

# MAINE STATE LEGISLATURE

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EIGHTY - FIFTH      LEGISLATURE

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**Legislative Document**

**No. 3**

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S. P. 31.

In Senate Jan. 14, 1931.

Referred to Committee on Legal Affairs. Sent down for concurrence. 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Southard of Kennebec.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTY-ONE

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AN ACT to Provide for the Examination, Registration, Regulation and Licensing of Chiropodists and Podiatrists and Penalties for Violation of this Act.

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

Section 1. Within the meaning of this act, a chiropodist or podiatrist is defined as one who examines, diagnoses, or treats medically, mechanically or surgically the ailments of the human foot, and massage in connection therewith, except the amputation of the toes or foot, or the use of anesthetics other than local.

Sect. 2. After this act becomes a law, it shall be unlawful for any person to profess to be a chiropodist or a podiatrist or to practice or assume the duties incident to chiropody or podiatry in this state without first being duly registered and obtaining from the State Board of Registration and Examiners in Chiropody a license to practice chiropody and podiatry as provided in this act.

Sect. 3. Within thirty days after this act takes effect, the governor by and with the advice and consent of the council, shall appoint three persons who shall constitute a board of examination and registration in chiropody and podiatry. Said persons shall be residents of this state, and shall have been at the time of their appointment actively engaged in the practice of their profession, chiropody or podiatry, for a period of at

least two years. One of said persons appointed as aforesaid shall be designated to hold office for one year, one for two years, and one for three years.

At the expiration of the term of service thus designated, each appointment thereafter shall be for the period of three years. 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.

The Board of Registration in Chiropody and Podiatry shall, within two weeks after its appointment meet at the state capitol at Augusta, and shall then elect a president from its own members and a secretary. The secretary shall give to the treasurer of the state of Maine a bond in the penal sum of one thousand dollars, with sufficient sureties to be approved by the governor, for the faithful discharge of his duties. The board shall hold one regular meeting in each year, beginning with the year nineteen hundred and thirty-two, on July first of each year, and such additional meetings not exceeding three each year at such times and places as it may determine.

All monies received by said board from registration shall be paid to the state treasurer monthly, and shall be credited to the chiropodist and podiatrist fund of the state of Maine, and a receipt for the same shall be filed by the secretary of said board in the office of the state auditor. Each member of said board shall receive ten dollars for every day actually spent in the performance of his duties in connection with the provisions of this act, and the necessary travelling and hotel expenses actually incurred. The said compensation and travelling and incidental expenses incurred by the board or any member thereof shall, if approved by the board, be paid from the treasury of the state, but only from the fees received under the provisions of this act and paid into said treasury by the board. Any balance remaining in said chiropodist and podiatrist fund at the end of the fiscal year, after payment of all necessary expenses, shall become a part of the general fund of the state of Maine.

Within ninety days after the enactment of this act said board shall notify all persons engaged in the practice of chiropody and podiatry in this state of the provisions of this act by publication in one or more newspapers in each county in said state.

Sect. 4. The applicant for examination and registration shall file with the secretary of the board, at least thirty days prior to an examination, an approved application, through a blank furnished by the board, covering the detail of his personal history and his preliminary and professional education, and such other evidence of qualification as the board may require.

The board may make such rules and regulations governing the conduct of the examinations as it shall deem necessary, and wilful violation of such rules and regulations shall subject the applicant to the loss of the examination and fee.

The examinations by the board of registration in chiropody and podiatry created by this act shall be held at such times and places as the board or the secretary thereof shall direct. Every applicant for a license shall be a citizen of the United States; have attained the age of twenty-one years; produce evidence of good, moral character; present a diploma from a chiropody or podiatry school, requiring for graduation a course of study of at least two years, and approved by the board; pass an examination in the subjects of anatomy, chemistry, dermatology, diagnosis, materia medica, pathology, physiology, surgery and clinical and orthopedic chiropody or podiatry, limited in scope to the treatment of the foot, but said examinations shall be so limited in their scope as to cover only the requirements of chiropody and podiatry education as herein provided. The minimum requirements for a license shall be a general average of seventy-five per cent in all subjects involved, and not less than fifty per cent in any one subject. Examination fees of twenty-five dollars shall be paid to the secretary of the board of registration in chiropody at the time of taking the examination.

Any applicant failing in said examination shall be entitled within six months to a re-examination upon an additional fee of ten dollars, but two such re-examinations shall exhaust his privilege under the original examination. It is also provided that upon payment of a fee of fifty dollars a license without

examination may be issued to chiropodists or podiatrists of other states, maintaining equal statutory requirements and extending the same reciprocal privilege to this state.

Sect. 5. All chiropodists or podiatrists actively engaged in said practice one or more years in the state of Maine, prior to passage of said act, whether graduates or not, shall, upon furnishing documentary evidence thereof to said board and upon payment of a fee of fifteen dollars, be entitled to a license without examination. Applications for such licenses shall not be filed later than January first, nineteen hundred and thirty-two. This act shall not apply to licensed physicians and surgeons in this state nor to surgeons of the United States army, navy and public health service, when in actual performance of official duties nor to the commercial sale of foot appliances in retail stores.

Sect. 6. Licenses shall be in the form of certificates under the seal of the board and signed by the president and the secretary. Every license shall be conspicuously displayed at the place of practice and must be recorded in the office of the city clerk of the town or city wherein the licensee practices, within thirty days of issue. A renewal license fee of five dollars shall be paid annually into the chiropodist and podiatrist fund, and if not paid within three months from the date of notification by the secretary, the license shall be revoked and shall only be reinstated upon original application and examination. Every renewal certificate shall be displayed in connection with the original license. All licensees shall be designated as licensed chiropodists or podiatrists and shall not use any title or abbreviation thereof without the designation "chiropodist" or "podiatrist", "practice limited to the foot", thus indicating limitation of professional qualifications to treat human ailments.

Sect. 7. A license may be suspended or revoked by the board, when the licensee is found guilty in court of any of the following acts: fraud in procuring license; incompetency in practice; use of untruthful or improbable statements to patients or in advertisements and unprofessional conduct. But the board may re-issue a license after a lapse of six months.

Sect. 8. Any person violating any of the provisions of this act, upon conviction thereof, shall be fined a sum not exceeding two hundred dollars or be imprisoned in the county jail not more than three months.