

SUBCHAPTER 37I– PROFESSIONAL STANDARDS

SECTION .0100 - INVESTIGATIONS

21 NCAC 37I.0101 INVESTIGATION: DISCIPLINE: AND CONTESTED CASE PROCEEDINGS

- (a) The Chairperson of the Board shall appoint a Professional Standards Committee comprised of another member of the Board, the Executive Director and legal counsel, to investigate the qualifications of applicants and to review and investigate complaints.
- (b) The Board shall decide whether to grant or deny an application or whether, and what kind of, disciplinary action should be taken against a person registered with the Board. If the Board's action results in a contested case, the designated member who participated in the investigation of the matter may not participate as a member of the hearing panel or in deliberation of the contested case.
- (c) The Professional Standards Committee shall recommend to the Board whether the allegations in any complaint against an applicant or licensee, if proven, would warrant a contested case proceeding pursuant to G.S. 150B-38 through G.S. 150B-42.
- (d) Under G.S. 150B-40(e), the Board may elect not to hear its contested cases and refer contested cases to the Office of Administrative Hearings.

*History Note: Authority G.S. 90-285; 150B-40(e);
Eff. October 1, 1981;
Amended Eff. May 1, 1989;
Transferred and Recodified from 21 NCAC 37A .1122 Eff. April 1, 1996;
Amended Eff. July 1, 2000; April 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2014.*