

MAINE STATE LEGISLATURE

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CHAPTER 51

PODIATRISTS

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SUBCHAPTER I

GENERAL PROVISIONS

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3551. Definitions.
3552. Exceptions.
3553. Narcotics.
3554. Penalties.

§ 3551. Definitions

The practice of podiatry is defined as the diagnosis and treatment of the human foot by medical, mechanical or surgical means without the use of anaesthetics other than local except that the use of local anaesthesia shall be restricted to use only by those podiatrists who have been granted a doctorate degree from a school approved by the examiners. A podiatrist is defined as one who administers any such aforesaid treatment to the human foot. The words "podiatrist" and "chiroprapist," "podiatry" and "chiroprapist" shall be construed to be synonymous herein.

R.S.1954, c. 74, § 10; 1955, c. 261, § 4; 1957, c. 111, § 10.

§ 3552. Exceptions

Except as otherwise provided, it shall be unlawful for any person to practice or attempt to practice podiatry, or to hold himself out as a podiatrist, unless he shall first have obtained a license to practice podiatry as provided in this chapter. This chapter shall not apply to licensed physicians or surgeons, or to practitioners of osteopathy, or to commissioned medical or surgical officers of the United States army, navy, marine hospital or public health service, nor to the sale of foot appliances in commercial establishments.

R.S.1954, c. 74, § 11.

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§ 3553. Narcotics

With the approval of the Bureau of Narcotics, a podiatrist duly licensed in the State of Maine and a graduate of an accredited school of podiatry recognized by the National Association of Chiropractors, who has been granted a doctorate degree, shall be privileged to apply for license and therefore to prescribe narcotic drugs in the treatment of ailments of the human foot.

1957, c. 111, § 11.

§ 3554. Penalties

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine of not more than \$200 or by imprisonment for not more than 3 months, or by both.

R.S.1954, c. 74, § 12.

SUBCHAPTER II

EXAMINERS

Sec.

3601. Appointment.

3602. Meetings; officers; records.

3603. Compensation; disposition of fees.

3604. Annual reports.

§ 3601. Appointment

The Examiners of Podiatrists, as heretofore appointed and in this chapter called the "examiners," shall be 2 members of the Board of Registration in Medicine together with 2 podiatrists appointed by the Governor with the advice and consent of the Council. The Chairman of the Board of Registration in Medicine shall act as chairman of the examiners and the secretary-treasurer of the Board of Registration in Medicine shall act as secretary-treasurer of the examiners. The podiatrists appointed by the Governor shall be appointed for a term of 4 years from a list submitted by the Podiatry Association of Maine, except that the first appointment of the new member shall be for a term of 2 years. The podiatrists selected shall at the time of their appointment have been actively engaged in the practice of podiatry for a period of at least 2 years.

R.S.1954, c. 74, § 1; 1957, c. 111, § 9; c. 429, § 73.

§ 3602. Meetings; officers; records

The examiners shall hold regular meetings, one in March, one in July and one in November, upon the same dates and at the same places as are held the regular meetings of the Board of Registration in Medicine and such additional meetings at such times and places as the said examiners may determine. The Chairman of the Board of Registration in Medicine shall act as chairman of the examiners. The secretary and treasurer of the Board of Registration in Medicine shall act as secretary and treasurer of the examiners and shall keep a record of the proceedings of said examiners, which record shall include, among other things, a record of all money received and disbursed, a list of all applicants for licenses to practice podiatry and the fact of whether the applicant was granted or denied a license. Said records, or duplicates thereof, shall be filed in the office of the Secretary of State and shall always be open to inspection during regular office hours. Four members of the examiners shall constitute a quorum for the transaction of business but no license to practice podiatry shall be granted except upon the affirmative vote of 4 members of said examiners.

R.S.1954, c. 74, § 2.

§ 3603. Compensation; disposition of fees

The treasurer of the examiners shall receive all fees, charges and assessments payable to said examiners and account for and pay over the same according to law. Members of the Board of Registration in Medicine, the secretary of said board and the podiatrist appointed by the Governor, as provided in section 3601, shall each receive \$5 for every day actually spent in the performance of the duties imposed upon them by this chapter, and in addition thereto necessary traveling and hotel expenses actually incurred, to be certified by the chairman and secretary.

R.S.1954, c. 74, § 3.

§ 3604. Annual reports

The examiners shall, on or before the first day of July in each year, make a report to the Governor containing a full and complete account of their official acts during the preceding year and a statement of their receipts and disbursements.

R.S.1954, c. 74, § 9.

SUBCHAPTER III

REGISTRATION

Sec.

- 3651. Examination; requirements.
- 3652. Fees; reexamination.
- 3653. Display of certificates; use of title.
- 3654. Reciprocity.
- 3655. Suspension or revocation of license.

§ 3651. Examination; requirements

Except as otherwise provided in this chapter, any person before engaging in the practice of podiatry shall be examined as to his qualifications. Each applicant shall, at least 10 days before the date of his examination, present to the secretary of the Board of Registration in Medicine an application for a license to practice podiatry on a form prescribed by the examiners and containing satisfactory proof that said applicant is at least 21 years of age, of good moral character and that he has received a certificate of graduation from a legally incorporated, regular established school of podiatry, recognized by the Council of Education of the National Association of Chiropodists, having a minimum requirement of not less than 4 consecutive years of 8 months each of scholastic attendance, nor shall such applicant be entitled to registration and certificate unless such applicant shall have had, prior to the beginning of his course in podiatry, as a minimum requirement, a 4-year course in a recognized high school or its equivalent and one year in a legally recognized school or college of the liberal arts or of the sciences.

