

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 148

House of Representatives, Feb. 7, 1917.

Referred to Committee on Judiciary, one thousand copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Berry of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to regulate the practice of chiropody.

Be it enacted by the People of the State of Maine, as follows:

MEDICAL BOARD TO REGISTER.

Section 1. On and after July 1, 1917, no one shall practice
2 the branch of medicine known as chiropody, as hereinafter
3 defined, unless duly licensed so to do by the Board of Regis-
4 tration in Medicine after examination conducted by such
5 board or a committee thereof, under such rules and regula-
6 tions as said board may determine.

DEFINITION.

Sect. 2. The definition of the word chiropody shall, for
2 the purpose of this Act, be held to mean the external treat-
3 ment of the structures of the human foot or hand by
4 medical, mechanical or surgical means without the use of
5 anesthetics other than local.

REGISTRATION OF PRACTITIONERS WITHOUT
EXAMINATION.

Sect. 3. Within thirty days after the enactment of this
2 Act said board shall notify all persons engaged in the prac-
3 tice of chiropody in this state of the provisions of this Act,
4 by publication in one or more newspapers in each county,
5 and every practitioner of chiropody, twenty-one years of age
6 or over, and of good moral character, who shall make appli-
7 cation for registration before the first day of July, 1917,
8 and who can prove to the satisfaction of the board that he
9 has been engaged in the practice of chiropody in this state,
10 for a period of one or more years next prior to the passage
11 of this Act, shall, upon payment of a fee of ten dollars be
12 registered without examination, and shall receive in testi-
13 mony thereof a certificate signed by the chairman and
14 secretary of said board.

Applications for registration shall be made upon blanks
2 furnished by the board, and shall be signed and sworn to by
3 the applicant.

All fees received by the board shall once a month be paid
2 by its secretary into the treasury of the state.

REGISTRATION BY EXAMINATION.

Sect. 4. Any person not entitled to registration as afore-
2 said, who shall furnish the board with satisfactory proof
3 that he is twenty-one years of age or over, and of good moral
4 character, and that he has received a diploma or certificate of
5 graduation from a recognized school of chiropody or equiva-
6 lent institution, having a minimum requirement of one year's
7 course of at least eight months, shall, upon payment of a fee
8 of fifteen dollars, be examined, and if found qualified, shall
9 be registered, and shall receive in testimony thereof a certifi-
10 cate signed by the chairman and secretary of the board.

An applicant who fails to pass an examination satisfactory
2 to the board, and is therefore refused registration, shall be
3 entitled, within one year after such refusal, to a re-
4 examination at a meeting of the board called for the exami-
5 nation of applicants, upon payment of an additional fee of
6 two dollars for each re-examination; but two such re-
7 examinations shall exhaust his privilege under his original
8 application.

Any person to whom a certificate of registration is granted
2 under the provisions of this Act, shall be entitled to designate
3 himself as a registered chiropodist.

EXAMINATIONS.

Sect. 5. Examinations shall be in the English language,
2 and shall be written, oral or clinical, or a combination of two
3 or more of the said methods, as the board may determine.

The examination shall embrace the subjects of anatomy,
2 physiology, chemistry, bacteriology, pathology, diagnosis and
3 treatment, materia medica and therapeutics, and clinical
4 chiropody, but said examinations shall be so limited in their
5 scope as to cover only the minimum requirements for
6 chiropody education as herein provided, and shall not be
7 construed to require of the applicant a medical or surgical
8 education.

The minimum requirement for registration of applicants
2 under Sections five and six of this Act, shall be based on a
3 general average of seventy-five per cent of the subjects
4 involved, and not less than fifty per cent in any one subject.

PENALTY FOR PRACTICE WITHOUT REGISTRA- TION.

Sect. 6. Any person who shall unlawfully obtain registra-
2 tion under this Act, whether by false or untrue statements
3 contained in his application to the board, or by presenting to
4 said board a fraudulent diploma, certificate or license, or one
5 fraudulently obtained, shall be deemed guilty of a felony,
6 and upon conviction thereof shall be punished by a fine of
7 not less than one hundred or more than three hundred
8 dollars, or by imprisonment for not less than three months
9 nor more than one year, or by both such fine and imprison-
10 ment; and any person not being lawfully authorized to prac-
11 tice chiropody in this state and registered as aforesaid, who
12 shall advertise as a chiropodist, in any form, or hold himself

13 out to the public as a chiropodist, shall upon conviction
14 thereof, for each offence be punished by a fine of not less
15 than one hundred nor more than five hundred dollars, or by
16 imprisonment for not less than three months nor more than
17 one year, or by both such fine and imprisonment.

EVIDENCE OF PRACTICING.

