

§ 90-154.4. Enticements prohibited.

(a) For purposes of this section, an enticement is anything of monetary value offered by a chiropractor to a prospective patient as an incentive to enter treatment. Except as permitted in subsection (b) of this section, it shall be an unlawful rebate, in violation of G.S. 90-154(b)(12), for a chiropractor to offer an enticement to a prospective patient if, at the time the offer is made, the chiropractor knows or has reason to believe that the prospective patient's treatment expenses will be paid in whole or part by an insurer or other third-party payor.

(b) Unless prohibited by other State or federal law, the following marketing practices shall not be construed as violations of subsection (a) of this section:

- (1) Free or reduced rates, services, examinations, or treatments advertised and delivered in conformity with G.S. 90-154.1.
- (2) Cash or point-of-service discounts not more than 30 percentage points lower than the charges customarily billed to third-party payors.
- (3) Prepaid wellness plans covering only services that can be performed entirely by the offering chiropractor or the chiropractor's staff within the confines of the chiropractor's office.
- (4) Merchandise with a value of not more than ten dollars (\$10.00) given to a prospective patient for promotional purposes. (2007-525, s. 3.)