The applicant shall then be required to pass an examination in the subjects of anatomy, chemistry, dermatology, diagnosis, materia medica, pathology, physiology, surgery and clinical and orthopedic podiatry, limited in scope so as to cover only the requirements for the practice of podiatry as defined in this chapter. Examinations of applicants for a license to practice podiatry shall be held at the same times and places as examinations of applicants for registration as physicians and surgeons are held.

R.S.1954, c. 74, § 4; 1955, c. 261 § 1.

§ 3652. Fees; reexamination

Every applicant for an examination for a license to practice podiatry shall, at the time of filing his application, pay to the sec-

retary of the Board of Registration in Medicine a fee of \$25. In case the application is denied and examination refused, said fee shall be returned to the applicant. Any applicant who fails to pass an examination shall be entitled to a reexamination within 6 months upon the payment of an additional fee of \$10, but only 2 such reexaminations shall be permitted. Podiatrists having practiced in this State prior to June 30, 1933 and having been licensed to practice without examination shall pay a fee of \$15. Podiatrists having been licensed in another state and licensed to practice in this State without examination shall pay a fee of \$50. Every person licensed to practice podiatry must pay annually a renewal license fee of \$5. If such renewal fee is not paid within 3 months after the date of notification by the secretary that such fee is due, the license of the person so failing to pay shall be suspended or revoked and shall be reissued only by a majority vote of the examiners and upon payment of a fee of \$10.

R.S.1954, c. 74, § 6.

§ 3653. Display of certificates; use of title

Every applicant who shall satisfactorily meet the requirements for license to practice podiatry, as provided in this chapter, shall be granted a certificate under the seal of the Board of Registration in Medicine signed by the chairman and secretary, which certificate shall entitle the person to whom it is granted to practice podiatry anywhere in this State. Every such certificate shall be conspicuously displayed at the place of practice of such person, and every renewal certificate for the current year shall be displayed in connection with the original certificate. A podiatrist licensed in accordance with this chapter may use the word "Doctor" or the letters "Dr." when followed by the word "Podiatrist" or "Chiropodist," only if he is a graduate of a school approved by the examiners, or if graduated prior to the establishment of a board of examiners, then from a school approved for examination and registration in the state in which the school was located.

R.S.1954, c. 74, § 7; 1955, c. 261, § 2.

§ 3654. Reciprocity

Any podiatrist of good moral character licensed to practice podiatry in a state maintaining a standard equal to that maintained by this State may, upon making application to the secretary of the Board of Registration in Medicine, be licensed to prac-

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tice podiatry in this State without examination, upon payment of the required fee and the presentation of satisfactory evidence of good moral character and of his license to practice podiatry in such other state, provided such other state extends the same privilege to persons licensed to practice podiatry in this State.

R.S.1954, c. 74, § 5.

§ 3655. Suspension or revocation of license

Any license to practice podiatry may be suspended or revoked by the Administrative Hearing Commissioner under Title 5, chapters 301 to 307, when the licensee has been convicted of an act involving moral turpitude; and may be suspended or revoked when, after a hearing, it shall be found that the licensee used fraud in procuring his license or has used untruthful or improbable statements to patients or in advertisements; or that the licensee is incompetent to practice podiatry; or that the licensee is flagrantly advertising himself or his work, whether through newspapers or other periodicals, or by circular, postcard or over the radio, television or otherwise.

A podiatry license may be revoked for violation of any of the following rules of practice:

1. In conjunction with a business. A podiatrist shall not practice podiatry in conjunction with any business, such as a shoe store or beauty parlor.

2. Specific guarantee. A podiatrist shall refrain from all forms of specific guarantee.

3. Representation. A podiatrist shall in his professional role represent himself to the public as a podiatrist and as such shall practice within the legal bounds and privileges thereof.

4. Titles. The following titles shall be considered ethical and correct:

- A.** Dr. John Doe, Podiatrist (or Chiropodist);
- B.** John Doe, D.S.C.;
- C.** John Doe, D.S.C., Podiatrist (or Chiropodist).

5. Not as corporation. A podiatrist shall practice only in his individual personal capacity, alone or in association with a licensed practitioner of this or another of the healing arts, but under his own name and not as a corporation.

6. Letterheads. Letterheads and other office listing shall display no more than name, title, address, phone number and office hours.

7. Telephone listings. Telephone listings shall not be in bold type or in display form of any kind.

8. Advertising. A podiatrist shall not advertise, as such, through any medium, but professional cards shall not be considered as advertising if same contain only the podiatrist's name, title, address, phone number and office hours.

9. Signs. Lettering on doors, windows and any signs shall be in keeping with the size and style deemed ethical by colleagues in similar professional practices. Neon signs shall be considered as advertising in bad taste, and are prohibited.

10. Announcement cards. Announcement cards of opening a new office, closing of an office or change of location may be inserted in newspapers or sent direct by mail, provided same be in keeping with size, style, frequency and duration of those ethical by colleagues in similar professional practices.

11. Prices; free services. Advertising prices, free services or free examinations are specifically prohibited.

12. Unprofessional conduct. A podiatrist shall refrain from any conduct generally considered unprofessional or unethical by the learned professions.

The said examiners may, after a lapse of 6 months, at their discretion, reissue a license which has been suspended or revoked.

R.S.1954, c. 74, § 8; 1955, c. 261, § 3; 1957, c. 429, § 72; 1961, c. 394, § 37; c. 417, § 164; 1963, c. 412, § 23.