

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE BILL 31  
Judiciary I Committee Substitute Adopted 3/3/11

Short Title: Clarify Penalty Unauth. Practice of Medicine.

(Public)

Sponsors:

Referred to:

February 3, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE PENALTY FOR THE UNAUTHORIZED PRACTICE OF  
3 MEDICINE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 90-18(a) reads as rewritten:

6 "**§ 90-18. Practicing without license; penalties.**

7 (a) No person shall perform any act constituting the practice of medicine or surgery, as  
8 defined in this Article, or any of the branches thereof, unless the person shall have been first  
9 licensed and registered so to do in the manner provided in this ~~Article. Article, and if any~~ Any  
10 person ~~shall practice who practices~~ medicine or surgery without being duly licensed and  
11 registered, as provided in this Article, the person shall not be allowed to maintain any action to  
12 collect any fee for such services. The person so practicing without license-being duly licensed  
13 and registered shall be guilty of a Class 1 misdemeanor, Class I felony, except that if the person  
14 so practicing without a license is an out-of-state practitioner who has not been licensed and  
15 registered to practice medicine or surgery in this State, the person shall be guilty of a Class I  
16 felony. any person who has a license or approval under this Article that is inactive due solely to  
17 the failure to complete annual registration in a timely fashion as required by this Article or any  
18 person who is licensed, registered, and practicing under any other Article of this Chapter shall  
19 be guilty of a Class 1 misdemeanor."

20 **SECTION 2.** This act becomes effective December 1, 2011, and applies to  
21 offenses committed on or after that date.

