

### **21 NCAC 36 .0503 PREREQUISITES FOR INCORPORATION**

The following requirements must be met in order to incorporate a professional corporation that will provide nursing and related services in this State:

- (1) The incorporator, whether one or more, of a professional corporation shall be licensed to practice nursing in North Carolina as a registered nurse.
- (2) Before the filing of the articles of incorporation with the Secretary of State, the incorporators shall file, with the Board, the original articles of incorporation, plus a copy, together with a registration fee in the maximum allowable amount set forth in G.S. 55B-10.
- (3) The original articles of incorporation and the copy shall be accompanied by an application to the Board, certified by all incorporators, setting forth the names, addresses, and certificate numbers of each shareholder of the corporation who will be practicing nursing for the corporation.
- (4) Included with the above shall be a statement that each shareholder of the corporation who will be practicing nursing for the corporation is licensed to practice nursing in North Carolina as registered nurses, and stating that the corporation will be conducted in compliance with the Professional Corporation Act and these Rules.
- (5) If the articles are changed in any manner before being filed with the Secretary of State, they shall be re-submitted to the Board and shall not be filed with the Secretary of State until approved by the Board.

*History Note: Authority G.S. 55B-4; 55B-10; 55B-12; 90-171.20(6);  
Eff. March 1, 1991;  
Amended Eff. April 1, 2009;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;  
Amended Eff. January 1, 2019.*