

HOUSE No. 1851

By Mr. Kennedy of Everett, petition of John P. Kennedy for legislation to establish a board of chiropractors and defining its powers and duties. Public Health.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT ESTABLISHING THE BOARD OF CHIROPRACTORS AND DEFINING ITS POWERS AND DUTIES.

1 *Whereas*, The deferred operation of this act would tend in
2 part to defeat its purpose, which is to establish immediately
3 within the commonwealth a board of registration of chiroprac-
4 tors and to define the powers and duties of said board, there-
5 fore this act is hereby declared to be an emergency law, nec-
6 essary for the immediate preservation of the public health and
7 convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 13 of the General Laws is hereby
2 amended by inserting after section 60, inserted by section 1 of
3 chapter 625 of the acts of 1958, under the caption BOARD OF
4 REGISTRATION OF CHIROPRACTORS, the following three sec-
5 tions:—

6 *Section 61.* There shall be a board of registration of chiro-
7 practors, in this and the following sections called the board, to
8 be appointed by the governor, with the advice and consent of
9 the council, consisting of three persons, residents of the com-
10 monwealth, who are chiropractors, as such term is defined in
11 section eighty-seven PPP of chapter one hundred and twelve.

12 *Section 62.* The board shall hold at least two regular meet-
13 ings in each year for the purpose of examining applicants and

14 the transaction of other business, and shall annually choose
15 from its own number a chairman and secretary.

16 *Section 63.* There shall be paid by the commonwealth to
17 each member of the board fifteen dollars a day for each day
18 actually spent in the discharge of his duties, his necessary
19 traveling and other expenses actually incurred in connection
20 with his duties, and such other expenses of the board as are
21 incurred under section sixty-two and under sections eighty-
22 seven PPP to eighty-seven XXX of chapter one hundred and
23 twelve; provided, that the compensation and expenses of the
24 members of the board, and the expenses of the board shall not
25 be in excess of the receipts for registrations and renewals re-
26 ceived by the state treasurer from the board.

1 SECTION 2. Chapter 112 of the General Laws is hereby
2 amended by inserting after section 87000, inserted by sec-
3 tion 2 of said chapter 625, under the caption REGISTRATION OF
4 CHIROPRACTORS, the following nine sections: —

5 *Section 87PPP.* For the purposes of this section and sections
6 eighty-seven QQQ to eighty-seven XXX, inclusive, the follow-
7 ing words shall have the following meanings: —

8 “Board”, the board of registration of chiropractors estab-
9 lished under section sixty-one of chapter thirteen.

10 “Chiropractic”, the science of locating and removing irrita-
11 tion of the nervous system by maintaining structural and func-
12 tional integrity of the human body, without the use of drugs or
13 operative surgery. It excludes operative surgery, prescription
14 or use of drugs or medicine, or the practice of obstetrics, except
15 that the X-ray and analytical instruments may be used solely
16 for the purposes of examinations.

17 “Chiropractor”, a person who lawfully practices chiropractic.
18 The board shall furnish to each person licensed by it a copy
19 of this section of the same size as his certificate of registration,
20 which shall be kept conspicuously displayed by him in his
21 place of business.

22 *Section 87QQQ.* The board may make and publish necessary
23 rules and regulations for the proper conduct of its duties, and
24 shall keep a full record of its proceedings and keep a record of
25 the names of all persons examined or registered by it, which
26 shall be open to public inspection. The board shall make an

27 annual report containing a full and complete account of all its
28 official acts during the preceding year and setting forth the
29 condition of chiropractic in the commonwealth.

30 *Section 87RRR.* Every person, before engaging in the prac-
31 tice of chiropractic in this commonwealth, shall make applica-
32 tion to the board, on a form prescribed and furnished by it, for
33 a certificate to practice chiropractic. Said application shall be
34 filed with the secretary of the board, at least seven days before
35 the date of examination, and shall be accompanied by an ex-
36 amination fee of twenty-five dollars. Each applicant must be
37 at least twenty-one years of age and of good moral character,
38 and shall furnish the board with satisfactory proof that he is a
39 graduate of a chiropractic school or college, approved by the
40 board, and which possesses the following qualifications:—

41 First, it shall be incorporated and authorized by its charter
42 to confer the degree of doctor of chiropractic;

43 Second, it shall give a course of four academic years, com-
44 prising a total of four thousand hours, to matriculants possess-
45 ing the educational qualifications required for graduation from
46 an accredited public high school; and

47 Third, it shall confer such degree only after personal attend-
48 ance of the applicant therefor at such course, and upon com-
49 pletion thereof.

