator or inspector, if the person is actively practicing in the profession or occupation over which the board has jurisdiction. The section does not prohibit the board from hiring a licensee for purposes other than as an investigator or inspector or if the licensee is not actively working in the field. Also, the section does not prohibit the board from contracting with licensees to serve as expert witnesses or consultants, provided their duties and authority are limited to serving as an information resource to the board or board personnel.

This section became effective October 22, 2015.

S279 - Amend Qualifications/Practice of Counseling (SL 2015-279)

S.L. 2015-279 does the following: (i) changes the requirements applicants must meet when applying for licensure as a licensed professional counselor associate and (ii) requires local boards of education to address sex trafficking prevention and awareness.

Changes to licensure for professional counselor associates

Effective October 1, 2015, the licensing requirements for professional counselor associates are divided into three categories, depending upon when an applicant applies for licensure:

- Applicants who apply for a license on or before March 1, 2016, must have (i) a master's degree from a regionally accredited school or from one accredited by an organization that is recognized by the Council for Higher Education Accreditation (CHEA), (ii) a minimum number of hours as determined by when one enters school, and (iii) passed an exam.
- Applicants who apply after March 1, 2016, through June 30, 2022, must have (i) a master's degree from a regionally accredited school or from one accredited by an organization both recognized by CHEA and accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP), (ii) a minimum number of hours as determined by when one enters school, and (iii) passed an exam.
- Applicants who apply on or after July 1, 2022, must have (i) a master's degree from an institution accredited by CACREP, (ii) a minimum number of hours, and (iii) passed an exam.

Changes to the reproductive health and safety education program

The following changes are made to the reproductive health and safety education program:

- Effective October 20, 2015, and applicable beginning with the 2016-2017 school year, information conveyed in instruction related to sexual activity and human reproduction must be approved by credentialed experts in the fields of any of the following: sexual health education, adolescent psychology, behavioral counseling, medicine, human anatomy, biology, ethics, or health education.

- Effective October 20, 2015, and applicable beginning with the spring semester of the 2015-2016 school year, the reproductive health and safety education program must also include instruction on sex trafficking prevention and awareness. Each local school administrative unit must collaborate with a diverse group of outside consultants where practical, including law enforcement with expertise in sex trafficking, to address the threats of sex trafficking and referral protocol for high-risk pupils. Law enforcement agencies, criminal justice agencies, and non-governmental organizations with expertise in sex trafficking are also permitted to provide materials and information.
- Effective January 1, 2016, and applicable beginning with the 2016-2017 school year, information conveyed in instruction related to risks related to sexual activity must be approved by credentialed experts in the fields of any of the following: sexual health education, adolescent psychology, behavioral counseling, medicine, human anatomy, biology, ethics, or health education.

Except as otherwise provided, this act became effective October 20, 2015.

S545 - Workforce Enrichment/Veterans (SL 2015-143)

S.L. 2015-143 requires an occupational licensing board to issue a license to a military-trained applicant if the applicant demonstrates military occupational specialty certification and experience in the licensed occupational field and passes a proficiency examination offered by the licensing board to military-trained applicants.

This act became effective July 8, 2015.