

# MAINE STATE LEGISLATURE

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# EIGHTY-FIFTH LEGISLATURE

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**Legislative Document**

**No. 340**

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H. P. 858

House of Representatives, Feb. 4, 1931.

Referred to Committee on Public Health and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Bowers of Portland.

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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 a Board of Examiners of Chiropodists  
to Consist of the Commissioner of Health and Two Other  
Persons.

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

Section 1. Board established; tenure; vacancies. There is hereby established a board to be known as the Board of Examiners of Chiropodists which shall consist of three members, one of whom shall be the commissioner of health, who shall be chairman of the board. The other two members of the board shall be appointed by the governor, with the advice and consent of the council, and shall be licensed chiropodists who, at the time of their appointment, shall be residents of the state and shall have been actively engaged in the practice of chiropody for a period of at least three years. Of the persons first appointed one shall be appointed for a term of two years and one for a term of four years. Thereafter members shall be appointed for a term of four years. Members appointed to fill vacancies shall serve for the unexpired terms of the persons whom they succeed. Any member of the board appointed as aforesaid may be removed from office for cause by the governor with the advice and consent of the council.

Sept. 2. Definitions. A chiropodist is defined as one who treats medically, mechanically, or surgically, the ailments of

the human foot without the use of anaesthetics other than local anaesthetics; and the practice of chiropody is defined as the administering of any such aforesaid treatment of the ailments of the human foot.

Sect. 3. Unlawful to practice unless licensed; exemptions. After the first day of January, nineteen hundred and thirty-two, it shall be unlawful for any person to practice or attempt to practice chiropody, or to hold himself out as a chiropodist unless he shall first obtain from the Board of Examiners of Chiropodists a license to practice chiropody as herein provided; provided however that the provisions of this act shall not apply to licensed physicians or surgeons or to commissioned medical or surgical officers of the United States army, navy, marine hospital or public health service, nor to persons selling foot appliances in commercial establishments.

Sect. 4. Meetings; officers; bond of secretary. The board shall, within two weeks after its appointment, meet at the state capitol at Augusta and shall elect one of its members secretary of the board, who shall also act as treasurer of the board. The board shall hold at least one regular meeting in each year and such additional meetings as it may determine. The secretary shall keep a record of the proceedings of the board and shall pay to the treasurer of state, monthly, all moneys received by the board, said moneys to be held to the credit of the board in a fund to be known as the "Chiropodist fund" and used for the carrying out of the provisions of this act. The secretary shall give to the treasurer of state a bond in the sum of one thousand dollars with sufficient sureties, to be approved by the governor and council, for the faithful discharge of his duties.

Sect. 5. Compensation; disposition of fees. Each member of the board shall receive ten dollars for every day actually spent in the performance of his duties as such member and the necessary traveling and hotel expenses actually incurred. The said compensation and all traveling and other expenses incurred by the board or by any member of the board in connection with his duties as such member shall be paid from the treasury of state, but only from the moneys received by the board and by it paid into said treasury. Any balance remaining in said chiropodist fund at the end of the fiscal year after

the payment of all necessary expenses shall become a part of the general fund of the state.

Sect. 6. Requirements for license to practice chiropody. Every applicant for a license to practice chiropody shall be a citizen of the United States; shall have attained the age of twenty-one years; shall produce evidence of good moral character; shall present a diploma from a school of chiropody which requires for graduation a course of study of at least two years and which is approved by the board; shall pass an examination in the subjects of anatomy, chemistry, dermatology, diagnosis, materia medica, pathology, physiology, surgery and clinical and orthopedic chiropody, limited in scope to the treatment of the human foot; but said examination shall be limited in scope so as to cover only the requirements of chiropody education as herein provided.

Sect. 7. Applications and examination. Every applicant for examination and registration shall file with the secretary of the board, at least thirty days prior to an examination, an approved application upon a form furnished by the board, setting forth the facts of his personal history and of his preliminary and professional education as herein provided and such other evidence of qualification as the board may require. The board may make such rules and regulations governing the conducting of examinations as it shall deem necessary; and wilful violation of any of such rules and regulations shall subject such applicant to the loss of the privilege of such examination and of the fee paid. Examinations shall be held at such times and places as the board shall direct.

Sect. 8. Fees; re-examination. Every applicant for examination to practice chiropody shall, at the time of filing his application, pay to the board a fee of twenty-five dollars. Any applicant who fails to pass an examination shall be entitled to a re-examination within six months upon the payment of an additional fee of ten dollars; but only two such re-examinations shall be permitted. A renewal license fee of five dollars shall be paid annually to the board; and if not paid within three months from the date of notification by the secretary that such fee is due the license of the person so failing to pay shall be revoked and shall be re-issued only upon re-application and re-examination. Any chiropodist of good moral character licensed to practice chiropody in a state maintaining

a standard equal to that maintained by this state may be licensed to practice chiropody in this state without examination upon the payment of a fee of fifty dollars and the presentation of satisfactory evidence of good moral character and of his license to practice in such other state; provided that such other state extends the same privilege to persons licensed to practice chiropody in this state.

Sect. 9. Chiropodists practicing prior to this act; notice. All persons who have been actively engaged in the practice of chiropody in this state for at least one year prior to the passage of this act shall upon furnishing documentary evidence thereof to the board and upon payment of a fee of fifteen dollars be entitled to a license to practice chiropody without examination. Applications for such licenses must be filed with the board on or before the first day of January, nineteen hundred and thirty-two. Within thirty days after its appointment, the board shall give notice to all persons engaged in the practice of chiropody in this state of the provisions of this act affecting them by publishing the same in one or more newspapers in each county in this state.

Sect. 10. Certificates; publicly displayed. Every applicant who shall satisfactorily meet the requirements for license to practice chiropody as herein provided shall be granted a certificate under the seal of the board signed by the chairman and secretary. Every such certificate shall be conspicuously displayed at the place of practice of such person and shall be recorded in the office of the clerk of the town or city wherein the licensee practices within thirty days of the issue thereof. Every renewal certificate shall be displayed in connection with the original certificate. Persons licensed to practice chiropody as herein provided shall be designated as licensed chiropodists and shall not use any title or abbreviation thereof without the designation "chiropodist, practice limited to the foot," thus indicating that his professional qualifications are limited to the treatment of ailments of the human foot.

Sect. 11. Suspension or revocation of license. Any license may be suspended or revoked by the board when the licensee is found guilty in court of any of the following acts, to wit: fraud in procuring license, incompetency to practice; use of untruthful or improbable statements to patients or in advertisements; unprofessional conduct. But the board may at its

discretion re-issue a license which has been suspended or revoked after a lapse of six months.

Sect. 12. Penalties. Any person violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not more than two hundred dollars or by imprisonment in the county jail for not more than three months.