50 *Section 87SSS.* Any person licensed by a chiropractic board
51 of any other state having, at the time when said person ob-
52 tained his license, a standard equal to that of this common-
53 wealth may, after a written examination, be licensed by the
54 board upon the payment of a fee of twenty-five dollars; pro-
55 vided, that (1) he furnishes evidence to the board that he is a
56 graduate of a chiropractic school or college approved by the
57 board as provided in section eighty-seven RRR, (2) he pro-
58 duces evidence satisfactory to the board that he is of good
59 moral character, (3) he presents to the board a certified copy of
60 the license or certificate of registration issued to him by the
61 chiropractic board of such other state, and (4) he has prac-
62 ticed for at least three years under such license.

63 *Section 87TTT.* The board may refuse to grant a certificate
64 to any person who has been convicted of a felony, involving
65 moral turpitude, who has been guilty of unprofessional con-
66 duct, or who is addicted to any vice to such a degree as to

67 render him, in the opinion of the board, unfit to practice chiro-
68 practic, and may, for any of said causes, after due notice and
69 hearing, revoke a certificate already issued.

70 *Section 87UUU.* The board shall examine each applicant as
71 to his qualifications for the practice of chiropractic. Said ex-
72 amination shall be in writing, and except as otherwise provided
73 by section eighty-seven SSS, shall include the subjects of
74 anatomy, physiology, chemistry, pathology, diagnosis, hygiene,
75 public health and chiropractic principles and practice as taught
76 in chiropractic schools or colleges, and shall also include prac-
77 tical demonstrations of chiropractic technique. Every appli-
78 cant whom the board finds qualified to practice chiropractic
79 shall be registered as a chiropractor by the board, and shall re-
80 ceive a certificate of such registration signed by the chairman
81 and secretary of the board. Said certificate shall entitle the
82 person to whom it is granted to practice chiropractic in this
83 commonwealth, shall designate him as a chiropractor and shall
84 be publicly displayed at his principal place of business so long
85 as he shall continue to practice chiropractic.

86 *Section 87VVV.* Whoever, not being lawfully authorized to
87 practice chiropractic in this commonwealth, practices or at-
88 tempts to practice chiropractic, or holds himself out as a prac-
89 titioner of, or as being able to practice, chiropractic, or uses
90 the science or system of chiropractic in treating disease of the
91 human body, or uses any of the titles, words or letters, "chiro-
92 practic", "chiropractor", "chiropractic practitioner", "doctor
93 of chiropractic", "D.C.", or any other titles or letters, either
94 alone or with qualifying words or phrases, in such manner or
95 under such circumstances as to indicate that he is engaged in
96 the practice of chiropractic, or whoever practices chiropractic
97 under a false or assumed name or under a name other than
98 that by which he is registered, or whoever personates another
99 practitioner of chiropractic, or whoever buys, sells or fraudu-
100 lently obtains any diploma, license, record or registration to
101 practice chiropractic, or aids or abets in such selling or fraudu-
102 lent obtaining, or whoever practices chiropractic under cover
103 of any diploma, license, record or registration to practice chiro-
104 practic illegally obtained or signed or issued unlawfully or under
105 fraudulent representations, shall be punished by a fine of not
106 less than one hundred not more than one thousand dollars, or

107 by imprisonment for not less than thirty days nor more than
108 one year, or both.

109 *Section 87WWW.* Every registered chiropractor, upon com-
110 mencing to practice, shall forthwith notify the board of his
111 office address or addresses, shall promptly notify the board of
112 any change in said address or addresses, and shall, from time to
113 time, furnish such other information to the board as it may re-
114 quire. He shall annually, before April first, pay to the board a
115 fee of ten dollars for the renewal of his certificate of registration.
116 The board may suspend the authority of any registered chiro-
117 practor to practice chiropractic for failure to comply with any
118 of the above requirements. The board shall publish annually
119 complete lists of the names and office addresses of all chiroprac-
120 tors registered and practicing in the commonwealth, arranged
121 alphabetically by name and also by the names of the towns
122 where their various offices are located.

