

Laws Relating to the Practice of Chiropractic in the State of Oregon, 1915

CHAPTER 325, LAWS OF 1915

PASSED BY TWENTY-EIGHTH LEGISLATIVE ASSEMBLY—REGULAR SESSION

Introduced by Mr. Risley (by request), and read first time January 21, 1915.

An ACT AUTHORIZING and regulating the practice of Chiropractic in the State of Oregon; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers and duties; to provide for the licensing and examination of Chiropractors in the State of Oregon; providing fees for the same; providing for the prosecution and penalties for the violation of this Act and to repeal all Acts and parts of Acts in conflict therewith.

Be it enacted by the People of the State of Oregon:

SECTION 1. That a board is hereby created and established to be known by the name of the "State Board of Chiropractic Examiners." Said board shall be composed of three chiropractors who shall be residents of the State of Oregon and who shall have resided and practiced chiropractic in said State for one year previous to the passage of this Act.

SECTION 2. The Governor of the State of Oregon shall within thirty days after the taking effect of this Act appoint three chiropractors as specified in Section 1 of this Act, to constitute the members of this board. Said members shall be appointed so that the terms of office shall expire, one in a year, one in two years and one in three years from date of appointment. Annually thereafter the Governor shall appoint one practitioner, to serve for a period of three years, and shall fill any vacancies on said board by death or otherwise.

SECTION 3. (a) Said board shall convene within thirty days after their appointment and organize by the election of a president, a vice-president and a secretary-treasurer from their membership.

(b) Said board shall have authority to administer oaths, take affidavits, summon witnesses and take testimony as to matters pertaining to their duties. They shall adopt a seal which shall be affixed to all licenses issued by them and

shall from time to time adopt such rules and regulations as they may deem proper and necessary for the performance of their work, and they shall adopt a schedule of minimum educational requirements, which shall be without prejudice or discrimination as to the different colleges teaching chiropractic. The secretary of said board shall keep a record of the proceedings of the board which shall, at all times during business hours, be open to public inspection. Said board shall also keep on file with the Secretary of State, a copy of their rules and regulations for public inspection, and shall elect annually their officers as provided herein. A majority of the board shall constitute a quorum.

(c) A license to practice chiropractic within the State shall be issued to the members of the board upon payment of the regular fees provided herein.

(d) The board shall meet as a board of examiners on the first Tuesday following the second Monday of January and July of each year and at such times and places as may be found necessary for the performances of their duties.

SECTION 4. It shall be unlawful for any person to practice chiropractic in this State unless he shall have first obtained a license as provided in this Act; provided, that nothing in this Act shall apply to or affect persons who are now actually in the practice of such profession, except as hereinafter provided.

SECTION 5. (a) Any person wishing the right to practice chiropractic in this State shall make application to said Board of Chiropractic Examiners upon such form and in such manner as may be provided by the said board fifteen days prior to any meeting thereof. Each applicant shall be a graduate of a chartered chiropractic school or college which teaches a course of two years of nine months each or more.

(b) There shall be paid to the treasurer of the State Board of Examiners by each applicant for a license a fee of twenty-five dollars, ten dollars of which shall accompany the application and the balance upon the issuance of the license. Each application shall be accompanied with a certificate showing good moral character of the applicant.

SECTION 6. (a) Examinations for license to practice chiropractic shall be made by said board according to the methods deemed by it to be the most practicable to test the applicant's qualifications. Each application shall be designated by a number instead of the name, so that the identity will not be disclosed to the examiners until said papers are graded.

(b) All examinations shall be in writing, the subjects of which shall be as follows: Anatomy, physiology, pathology, gynecology, obstetrics, diagnosis, chiropractic theory and practice, as taught by chiropractic colleges. A license shall be granted to all applicants who shall correctly answer seventy-five per centum of all questions asked, and if any applicant fail to answer correctly seventy-five per centum of the questions on any branch of said examination he or she shall not be entitled to a license; the applicant shall, however, be given credit for all branches passed.

(c) The schedule of minimum educational requirements to enable any person to practice chiropractic in the State of Oregon shall be as follows, to wit: Group 1, 120 hours—chemistry, 120 hours. Group 2, 645 hours—anatomy, 510 hours, and histology, 135 hours. Group 3, 340 hours—toxicology, 40 hours; minor surgery, 40 hours, and physiology, 260 hours. Group 4, 395 hours—hygiene and sanitation, 125 hours; pathology, 270 hours. Group 5, 340 hours—diagnosis, 340 hours. Group 6, 260 hours—chiropractic theory and practice, 260 hours. Group 7, 300 hours—gynecology, 105 hours, and obstetrics, 195 hours, making a total of 2,400 hours.

SECTION 7. All chiropractors practicing within the State of Oregon one year prior to the passage of this Act and who shall present satisfactory evidence of having so practiced for such a time, and who shall show satisfactory evidence

of having graduated from a chartered chiropractic school or college whose requirements for graduation are not less than the requirements prescribed in subdivision (c) of Section 6 of this Act, shall be granted a license without examination upon the payment of a fee of \$10.00, provided that application be made within sixty days after the taking effect of this Act, and said application be accompanied with \$10.00 and with evidence of good moral character.

