



NORTH CAROLINA RESPIRATORY CARE BOARD
125 Edinburgh South Drive, Suite 100
Cary, NC 27511

Position Statement

Eligibility of Legally Documented Foreign Workers for Licensure

The North Carolina Respiratory Care Board ("the Board") is issuing this Position Statement to clarify the eligibility requirements for legally documented foreign workers seeking licensure under the Respiratory Care Practice Act ("RCPA") and the Board's Rules. This guidance responds to concerns raised by employers and educational institutions regarding this important topic.

Licensure Requirements

The Board has licensed respiratory care practitioners (RCPs) since 2001, following the passage of the RCPA on July 13, 2000. The RCPA establishes mandatory licensure to protect public health, safety, and welfare by ensuring that only qualified individuals practice respiratory care in North Carolina. Specifically, the Act states:

"The General Assembly finds that the practice of respiratory care in the State of North Carolina affects the public health, safety, and welfare and that the mandatory licensure of persons who engage in respiratory care is necessary to ensure a minimum standard of competency. It is the purpose and intent of this Article to protect the public from the unqualified practice of respiratory care and from unprofessional conduct by persons licensed pursuant to this Article. (2000-162, s. 1.)"

The RCPA does not restrict lawful permanent residents (i.e., green card holders) from obtaining licensure as Respiratory Care Practitioners. All applicants, regardless of residency or citizenship status, must meet the requirements set forth in NCGS § 90-653, including the following, none of which address an applicant's citizenship status:

1. **Educational Qualifications:** Applicants must graduate from a program accredited by the Commission on Accreditation for Respiratory Care (COARC) with a minimum of an associate degree in respiratory therapy or respiratory care in accordance with § 90-653 (a) (3).
2. **Credentialing Requirements:** Applicants must be eligible to take or have acquired the Certified Respiratory Therapist (CRT) credential offered by the National Board for Respiratory Care at a minimum in accordance with § 90-653 (a) (5).
3. **Personal Information Requirements:** North Carolina law requires occupational licensing boards, including the Respiratory Care Board, to maintain a register of all licensed practitioners. This register must include personal information such as Social Security Numbers (SSNs) or Taxpayer Identification Numbers (TINs), in compliance



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with North Carolina General Statute § 93B-3. This information is also used for tax identification purposes, as authorized by NCGS § 105-251.

Compliance and Assistance

To ensure compliance with licensure requirements and current regulations, applicants should provide all requested information, including SSNs or TINs, during the application process.

For further information or assistance:

- Visit the North Carolina Respiratory Care Board's official website: www.ncrcb.org
- Contact the Board directly at **(919) 878-5595** or via email at **bcroft@ncrcb.org**.

This Position Statement serves as a resource for understanding the licensure process for legally documented foreign workers. The Board remains committed to ensuring that all applicants meet established educational and professional standards to protect the public and uphold the profession's integrity.

Approved this 9th day of January 2025