123 *Section 87XXX.* No registered chiropractor or person prac-
124 ticing chiropractic shall include, or permit or cause to be in-
125 cluded, in any newspaper, radio, television, display sign, per-
126 sonal solicitation or other manner of advertising, any written
127 or spoken words or statements of a character tending to de-
128 ceive or mislead the public, or claiming professional superiority
129 or professional services in a superior manner or tending to
130 solicit patronage for his business, services, advice or advertis-
131 ing fixed prices for professional services, or shall make or set
132 forth any promises, guarantee, offers, inducements, represen-
133 tations, statements or rewards of a character tending to influ-
134 ence, persuade or induce persons to seek, employ or patronize
135 his business, service or advice; provided, that, notwithstand-
136 ing the foregoing, a person subject to this section may (1) use
137 and distribute personal professional cards setting forth his
138 name, title, address or addresses, telephone number or numbers
139 and office hours; (2) use and distribute personal professional
140 cards or other notices announcing his change of place of busi-
141 ness, or his entrance into, absence from or return to business;
142 (3) issue personal appointment cards to his patients, stating
143 thereon the time and place of appointment, and containing any
144 statements hereinbefore authorized to be set forth in his per-
145 sonal professional cards; (4) display his name and any such
146 authorized statements, by means of a sign or signs at his resi-

147 dence or place of business, or both, or upon the window thereof
148 or upon a door-plate or in a building directory, so called,
149 thereat; and (5) insert his name and any such authorized state-
150 ments in public print, in the form of advertisements or notices
151 not more than one column in width nor more than two inches
152 in depth; and provided, that, notwithstanding the foregoing,
153 chiropractors, groups of chiropractors, bona fide chiropractic
154 professional or lay organizations shall be permitted to publish
155 and disseminate information concerning the philosophy, science
156 and art of chiropractic.

1 SECTION 3. Any person who has been a resident of this
2 commonwealth for at least three years prior to the effective
3 date of this act, and who is a graduate of a legally chartered
4 chiropractic school or college having the power to confer de-
5 grees, having attended a resident course thereat, and who was
6 graduated therefrom prior to said effective date and who shall
7 within ninety days after such effective date make application to
8 be examined, shall, upon passing a written and oral examina-
9 tion given by the board, in the principles and practice of chiro-
10 practic, and upon furnishing to the board evidence satisfactory
11 to it of his good moral character, and upon payment of a fee of
12 twenty-five dollars, be granted by the board a certificate of
13 registration as a chiropractor. In the case of a person serving
14 in the armed forces of the United States on said effective date,
15 such ninety-day period shall commence six months following his
16 separation or discharge from such service.

1 SECTION 4. The initial members appointed to the board of
2 registration of chiropractors, established by section sixty-one
3 of chapter thirteen of the General Laws, inserted by section
4 one of this act, shall be appointed from a list of chiropractors
5 submitted by the Massachusetts Chiropractic Association, Inc.
6 for terms of one, two and three years, respectively, as the gov-
7 ernor, with the advice and consent of the council, may desig-
8 nate, and no one of such members need be a registered chiro-
9 practor; provided, however, that upon such appointment and
10 the payment of a fee of twenty-five dollars each such member
11 shall be deemed to be duly registered as a chiropractor under
12 the provisions of sections eighty-seven QQQ to eighty-seven

13 XXX, inclusive, of chapter one hundred and twelve of the
14 General Laws. Upon the expiration of the term of any such
15 member his successor shall be appointed for a term of three
16 years, and, except as provided in this section, in compliance
17 with the requirement of said section sixty-one of said chapter
18 thirteen.

1 SECTION 5. If any section, subsection, subdivision, para-
2 graph, sentence or clause of this act is held to be invalid or
3 unconstitutional, such decision shall not affect the remaining
4 portions of this act.

