

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 893
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40473-NB-122

Short Title: Chiropractic Investigatory Costs.

(Public)

Sponsors: Representative Campbell.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO LIMIT THE AMOUNT THE NORTH CAROLINA STATE BOARD OF
3 CHIROPRACTIC EXAMINERS MAY CHARGE AS COSTS IN DISCIPLINARY
4 ACTIONS TO REQUIRE ACCURATE MINUTES FOR OFFICIAL MEETINGS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 90-157.4 reads as rewritten:
7 "§ 90-157.4. Civil penalty; disciplinary costs.

8 ...
9 (d) If a licensee is found to have violated any provisions of this Article or any rule adopted
10 by the Board, the Board may charge the costs of a disciplinary ~~proceeding~~, proceeding if the
11 disciplinary action results in a disposition other than complete exoneration of the licensee. The
12 total cumulative costs under this subsection, including reasonable attorneys' fees, to that
13 licensee-meeting costs, investigative fees, any other costs, shall not exceed the applicable amount
14 set forth in this subsection. Costs the Board charges in a disciplinary action shall not exceed the
15 following amounts in the following disciplinary actions:

- 16 (1) One thousand dollars (\$1,000) in a disciplinary action settled by consent
17 without a full Board hearing.
18 (2) Three thousand dollars (\$3,000) in a disciplinary action that is adjudicated
19 after the Board holds a full Board hearing or refers the disciplinary action to
20 the Office of Administrative Hearings.
21 (3) Reasonable actual costs, including attorneys' fees incurred by the Board in a
22 disciplinary action where, after meeting the requirements of subdivision (2)
23 of this subsection, the Board makes findings of fact in its final agency decision
24 sufficient to show that the licensee's defense was dilatory or not asserted in
25 good faith.

26 For the purposes of this section, the term "disciplinary action" includes any investigation,
27 informal evidentiary review, settlement conference, negotiation, probable cause hearing,
28 disciplinary review committee meeting, full Board meeting, or any combination of those types
29 of proceedings.

30 (d1) Any provision in an informal settlement, consent order, final agency decision, or other
31 dispositive document in which the licensee consents to pay costs in an amount greater than the
32 applicable amount set forth in subsection (d) of this section is void and unenforceable against the
33 licensee.

34 (d2) The Board shall send the licensee an itemized description of costs assessed under this
35 section at the conclusion of the disciplinary action. If there exists a discrepancy between the
36 itemized description of costs and the cost amounts charged to the licensee, then the licensee shall



1 be refunded the difference and any amount overcharged and already paid to the Board shall be
2 refunded.

3 (e) If the Board imposes a civil penalty under this section, the party against whom the
4 civil penalty has been assessed may file a petition for judicial review under Article 4 of Chapter
5 150B of the General Statutes."

6 **SECTION 2.** G.S. 90-144 reads as rewritten:

7 "**§ 90-144. Meetings of the North Carolina State Board of Chiropractic Examiners.**

8 (a) The North Carolina State Board of Chiropractic Examiners shall meet at least once a
9 year at such time and place as the Board shall determine and advertise.

10 (b) The Board is a public body, as that term is defined in Article 33C of Chapter 143 of
11 the General Statutes, and shall keep full and accurate minutes of all official meetings in
12 conformity with all of the following:

13 (1) Except as provided in G.S. 143-318.18, the contents of the treasurer's,
14 director's, and attorney's reports and each committee report shall be
15 summarized.

16 (2) Except as provided in G.S. 143-318.18, for any matter that comes before the
17 Board in an open session or in which the chair invites comments, the minutes
18 shall include the names of persons making public comments and a summary
19 of those comments, including any rationale or justification offered in support
20 or opposition to the matter under discussion.

21 (3) For any motion disposed of by the Board's vote, the minutes shall include the
22 motion verbiage and the corresponding vote of each member of the Board.

23 (4) The Board shall publish a draft version of the minutes within 15 business days
24 after each meeting and the final version immediately upon approval of those
25 minutes.

26 (c) Applicants for licensure under this Article shall comply with G.S. 90-143(b)."

27 **SECTION 3.** The North Carolina State Board of Chiropractic Examiners shall adopt
28 rules to implement this act.

29 **SECTION 4.** Sections 1 and 2 of this act become effective October 1, 2025, and
30 apply to disciplinary actions, as that term is defined by Section 1 of this act, on or after that date.
31 The remainder of this act is effective when it becomes law.