

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# E I G H T Y - E I G H T H L E G I S L A T U R E

---

---

**Legislative Document**

**No. 500**

S. P. 276

In Senate, February 11, 1937.

Referred to Committee on Education and 1,000 copies ordered printed.  
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Owen of Kennebec.

---

---

## STATE OF MAINE

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-SEVEN

---

### AN ACT Relating to Basic Science.

---

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

**Sec. 1. Healing arts, regulated.** After January 1, 1938, no person shall practice the healing art in this state without license and certificate thereof, granted upon examination in the basic sciences as hereinafter provided.

**Sec. 2. Definition of healing art.** Practice of the healing art shall include the undertaking to diagnose or to treat, or to operate on, or to prescribe for any human pain, or injury, or disease, or illness, or deformity, or complaint of physical or mental ill health. The basic sciences are biology, anatomy, physiology, chemistry, bacteriology, pathology and hygiene.

**Sec. 3. Board of state examiners appointed.** The governor, with the advice and consent of the council shall appoint a board of state examiners in the basic sciences, consisting of 5 residents of this state, persons, learned in those sciences and otherwise qualified. First appointments shall be for terms of 1, 2, 3, 4, and 5 years, respectively; upon the expiration of those terms all appointments shall be for terms of 5 years. Vacancy during any term shall be filled by appointment for the unexpired remainder. Upon

hearing and for good cause shown, the governor, with the advice and consent of the council, may remove any member. No member of the board shall be one who is licensed to practice the healing art.

**Sec. 4. Organization of board.** Forthwith after appointment, the board shall meet, organize, choose a chairman and a secretary, and establish rules for the performance of its duties and the furtherance of this act, effective upon approval in writing by a justice of the superior court.

**Sec. 5. Compensation.** Members of the board shall receive a per diem of \$10 and actual expenses, when actively engaged in the performance of their duties, payable from the amounts received from applicants for examination, the fee for which shall be \$10, payable in advance.

**Sec. 6. Examinations.** At reasonable times and places provided in its rules and subject thereto, the board shall conduct examinations in the basic sciences and issue the license provided in section 1 hereof only to such applicants as submit satisfactory proof of (1) 17 years of age, (2) good moral character, (3) graduation from an accredited high school or school of similar grade, or in lieu thereof educational qualifications equivalent to those required for graduation by an accredited high school, (a high school education or its equivalent?) (4) a comprehensive knowledge of the basic sciences, shown by the examination. Applicants failing to pass examination to the satisfaction of the board may be reexamined upon proof of further study.

**Sec. 7. Exceptions to examinations.** License and certificate may be issued by the board without examination upon satisfactory proof that the applicant has passed examination in basic sciences in another state, provided the standard of requirements in such other state when such examination was taken is equivalent in the opinion of the board to the standard in this state, and further provided such other state grants like exemption to persons granted license and certificate by this state. The fee for issuance of license and certificate in accordance with this section shall be \$15.

**Sec. 8. Further exemptions.** Nothing in this act contained shall be construed to require such license from otherwise licensed physicians, surgeons, nurses, dentists, dental hygienists, optometrists, osteopaths, chiropractors, druggists, or others including midwives, for the practice of their professions or the conduct of their business in accordance with the laws of this state, nor to interfere with interstate commerce.

**Sec. 9. Penalty.** Whoever practices the healing art in violation of this act, or attempts to do so, or unlawfully obtains license or certificate here-

under or conspires to that end, or otherwise violates this act shall be punished by a fine of not more than \$100 or by imprisonment for not more than 3 months, or by both. The board shall investigate any reported violation of this act and cause to be presented any evidence thereof to the proper prosecuting officers.