

MAINE STATE LEGISLATURE

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CHAPTER 9
CHIROPRACTORS

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SUBCHAPTER I

GENERAL PROVISIONS

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§ 451. Definitions

The system, method or science commonly known as chiropractic, or the practice of chiropractic, is defined to be the science of palpating and adjusting the segments and articulations of the human spinal column by hand and locating and correcting interference with nerve transmission and expression by hand or by electrical treatments, hydrotherapy and diet without the use of drugs or surgery, and any and all other methods are declared not to be chiropractic, and chiropractic is declared not to be the practice of medicine, surgery, dentistry or osteopathy.

R.S.1954, c. 72, § 12.

§ 452. Application of laws regarding reporting contagious diseases and deaths

All laws, rules and regulations now in force in this State or which shall hereafter be enacted for the purpose of regulating the reporting of contagious diseases and deaths to the proper authorities, and to which the registered practitioner of medicine is subject, shall apply equally to the practitioner of chiropractic.

R.S.1954, c. 72, § 11.

§ 453. Legally licensed practitioners of other schools or professions not affected

Nothing in this chapter shall be construed to restrain or restrict any legally licensed physician, surgeon, dentist, osteopath or nurse in the practice of his or her profession; nor shall this chapter apply to masseurs in their particular sphere of labor who publicly represent themselves as such; nor to any commissioned medical officer in the United States Army or Public Health Service in the performance of his duties as such; nor to prohibit gratuitous service or the rendering of assistance to emergency cases.

R.S.1954, c. 72, § 7.

§ 454. Practicing without certificate; fraudulent licenses and certificates

Any person who shall practice or attempt to practice or use the science or system of chiropractic in treating diseases of the human body, or any person who shall buy, sell or fraudulently obtain any diploma, license, record or registration to practice chiropractic, or who shall aid or abet in such selling or fraudulent obtaining; or who shall practice chiropractic, under cover of any diploma, license, record or registration to practice chiropractic, illegally obtained, or signed or issued unlawfully or under fraudulent representations; or who after conviction of felony shall practice chiropractic, or who shall use any of the forms of letters, "Chiropractic," "Chiropractor," "Chiropractic Practitioner," "Doctor of Chiropractic," "D. C." or any other titles or letters, either alone or with qualifying words or phrases, under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of chiropractic, without having complied with this chapter, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment for not less than 30 days nor for more than 11 months, or by both. Nothing in this section shall be construed to prohibit any lawfully qualified chiropractor in any other state meeting a registered chiropractic practitioner in this State for consultation.

R.S.1954, c. 72, § 8.

SUBCHAPTER II

**BOARD OF CHIROPRACTIC EXAMINATION
AND REGISTRATION**

Sec.

- 501. Membership; qualifications; term; removal.
- 502. Organization; meetings; officers; seal; powers and duties.
- 503. Complaints; suspension or revocation of certificates.
- 504. Annual reports.

§ 501. Membership; qualifications; term; removal

The Board of Chiropractic Examination and Registration, as heretofore established and in this chapter called the "board," shall consist of 5 persons, who shall be appointed by the Governor with the advice and consent of the Council. Said persons shall be residents of this State, shall be graduates of a legally chartered chiropractic school, college or university having the power to confer degrees in chiropractic and shall have been at the time of their appointment actively engaged in the practice of their profession for a period of at least 3 years in this State. Each appointment shall be for the period of 5 years as the terms of the present members expire. Any vacancy in said board caused by death, resignation or for any other cause, except completion of a full term of service, shall be filled by the like appointment of a person qualified as aforesaid to hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office for cause by the Governor with the advice and consent of the Council.

R.S.1954, c. 72, § 1.

§ 502. Organization; meetings; officers; seal; powers and duties

The board shall meet on the 2nd Tuesday of June of each year at such time and place as its chairman may designate for the purpose of organization. They shall elect one of their members as chairman for a term of one year and one of their members as secretary and treasurer, to hold such office at the pleasure of the board. Said board shall hold regular meetings at least twice in each year for the purpose of considering applications, examining applicants and such other business as may properly come before the board, the time and place of such meeting to be deter-

mined by the board. Special meetings may be called at the pleasure of the chairman, and in case of the death or inability of the chairman, the secretary may call special meetings. Said board shall cause a seal of suitable inscription to be procured and to be affixed to such papers as may require such seal, shall keep a correct record of all its proceedings and shall have power to make such rules and regulations, not inconsistent with law, as it may deem necessary for the successful enforcement of its authority and the performance of its duties. The chairman and secretary shall be empowered to administer oaths in matters connected with the duties of said board. The records of the said board shall include, among other things, a record of all moneys received and disbursed by said board, a list of all applicants for certificates, giving the name and location of the institution granting a degree of doctor of chiropractic to the applicant, and the fact shall be recorded whether the applicant was granted or denied a certificate. Said records, or duplicates thereof, shall always be open to inspection in the office of the Secretary of State during regular office hours and shall be prima facie evidence of all matters recorded therein. Three members of the board shall constitute a quorum for the transaction of business, but no certificate to practice chiropractic shall be granted except on an affirmative vote of at least 3 members of the board.

R.S.1954, c. 72, § 2.

