

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 417

S. P. 394

In Senate, February 7, 1935.

Referred to Committee on Judiciary and 500 copies ordered printed.
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Pinansky of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to the Practice of Chiropractic.

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

Sec. 1. R. S., c. 21, § 73, amended. Section 73 of chapter 21 of the revised statutes is hereby amended to read as follows:

'Sec. 73. Chiropractors to be examined and registered. Any person, before engaging in the practice of chiropractic in this state, shall make application for a certificate to practice chiropractic to the board of chiropractic examiners and registration, on a form prescribed by said board. Said application shall be filed with the secretary of the board, at least 7 days before the date of examination, together with a deposit of \$25, which said deposit shall be returned to applicant in case the application is rejected. Each applicant must be at least 21 years of age, and shall present a diploma from a high school, academy, state normal school, college, or university, or otherwise satisfy the members of the board of sufficient prior academic education. The applicant shall also present a diploma granted by a legally chartered chiropractic college, school, or university in good standing and having the power to confer degrees in chiropractic, which diploma shall show that it was granted on personal attendance of the applicant and completion of a course of ~~three~~ **four** school years of not less than six months each, and of a total of 2000 ~~600~~ **60** minute school hours. All applicants

must also present a certificate of good moral character signed by some reputable resident of the state of Maine, and such other reasonable and proper facts as the board in its blank application may require.'

Sec. 2. R. S., c. 21, § 74, amended. Section 74 of chapter 21 of the revised statutes is hereby amended to read as follows:

'Sec. 74. Examination of applicants; subjects included; board to issue certificate; certificate without examination, in certain cases; board may refuse certificate. The board shall then require the applicant to submit to an examination as to his or her qualifications for the practice of chiropractic, which examination shall include the subjects of anatomy, physiology, symptomatology, hygiene, sanitation, chemistry, histology, pathology, chiropractic analysis, and the principles and practice of chiropractic as taught in reputable chiropractic schools and colleges. If such examination is passed in a manner satisfactory to the board, then the board shall issue to the said applicant a certificate granting him or her the right to practice chiropractic in the state of Maine. Any person of good moral character, licensed by a chiropractic board of any other state or territory having a standard equal to the state of Maine, shall be licensed without examination, upon the payment of \$25 and the production to the board of his or her diploma, the license obtained in such other state, and satisfactory evidence of good moral character; but the board may, in its discretion, require an examination of any such applicant. The board may refuse to grant a certificate to any person convicted of a felony, or who has been guilty of grossly unprofessional conduct, or who is addicted to any vice to such a degree as to render such person unfit to practice chiropractic, and may, after due notice and hearing, revoke a certificate already issued, for like cause. **Any certificate granted under this section shall be subject to annual renewal as hereinafter provided.'**

Sec. 3. R. S., c. 21, § 75, amended. Section 75 of chapter 21 of the revised statutes is hereby amended to read as follows:

'Sec. 75. Certificate to be publicly displayed; rights under certificate. When the board shall have granted to a person the certificate mentioned in section 74 hereof, such certificate shall designate the holder as a doctor of chiropractic, and shall be publicly displayed at the person's principal place of business so long as such person shall continue to practice chiropractic for gain or hire. Such certificate shall entitle the person to whom it is granted to practice chiropractic in any county in this state, in all its

branches as taught and practiced by the recognized schools and colleges of chiropractic, but it shall not authorize its holder to practice obstetrics so far as the same relates to parturition, nor to administer drugs or perform surgical operations with the use of instruments except as now allowed by statute, provided, however, that nothing in this section shall be construed to prohibit any legally registered doctor of chiropractic in this state from practicing surgery after having passed a satisfactory examination therein before the state board of medical examiners. **Any person to whom a certificate has been granted under section 74 may prefix the title "Doctor" or the letters "Dr." to his name, when accompanied by the word "Chiropractor."**

Sec. 4. R. S., c. 21, § 78, amended. Section 78 of chapter 21 of the revised statutes is hereby amended to read as follows:

'Sec. 78. Disposition of fees; compensation of members of board; compensation and expenses, how paid. Any person to whom a certificate has been granted under section 74 shall, on or before the first day of June of each year, pay to the secretary of the board of chiropractic examination and registration a fee of \$3, upon payment of which said certificate shall be renewed for one year. If such fee is not paid within 3 months after the date of notification by the secretary that such fee is due, the certificate of the chiropractor so failing to pay such fee shall be revoked and shall be thereafter renewed by a majority vote of the board of chiropractic examination and registration and upon payment of a fee of \$10 to the secretary of said board. All fees received by the secretary and not returned to the applicant shall be paid monthly to the state treasurer. The compensation of members of the board shall be \$10 per day for each day actually spent in the discharge of their duty, and, in addition thereto, they shall receive necessary traveling expenses. The secretary shall be allowed extra compensation for books, stationery, postage, and other necessary expenses authorized by the board and actually incurred. The compensation and expense of said board and its secretary and all other expenses proper and necessary in the opinion of said board to discharge its duties hereunder and to enforce the provisions of sections 71-82 inclusive shall be paid out of the state treasury, after the approval of the state auditor, upon the requisition signed by the president and secretary of said board, provided that the amounts so paid shall in no case exceed the total amount received for the current year by the treasurer of state from the board as fees; and so much of said receipts as may be necessary is hereby appropriated for the compensation and expenses of the board as aforesaid.'

Sec. 5. R. S., c. 21, § 82, amended. Section 82 of chapter 21 of the revised statutes is hereby amended to read as follows:

'Sec. 82. Definition of chiropractic; other methods excluded. The system, method or science commonly known as chiropractic, or the practice of chiropractic, is defined to be the science of ~~palpating and adjusting the segments and articulations of the human spinal column by hand only~~ **locating and correcting interference with nerve transmission and expression, without the use of drugs or surgery, by such methods as are taught in reputable chiropractic schools and colleges.** This definition is inclusive, and any and all other methods are hereby declared not to be chiropractic, and chiropractic is hereby declared not to be the practice of medicine, surgery, dentistry, and osteopathy within the meaning of the provisions of this chapter.'

Sec. 6. R. S., c. 21, § 15, amended. Section 15 of chapter 21 of the revised statutes is hereby amended to read as follows:

'Sec. 15. No unregistered person to practice or to use title; penalty; prima facie evidence. Unless duly registered by said board, no person shall practice medicine or surgery, or any branch thereof, or hold himself out to practice medicine or surgery or any branch thereof for gain or hire within the state, by diagnosing, relieving in any degree, or curing, or professing or attempting to diagnose, relieve or cure any human disease, ailment, defect, or complaint, whether physical or mental, or of physical or mental origin, by attendance, or by advice, or by prescribing or furnishing any drug, medicine, appliance, manipulation, method, or any therapeutic agent whatsoever or in any other manner, unless otherwise provided by statute of this state. Unless duly registered by said board, no person shall prefix the title "Doctor" or the letters "Dr.", or append the letters "M. D." to his name, or use the title of doctor or physician in any way, excepting that any member of the Maine Osteopathic Association may prefix the title "Doctor" or the letters "Dr.", to his name, when accompanied by the word "Osteopath," **and excepting that any person to whom a certificate has been granted under section 74 of this chapter may prefix the title "Doctor" or the letters "Dr." to his name, when accompanied by the word "Chiropractor."** Whoever not being duly registered by said board practices medicine or surgery, or any branch thereof, or holds himself out to practice medicine or surgery, or any branch thereof in any of the ways aforesaid, or who uses the title "Doctor" or the letters "Dr." or the letters "M. D." in connection with his name, contrary to the provisions of this section, shall be punished by a

fine of not less than \$100, nor more than \$500 for each offense, or by imprisonment for 3 months, or by both fine and imprisonment; the prefixing of the title "Doctor" or the letters "Dr." or the appending of the letters " M. D." by any person to his name, or the use of the title of doctor or physician in any way by any person not duly registered as hereinbefore described shall be prima facie evidence that said person is holding himself out to practice medicine or surgery contrary to the provisions of this section; provided, that nothing herein contained shall prevent any person who has received the doctor's degree from any reputable college or university, other than the degree of "Doctor of Medicine" from prefixing the letters "Dr." to his name, if he is not engaged, and does not engage, in the practice of medicine or surgery or the treatment of any disease or human ailment.'