

§ 90-154. Grounds for professional discipline.

(a) The Board of Chiropractic Examiners may impose any of the following sanctions, singly or in combination, when it finds that a practitioner or applicant is guilty of any offense described in subsection (b):

- (1) Permanently revoke a license to practice chiropractic.
- (2) Suspend a license to practice chiropractic.
- (3) Refuse to grant a license.
- (4) Censure a practitioner.
- (5) Issue a letter of reprimand.
- (6) Place a practitioner on probationary status and require him to report regularly to the Board upon the matters which are the basis of probation.

(b) Any one of the following is grounds for disciplinary action by the Board under subsection (a):

- (1) Advertising services in a false or misleading manner.
- (2) Conviction of a felony or of a crime involving moral turpitude.
- (3) Addiction to or severe dependency upon alcohol or any other drug that impairs the ability to practice safely.
- (4) Unethical conduct as defined in G.S. 90-154.2.
- (5) Negligence, incompetence, or malpractice in the practice of chiropractic.
- (6) Repealed by Session Laws 1995, c. 188, s. 1.
- (7) Not rendering acceptable care in the practice of the profession as defined in G.S. 90-154.3.
- (8) Lewd or immoral conduct toward a patient.
- (9) Committing or attempting to commit fraud, deception, or misrepresentation.
- (10) Offering to waive a patient's obligation to pay any deductible or copayment required by the patient's insurer.
- (11) Failing to honor promptly a patient's request for a copy of any claim form submitted to the patient's insurer.
- (12) Rebating or offering to rebate to a patient any portion of the funds received from the patient's insurer, unless the sum rebated constitutes the refund of an overpayment to which the patient is lawfully entitled.
- (13) Advertising any free or reduced rate service without prominently stating in the advertisement the usual fee for that service.
- (14) Charging an insurer or other third-party payor a fee greater than a patient would be charged for the same service if the patient were paying directly.
- (15) Charging an insurer or other third-party payor a fee greater than the advertised fee for the same service.
- (16) Violating the provisions of G.S. 90-154.1.
- (17) Physical, mental, or emotional infirmity of such severity as to impair the ability to practice safely.
- (18) Violating the provisions of G.S. 90-151 regarding the extent and limitation of license.
- (19) Concealing information from the Board or failing to respond truthfully and completely to an inquiry from the Board concerning any matter affecting licensure.
- (20) Failing to comply with a decision of the Board that is final.
- (21) Committing an act on or after October 1, 2007, which demonstrates a lack of good moral character which would have been a basis for denying a license under G.S. 90-143(b)(1), had it been committed before application for a license.

(c) If a licensee is found guilty in a contested case arising under subsection (b) of this section, the Board may assess the licensee the reasonable cost of the hearing held to make such a determination if the Board finds that the licensee's defense at the hearing was dilatory or not asserted in good faith. (1917, c. 73, s. 14; C.S., s. 6725; 1949, c. 785, s. 3; 1963, c. 646, s. 3; 1981, c. 766, s. 7; 1983 (Reg. Sess., 1984), c. 1067, s. 1; 1985, c. 367, ss. 1, 2; c. 760, ss. 2, 3; 1995, c. 188, s. 1; 1999-430, s. 1; 2007-525, s. 4; 2016-117, s. 1(b).)