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LD 572

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May 17, 1977

Thorvald F. Hoy, D.C.,
Secretary
Board of Chiropractic Examiners
285 Woodford Street
Portland, Maine 04103

Dear Dr. Hoy:

You have asked the Attorney General whether the Board of Chiropractic Examiners will retain the power to adopt a code of ethics consistent with the statute and whether the Administrative Court will retain the authority to enforce the code of ethics if L.D. 572 is enacted. The answer to both of your questions is yes.

As presently drafted L.D. 572 repeals those provisions of 32 M.R.S.A. § 502 which define advertisement of prices and solicitation as unprofessional conduct. If L.D. 572 is enacted, the Board may no longer define price advertising and solicitation as unprofessional and the Administrative Court no longer has the authority to revoke or suspend the license of a chiropractor who advertises or solicits. Instead, the Board will have the authority to adopt rules and a code of ethics setting forth conduct which would constitute "advertising in a false, misleading or deceptive manner."

Even if L.D. 572 is enacted, the Board's authority to establish a code of ethics and the Administrative Court's authority to enforce the code are retained. Only the standards by which the Board and the Court are to be guided when defining unprofessional conduct will be changed by L.D. 572.

Very truly yours,

Joseph E. Brennan
JOSEPH E. BRENNAN
Attorney General

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