Sect. 7. It shall be deemed prima facie evidence of the
2 practice of chiropody, or of holding oneself out as a prac-
3 titioner of chiropody within the meaning of this Act, for any
4 person to treat in any manner the human hand or foot by
5 medical, mechanical or surgical methods, or to use the title
6 chiropodist; or registered chiropodist, or any other words, or
7 letters, which designate, or tend to designate to the public
8 that the person so treating, or holding himself out to treat, is
9 a chiropodist.

CANCELLATION OF REGISTRATION.

Sect. 8. The board, after hearing may, by majority vote,
2 revoke certificate issued by it, and cancel the registration of
3 any chiropodist who has been convicted of violation of the
4 provisions of Section six of this Act. Said board may also,
5 after hearing, by majority vote, revoke the certificate and
6 cancel the registration of any person whom the court records
7 of any state or territory within the United States, or the
8 federal court records, or the record of any court of juris-
9 diction in any foreign country show that such person has
10 been found guilty of a criminal offence said board may also,

11 after hearing by majority vote, revoke the certificate and
12 cancel the registration of any person whose registration was
13 granted upon mistake of material fact. The board may sub-
14 sequently, but not earlier than one year thereafter, by
15 unanimous vote, re-issue any certificate, and register anew
16 any chiropractist whose certificate was revoked and whose
17 resignation was cancelled by the board, except as hereinafter
18 provided.

UNPROFESSIONAL CONDUCT.

Sect. 9. The board may, after hearing, refuse to issue a
2 certificate to any person, or may revoke the certificate and
3 cancel the registration of any person registered under the
4 provisions of this Act, who, after investigation, shall be
5 found by a majority vote of the board, guilty of grossly un-
6 professional and dishonest conduct. The words "unpro-
7 fessional and dishonest conduct," shall be held to mean
8 within the provisions of this Act.

(a) The willing betrayal of a professional secret.

(b) Having professional connection with, or lending the
2 use of one's name to an unregistered chiropractist, or having
3 professional connection with anyone who has been convicted
4 in court of any offence whatsoever.

(c) Being guilty of offences involving moral turpitude,
2 habitual intemperance, or being habitually addicted to the use
3 of morphine, opium, cocaine or other drugs having a similar
4 effect, or for using, selling or giving away any substance or

5 compound containing alcohol or drugs for other than legal
6 and legitimate purposes.

SUSPENSION OF REGISTRATION.

Sect. 10. The board may revoke or suspend for an indefi-
2 nite period, but not for less than six months, the certificate
3 of registration of any person found guilty under the pro-
4 visions of Section nine of this Act.

INVESTIGATION AND PROSECUTION.

Sect. 11. The board shall investigate all complaints of
2 violations of Sections six and nine of this Act and shall
3 report all violations of Section six to the proper prosecuting
4 officers.

REGISTRATION OF CERTIFICATES BY COUNTY CLERKS.

Sect. 12. Every person to whom a certificate of registra-
2 tion has been issued under this Act, shall within one month
3 from the date of receipt of said certificate of registration,
4 submit the same to the county (city or town) clerk of the
5 county (city or town) in which the said person has his legal
6 residence, or usual place of business, and shall make oath
7 that he is the person designated therein. Upon payment of a
8 fee of one dollar, it shall be the duty of the county (city or
9 town) clerk to whom such certificate is presented to register
10 the name and address of the person designated in the certifi-
11 cate, together with the date and number inscribed thereon;
12 which record shall be open to the inspection of the public;

13 and it shall be the further duty of the county (city or town)
14 clerk to whom said certificate is presented, to file with the
15 board, within one week of such registration, a duplicate copy
16 of the record made.

EXPENSES AND COMPENSATION.

Sect. 13. Each member of the board shall receive ten
2 dollars for every day actually spent in the performance of his
3 duties in connection with the provisions of this Act, and the
4 necessary traveling expenses actually incurred, not exceeding
5 three cents per mile each way. The said compensation and
6 traveling expenses, and any incidental expenses necessarily
7 incurred by the board or any member thereof, shall, if
8 approved by the board, be paid from the treasury of the
9 state, but only from the fees received under the provisions of
10 this Act into the said treasury by the board.

EXPLANATION OF WORD "BOARD."

Sect. 14. The word "board" wherever used in this Act
2 shall be understood to mean the Board of Registration in
3 Medicine of the State of Maine.

EXEMPTION OF PHYSICIANS.

Sect. 15. This Act shall not apply to the commissioned
2 surgical officers of the United States army, navy or marine
3 hospital service when in the actual performance of their
4 official duties, nor to any physicians duly registered under
5 the Medical Laws of Maine nor to any legally registered

6 chiropodist of another state taking charge of the practice of
7 a legally registered chiropodist of the state temporarily dur-
8 ing the latter's absence therefrom upon the written request,
9 to the board, of said registered chiropodist of this state.

Sect. 16. Any act or part of act contravening the pro-
2 visions of this Act, is hereby repealed.

Sect. 17. This Act shall take effect upon its passage.