

21 NCAC 12B .0203 DENIAL OR WITHDRAWAL OF PROVIDER APPROVAL

(a) The Board may deny or withdraw approval of any continuing education provider upon finding that the provider or the continuing education coordinator in the employ of the provider:

- (1) made any false statements or presented any false, incomplete, or incorrect information in connection with an application for course or provider approval or renewal;
- (2) made any false statements in course advertisement or promotional materials;
- (3) provided false, incomplete, or incorrect information in connection with any reports the continuing education provider is required to submit to the Board;
- (4) delivered CE course content that infringed upon copyright or any intellectual property right of another;
- (5) provided the Board a check or credit card for required fees that was not honored by a financial institution or bank or returned for insufficient funds;
- (6) collected money from licensees and qualifiers for a continuing education course but refused or failed to provide the promised instruction;
- (7) intentionally provided false, incomplete, or misleading information relating to general contractors licensing, education matters, or the qualifier's education requirements or license status;
- (8) failed to submit the CE Roster Reports as required by Rule .0206 of this Subchapter;
- (9) failed to submit the per student fee as required by 21 NCAC 12A .0304; or
- (10) failed to comply with any other provision of this Chapter.

(b) A licensed general contractor and its qualifier(s) shall be subject to discipline pursuant to G.S. 87-11 if the licensee or its qualifier(s) engages in dishonest, fraudulent, or improper conduct in connection with the operations of a continuing education course provider if that licensee or qualifier(s):

- (1) has an ownership interest in the course provider;
- (2) is the designated continuing education coordinator for the course provider; or
- (3) is an instructor for the course provider.

(c) When ownership of an approved continuing education provider is transferred to a separate legal entity, the provider's approval is not transferable and shall terminate on the effective date of the transfer. All courses shall be completed by the effective date of the transfer. The transferring owner shall report course completion(s) to the Board. The new entity shall obtain an original continuing education provider approval as required by Rule .0202 of this Subchapter prior to advertising courses, registering students, accepting tuition, conducting courses, or otherwise engaging in any provider operations.

*History Note: Authority G.S. 87-10.2(b) and (c);
Temporary Adoption Eff. January 2, 2020;
Eff. September 1, 2020;
Amended Eff. January 1, 2022.*