SECTION 8. (a) The State Board of Chiropractic Examiners may refuse to grant or may revoke a license to practice chiropractic in this State or may cause a licentiate's name to be removed from all public records in the State upon any of the following grounds, to-wit: The employment of fraud or deception in applying for a license or in passing an examination as provided in this Act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him or her from the performance of their professional duties. Any person who is a licentiate, or who is an applicant for a license to practice chiropractic against whom any of the foregoing grounds for revoking or refusing a license is presented to said board with a view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing before said board in person or by attorney, and witnesses may be examined by said board respecting the guilt or innocence of said accused.

(b) Chiropractic is defined as that system of adjusting the articulations of the bony framework of the human body, especially asymmetries of the vertebrae, for the purpose of removing the cause of disease by the correction of subluxations, thereby removing the pressure, impingement, or tension from the nerves having their passage between, through, or around the structures subluxated. The subluxation is corrected with the hands, using the bones of the body, more particularly the spinous and transverse processes of the vertebrae, as levers to which is applied a peculiar adjustic movement—the chiropractic thrust.

(c) Said board may at any time after two years of the refusal or revocation or cancellation of registration under this section, by a majority vote, issue a new license or grant a license, to the person affected, restoring him to, or conferring on him all the rights and privileges of, and pertaining to the practice of chiropractic as defined and regulated by this Act. Any person to whom such rights have been restored shall pay to the secretary-treasurer the sum of twenty-five dollars upon issuance of a new license.

SECTION 9. (a) Every person who shall receive a license from the State Board of Chiropractic Examiners shall have it recorded in the office of the county clerk of the county in which he resides and shall have it likewise recorded in the counties in which he shall subsequently move for the purpose of practicing chiropractic.

(b) The failure or the refusal on the part of the holder of a license to have it recorded before he or she shall begin to practice chiropractic in this State, after having been notified by the Board of Chiropractic Examiners to do so, shall be sufficient grounds to revoke or cancel a license and render it null and void.

SECTION 10. The county clerk of each county in this State shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded by him. When any such license shall be presented to him for record he shall stamp upon the face thereof his signed memorandum of the date when such license was presented for record.

SECTION 11. (a) All examination fees received by the State Board of Chiropractic Examiners under this Act shall be paid to the secretary-treasurer of said board, who shall at the end of each year deposit the same with the State Treasurer, and the said State Treasurer shall place said money as received in a special fund of the State Board of Chiropractic Examiners and shall pay the same out in warrants drawn by the Secretary of State thereof, upon vouchers issued and signed by the president and the secretary-treasurer of said board. Said moneys so received and placed in said fund may be used by the State Board of Chiropractic Examiners in defraying their expenses in carrying out the provisions of this Act.

(b) The secretary-treasurer shall keep a true and accurate account of all funds received and all vouchers issued by the board; and on the first day of December of each year he shall file with the Governor of the State a report of all receipts and disbursements and the proceedings of the board for the fiscal year.

(c) The members of said board shall receive a per diem of ten dollars each day during which they shall actually be engaged in the discharge of their duties, and mileage at the rate of three cents per mile for each mile necessarily traveled in going to and from any meetings of said board.

(d) Such per diem and mileage and other incidental expenses necessarily connected with the said board shall be paid out of the fund of the State Board of Chiropractic Examiners and not otherwise.

SECTION 12. Chiropractic practitioners shall observe and be subject to all State and municipal regulations relating to the control of contagious infectious diseases, sign death certificates and report any and all matters pertaining to public health, to the proper health officers the same as other practitioners.

SECTION 13. The treasurer of said board shall give bond in such sum with such sureties as the board may deem proper. Upon sufficient proof to the Governor of the inability or misconduct of a member of the board, said member shall be dismissed and the Governor shall appoint his successor from some licensed chiropractic residing in the State.

SECTION 14. Persons licensed to practice chiropractic under the laws of another State having requirements of this Act may, in the discretion of the board, be issued a license to practice in this State without examination, upon payment of the fee of twenty-five dollars as herein provided.

SECTION 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a diploma or license to practice chiropractic, whether recorded or not, or who shall use the title "Chiropractor," "D. C.," or any word or title to induce belief that he is engaged in the practice of chiropractic without first complying with the provisions of this Act, or any person who shall violate any of the provisions of this Act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not less than fifty dollars nor more than two hundred dollars or by imprisonment in the county jail for not less than thirty days or more than one year, or both, the same being at the discretion of the court. All subsequent offenses shall be punished in like manner. Nothing in this Act shall be construed to interfere with any other method or science of healing in this State.

SECTION 16. It shall be the duty of the several prosecuting or district attorneys of this State to prosecute all persons charged with the violation of any of the provisions of this Act. It shall be the duty of the secretary-treasurer of said board, under the direction of said board to aid said attorneys of the State in the enforcement of this Act.

SECTION 17. All Acts or parts of Acts in conflict herewith are hereby repealed.