21 NCAC 66 .0209 LIMITED LIABILITY COMPANIES

(a) Veterinary medical services may be provided through a limited liability company that complies with this Rule, Article 11, G.S. 90, the rules of the Board, and statutes governing limited liability companies, including G.S. 57D-2-01.

(b) The name of a limited liability company organized to practice veterinary medicine shall not include any adjectives or other words not in accordance with Article 11, G.S. 90 and the rules of the Board.

(c) The corporate name of a professional limited liability company registered under these Rules shall contain the wording "professional limited liability company," "professional ltd. liability co.," "professional limited liability co.," or "professional ltd. liability company," or an abbreviation of one of the foregoing: "P.L.L.C." or "PLLC."

(d) Domestic professional limited liability companies shall be formed and all limited liability companies shall be operated in accordance with the requirements set out in G.S. 57D.

(e) Before filing the articles of organization for a professional limited liability company organized to practice veterinary medicine with the Secretary of State, the organizing members shall submit the following to the Board:

(1) A registration fee as set by Rule .0108 of this Chapter; and

(2) A certificate certified by all organizing members:

(A) setting forth the names and addresses of each person who will be employed by the professional limited liability company to practice veterinary medicine;

(B) stating that all such persons are duly licensed to practice veterinary medicine in North Carolina; and

(C) representing that the company will be conducted in compliance with the North Carolina Limited Liability Company Act (G.S. 57D), this Chapter, Article 11, G.S. 90 and the rules of the Board.

(f) A certification that each of the organizing members is licensed to practice veterinary medicine in North Carolina shall be returned by the Board to the organizer of the professional limited liability company for filing with the Secretary of State.

(g) A Certificate of Registration for a professional limited liability company shall be renewed annually. The Certificate of Registration shall expire on the last day of December following its issuance by the Board and shall become invalid on that date unless renewed. Upon written application signed by its manager on a renewal form prescribed by the Board accompanied by the prescribed fee as set by Rule .0108 of this Chapter, the Board shall renew the Certificate of Registration providing that the professional limited liability company has complied with Article 11, G.S. 90, the rules of the Board and applicable General Statutes of North Carolina. The renewal form shall require the applicant to set forth:

(1) the legal name, address and telephone number of the company;

(2) the legal names of all members;

(3) the legal names of all officers; and

(4) the veterinary practice facilities operated by the company.

(h) If the Board determines that the reports filed in Paragraph (e) or (g) of this Rule, are unclear or incomplete the Board may request in writing such supplemental reports as it deems appropriate from any professional limited liability companies registered with the Board pursuant to G.S. 57D, Article 11, G.S. 90, and these Rules. The professional limited liability company shall file such reports with the Board's office within 30 days from the date it receives the request.

(i) Professional limited liability companies registered with the Board pursuant to G.S. 57D shall file a certified copy of all amendments to the articles of organization within 30 days after the effective date of each amendment. They shall also file a copy of any amendment to the bylaws, certified to be a true copy by the manager(s) of the professional limited liability company within 30 days after adoption of the amendment.

(j) The Board shall issue a certificate authorizing transfer of membership when membership is transferred in the professional limited liability company. This certificate of transfer shall be permanently retained by the company. The membership books of the company shall be kept at the principal office of the company and shall be subject to inspection by authorized agents of the Board. Transfer of membership shall only be to a person licensed to practice veterinary medicine in this State.

(k) All documents required by these Rules to be submitted to the Board by the professional limited liability company shall be executed by the manager(s) of the professional limited liability company, and duly acknowledged before a notary public or some other officer qualified to administer oaths.

History Note: *Authority G.S. 57D-2-01; 90-181.1; 90-186; 90-187.11;*
Eff. May 1, 1996;

Amended Eff. September 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.