

SUBCHAPTER 16F - PROFESSIONAL CORPORATIONS

SECTION .0100 - SCOPE

21 NCAC 16F .0101 CERTIFICATION OF LICENSURE REQUIRED

History Note: Authority G.S. 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Repealed Eff. May 1, 1989.

21 NCAC 16F .0102 APPLICATION

Applications for certification that all proposed owners of stock in a professional corporation or all managers and members of a professional limited liability company are licensed to practice dentistry shall be submitted by letter to the Board's office requesting such certification, and setting forth the following information:

- (1) The proposed name of the corporation or professional limited liability company;
- (2) The names of all proposed owners of the shares of stock to be issued by the corporation, or all members and managers of the professional limited liability company together with their addresses and current dental license numbers; and
- (3) The name or names of the proposed incorporators or the members who executed the articles of organization of the professional limited liability company, their addresses, and the current dental license numbers of such of them as are duly licensed to practice dentistry in the State of North Carolina.

History Note: Authority G.S. 55B-4(4); 57C-2-01; 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. April 1, 1994; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 9, 2018.

21 NCAC 16F .0103 CORPORATE OR LIMITED LIABILITY COMPANY NAME

Corporation or limited liability company designations shall consist only of the use of the words "Professional Association," "P.A.," "Professional Corporation," or "P.C." for professional corporations and "Professional Limited Liability Company", or "P.L.L.C." for professional limited liability companies.

All names shall also contain only the name or surname of one or more of the shareholders or members and may include the words:

- (1) "Associate(s);" "D.D.S.;" "D.M.D.;" and
- (2) the geographic location of the company.

The company name may not be false, deceptive or misleading.

History Note: Authority G.S. 55B-5; 57C-2-01; 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. May 1, 2011; August 1, 2009; August 1, 2002; April 1, 1994; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

21 NCAC 16F .0104 CERTIFICATE OF REGISTRATION

(a) Application for a certificate of registration shall be made in writing to the Board, and shall be submitted upon the form provided by the Board for that purpose. The application shall be accompanied by a certified copy of the certificate of incorporation and articles of incorporation of a P.A. or P.C. or a certified copy of the articles of organization of a P.L.L.C., together with a check in the amount of fifty dollars (\$50.00) in payment of the registration fee.

(b) The initial certificate of registration shall remain effective for one year from the date of issuance thereof, unless suspended or terminated as by law provided, and each subsequent renewal of the certificate shall be effective for a period of one year from the date of issue.

History Note: Authority G.S. 55B-10; 57C-2-01; 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. August 1, 2009; April 1, 1994; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

21 NCAC 16F .0105 APPLICATION FOR RENEWAL

At least 20 days prior to the date of expiration of the certificate, the corporation or limited liability company shall submit its written application for renewal upon a form to be provided by the Board. The application must be accompanied by a check in the amount of twenty-five dollars (\$25.00) in payment of the renewal fee.

History Note: Authority G.S. 55B-11; 57C-2-01; 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. April 1, 1994; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

21 NCAC 16F .0106 TRANSFER OF STOCK

History Note: Authority G.S. 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Repealed Eff. May 1, 1989.

21 NCAC 16F .0107 AMENDMENTS TO ARTICLES OF INCORPORATION OR ORGANIZATION

Amendments to the articles of incorporation or articles of organization shall be forwarded to the Board's office within 10 days after the filing of the same in the office of the Secretary of State of North Carolina.

History Note: Authority G.S. 55B-12; 57C-2-01; 57C-2-22; 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. April 1, 1994; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

21 NCAC 16F .0108 EMPLOYMENT OF DENTAL HYGIENIST

History Note: Authority G.S. 90-223(b); 90-233(b);
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. April 1, 1994; January 1, 1983;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

21 NCAC 16F .0109 RULES AND REGULATIONS OF THE BOARD APPLY

History Note: Authority G.S. 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Repealed Eff. May 1, 1989.

21 NCAC 16F .0110 CORPORATE OFFICERS OR MANAGERS MUST EXECUTE DOCUMENTS

All documents required by these Rules to be submitted to the Board by the corporation or limited liability company shall be executed by the president or vice president of the corporation and attested to by the secretary/treasurer or by the managers of the limited liability company, and duly acknowledged before a notary public or some other officer qualified to administer oaths.

History Note: Authority G.S. 55B-12; 57C-2-01; 90-48;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. April 1, 1994; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.