§ 503. Complaints; suspension or revocation of certificates

The board, its members or agents shall investigate all complaints and all cases of noncompliance with or violation of this chapter relating to the registration of doctors of chiropractic, and shall bring all such cases to the notice of the proper prosecuting officer. The Administrative Hearing Commissioner, as designated in Title 5, chapters 301 to 307, after a conviction before a proper court for crime in the course of professional business of any person to whom a certificate has been issued and after hearing may revoke the certificate and cancel the registration of the person to whom the same was issued. The board may suspend or revoke any certificate by a $\frac{4}{5}$ vote of the entire board in any cases where such certificate has been wrongfully obtained or for any fraud connected with the said registration.

R.S.1954, c. 72, § 9; 1961, c. 394, § 31; 1963, c. 412, § 23.

§ 504. Annual reports

The board shall annually on or before the first day of July in each year make a report to the Governor containing a full and

complete account of all its official acts during the preceding year, and a statement of its receipts or suggestions as it may deem essential.

R.S.1954, c. 72, § 10.

SUBCHAPTER III

REGISTRATION

Sec.

551. Examination and registration.

552. Examination of applicants; subjects included; certificate; certificate without examination.

553. Fees; compensation and expenses.

554. Display of certificate; rights.

§ 551. Examination and registration

Any person, before engaging in the practice of chiropractic in this State, shall make application for a certificate to practice chiropractic to the board on a form prescribed by said board. Said application shall be filed with the secretary of the board at least 7 days before the date of examination, together with a deposit of \$25, which said deposit shall be returned to applicant in case the application is rejected. Each applicant must be at least 21 years of age and shall present proof of 2 years' satisfactory attendance at a college of liberal arts. Candidates for licensure shall be required to present transcripts from an accredited college or university certifying that they have completed 2 years of preprofessional work, 2 subjects of which must be English and biology, or otherwise satisfy the members of the board of sufficient prior academic education. The applicant shall present a diploma granted by a legally chartered chiropractic college, school or university in good standing and having the power to confer degrees in chiropractic, which diploma shall show that it was granted on personal attendance of the applicant and completion of a course of 4 school years of not less than 8 months each and of a total of 4,400 60-minute school hours. All applicants must present a certificate of good moral character signed by some reputable resident of this State and such other reasonable and proper facts as the board in its blank application may require.

R.S.1954, c. 72, § 4; 1955, c. 152.

§ 552. Examination of applicants; subjects included; certificate; certificate without examination

The board shall require the applicant to submit to an examination as to his or her qualifications for the practice of chiropractic, which examination shall include the subjects of anatomy, physiology, symptomatology, hygiene, sanitation, chemistry, pathology, electrotherapy, hydrotherapy, dietetics, bacteriology, chiropractic analysis, the principles and practice of chiropractic as taught in reputable chiropractic schools and colleges and such other subjects as the board may deem necessary. If such examination is passed in a manner satisfactory to the board, then the board shall issue to the said applicant a certificate granting him or her the right to practice chiropractic in this State.

Any person of good moral character, licensed by a chiropractic board of any other state or territory having a standard equal to the State of Maine, shall be licensed without examination, upon the payment of \$25 and the production to the board of his or her diploma, the license obtained in such other state and satisfactory evidence of good moral character. The board may, in its discretion, require an examination of any such applicant.

The board may refuse to grant a certificate to any person convicted of a felony, or who has been guilty of grossly unprofessional conduct, or who is addicted to any vice to such a degree as to render such person unfit to practice chiropractic and may, after due notice and hearing, revoke a certificate already issued, for like cause. Any certificate granted under this section shall be subject to annual renewal as provided in this chapter.

R.S.1954, c. 72, § 5

§ 553. Fees; compensation and expenses

Any person to whom a certificate has been granted under section 552 shall, on or before the first day of June of each year, pay to the secretary of the board a fee of \$5, upon payment of which said certificate shall be renewed for one year. In addition to the payment of such renewal fee, each licensee so applying for his renewal certificate shall furnish to said board satisfactory evidence that he has attended one of 2 educational programs conducted and supervised by the said board in the year preceding. If such fee is not paid within 3 months after the date of notification by the secretary that such fee is due, the certificate of the chiropractor so failing to pay such fee shall be revoked and shall be thereafter renewed by a majority vote of the board and upon

the payment of a fee of \$10 to the secretary of said board. All fees received by the secretary and not returned to the applicant shall be paid forthwith to the Treasurer of State. The compensation of members of the board shall be \$10 per day for each day actually spent in the discharge of their duties, and necessary traveling expenses. The secretary shall be reimbursed for all expenditures for books, stationery, postage and other necessary expenses authorized by the board and actually incurred in the discharge of his duties. Said compensation and all other necessary and proper expenses of said board shall be certified by the chairman and secretary and shall be paid out of the fund held by the Treasurer of State, and any balance of said fund shall not lapse but shall be carried forward to be expended for the same purposes in the following fiscal years.

R.S.1954, c. 72, § 3.

§ 554. Display of certificate; rights

When the board shall have granted to a person the certificate mentioned in section 552, such certificate shall designate the holder as a doctor of chiropractic or chiropractor and shall be publicly displayed at the person's principal place of business so long as such person shall continue to practice chiropractic for gain or hire. Such certificate shall entitle the person to whom it is granted to practice chiropractic in any county in this State, in all of its branches as taught and practiced by the recognized schools and colleges of chiropractic, but it shall not authorize its holder to practice obstetrics so far as the same relates to parturition, nor to administer drugs or perform surgical operations with the use of instruments except as now allowed by statute. Nothing in this section shall be construed to prohibit any legally registered doctor of chiropractic in this State from practicing surgery after having passed a satisfactory examination therein before the State Board of Registration in Medicine.

R.S.1954, c. 72, § 6.