21 NCAC 10 .0215 PETITION FOR PREDETERMINATION

(a) General. Pursuant to G.S. 93B-8.1(b6), any person with a criminal history may petition the Board at any time for a predetermination of whether the individual's criminal history will likely disqualify the individual from obtaining a license, in accordance with this Rule. The Petition form may be found on the Board's website at https://ncchiroboard.com.

(b) Petition Procedure. To petition the Board under this Rule, a person must submit to the Board's office a petition for predetermination that contains all of the following information:

(1) The person's name;
(2) The last four digits of the person's social security number;
(3) The person's current residential address;
(4) The person's current mailing address;
(5) A nationwide criminal history record report from the criminal records reporting service currently under contract with the Board;
(6) For each crime identified in the criminal history record report, the following information:
    (A) Whether the crime was a felony or misdemeanor;
    (B) The date that the crime occurred;
    (C) The date the person was convicted of, or plead guilty or nolo contendere to, the crime;
    (D) The age of the person at the time of the crime;
    (E) The circumstances surrounding the commission of the crime;
    (F) The sentence imposed for the crime;
    (G) The period of time during which the person was incarcerated for the crime;
    (H) The period of time during which the person was on probation or parole for the crime;
    (I) Any documentation related to the person's rehabilitation or employment since the date of the crime;
    (J) Whether the person has undergone any rehabilitative drug or alcohol treatment since the date of the crime;
    (K) Whether a Certificate of Relief has been granted regarding the crime, pursuant to G.S. 15A 173.2; and
    (L) Any affidavits or other written documents, including character references, for the person.
(7) An affirmation under oath that the person has read the Instructions for Submitting a Petition for Predetermination and the statutes and rules governing the practice of chiropractic and that the information contained in the petition is true and accurate.

Incomplete petitions shall not be considered by the Board. If incomplete petitions received by the Board are not made complete within 30 days of receipt, the incomplete petitions will be returned to the person from whom the request was made.

(c) Petition Fee. A non-refundable petition fee of forty-five dollars ($45.00) shall accompany each petition. This fee shall be paid by credit card through the Board's website at https://ncchiroboard.com. Cash shall not be accepted.

(d) Delegation of Authority for Predetermination. The Board delegates authority for rendering predeterminations under this Rule to the Disciplinary Review Committee, as set forth in Rule .0503 of this Chapter.

History Note: *Authority G.S. 90-142; 90-143.3; 90-154; 93B-8.1;*
Eff. January 1, 2020;
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