

1 21 NCAC 32B .1706 is proposed for adoption under temporary procedures as follows:

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3 **21 NCAC 32B .1706 PHYSICIAN PRACTICE AND LIMITED LICENSE FOR DISASTERS AND**
4 **EMERGENCIES**

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6 (a) The Board shall, pursuant to G.S. 90-12.5, waive requirements for licensure except to the extent set
7 forth below and after the Governor of the State of North Carolina has declared a disaster or state of
8 emergency, or in the event of an occurrence for which a county or municipality has declared a state of
9 emergency, or to protect the public health, safety or welfare of its citizens under Article 22 of Chapter
10 130A of the General Statutes. There are two ways for physicians to practice under this rule:

11 (1) Hospital to Hospital Credentialing: A physician who holds a full, unlimited and
12 unrestricted license to practice medicine in another U.S. state, territory or district and has
13 unrestricted hospital credentials and privileges in any U.S. state, territory or district may
14 come to North Carolina and practice medicine at a hospital that is licensed by the North
15 Carolina Department of Health and Human Services upon the following terms and
16 conditions:

17 (A) the licensed North Carolina hospital shall verify all physician credentials and
18 privileges;

19 (B) the licensed North Carolina hospital shall keep a list of all physicians coming to
20 practice and shall provide this list to the Board within ten (10) days of each
21 physician practicing at the licensed North Carolina hospital. The licensed North
22 Carolina hospital shall also provide the Board a list of when each physician has
23 stopped practicing medicine in North Carolina under this section within ten (10)
24 days after each physician has stopped practicing medicine under this section;

25 (C) all physicians practicing under this section shall be authorized to practice
26 medicine in North Carolina and shall be deemed to be licensed to practice
27 medicine in the State of North Carolina and the Board shall have jurisdiction over
28 all physicians practicing under this section for all purposes set forth in or related
29 to Article 1 of Chapter 90 of the North Carolina General Statutes, and such
30 jurisdiction shall continue in effect even after any and all physicians have stopped
31 practicing medicine under this section;

32 (D) a physician may practice under this section for the shorter of (a) thirty (30) days
33 from the date the physician has started practicing under this section or (b) a
34 statement by an appropriate authority is made that the emergency or disaster
35 declaration has been withdrawn or ended and, at such time, the license deemed
36 to be issued shall become inactive, and

1 (E) physicians practicing under this section shall not receive any compensation
2 outside of their usual compensation for the provision of medical services during a
3 disaster or emergency.

4 (2) Limited Emergency License: A physician who holds a full, unlimited and unrestricted
5 license to practice medicine in another U.S. state, territory or district may apply for a
6 limited emergency license on the following conditions:

7 (A) the applicant must complete a limited emergency license application;

8 (B) the Board shall verify that the physician holds a full, unlimited and unrestricted
9 license to practice medicine in another U.S. state, territory or district;

10 (C) in response to the specific circumstances presented by a declared disaster or
11 state of emergency and in order to best serve the public interest, the Board may
12 limit the physician's scope of practice;

13 (D) the Board shall have jurisdiction over all physicians practicing under this section
14 for all purposes set forth in or related to Article 1 of Chapter 90 of the North
15 Carolina General Statutes, and such jurisdiction shall continue in effect even
16 after such physician has stopped practicing medicine under this section or the
17 Limited Emergency License has expired;

18 (E) this license shall be in effect for the shorter of (a) thirty (30) days from the date it
19 is issued or (b) a statement by an appropriate authority is made that the
20 emergency or disaster declaration has been withdrawn or ended and, at such
21 time, the license issued shall become inactive; and

22 (F) physicians holding limited emergency licenses shall not receive any
23 compensation outside of their usual compensation for the provision of medical
24 services during a disaster or emergency.

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26 History Note: Authority G.S. 90-12.5; G.S. 90-13.2(e); G.S. 90-14(a); GS 166A-45