

MAINE STATE LEGISLATURE

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June 12, 1930

To R. M. Thomas, D. C., Secretary of the Board of Chiropractic
Examination and Registration
Re: Authority to Sign Death Certificates

You enquire as to the power of chiropractors to sign health and death certificates. My predecessor, under date of February 23, 1926, gave an opinion* in which, referring to Revised Statutes, Chapter 64, he says:

"Section 21 of said chapter provides that a physician who has attended a person during his last illness shall within twenty-four hours after the death of said person, make a certificate, etc. It will be noticed that a physician must make the certificate.

"As far as I have been able to ascertain, our court has never decided as to whether or not one practising chiropractic or osteopathy can properly be called a physician. It has been held in other States that the word 'physician' in the statutes with reference to the practice of medicine does not include an osteopath as osteopathy teaches neither therapeutics, materia medica, surgery, nor bacteriology, but rests entirely upon the manipulation of the body for the cure of the disease.

"Consequently there is some doubt as to the right of the osteopath, et al., to sign death certificates."

Since this opinion was given, the legislature has, by Public Laws of 1929, Chapter 36, expressly extended to osteopathic physicians the right which was doubtful at the time when this opinion was given.

The legislature has not passed similar legislation regarding chiropractors, so it would be my opinion that the right of a chiropractor as a "physician" to sign a health or death certificate, is doubtful.

Clement F. Robinson
Attorney General

CFR EH

* This opinion is not in the file.