

House, No. 2180, as changed by the committee on Public Health and as amended on the recommendation of the committee on Ways and Means, and passed by the House to be engrossed. March 23.

The Commonwealth of Massachusetts

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

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 chiro-
4 practors and to define the powers and duties of said board,
5 therefore this act is hereby declared to be an emergency law,
6 necessary for the immediate preservation of the public health
7 and 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 63, under the caption BOARD
3 OF REGISTRATION OF CHIROPRACTORS, the following three
4 sections:—

5 *Section 64.* There shall be a board of registration of chiro-
6 practors, in this and the following sections, called the board,
7 consisting of five chiropractors and one doctor of medicine, as
8 such term is defined in section eighty-nine of chapter one hun-
9 dred and twelve. The six members shall be residents of the
10 commonwealth, graduates of a legally chartered chiropractic
11 school or college having the power to confer degrees, and upon
12 their appointment and payment of a fee of twenty-five dollars
13 they shall be deemed to have been duly registered as chiroprac-
14 tors under sections ninety to ninety-seven inclusive, of chapter
15 one hundred and twelve. The appointments of the mem-

16 bers of the board provided for by this section shall be made by
17 the governor from a list of chiropractors submitted by the
18 Massachusetts Chiropractic Association, Inc. Upon the ex-
19 piration of the term of a member his successor shall be appointed
20 in like manner for a term of three years. No more than two
21 members of the board shall be graduates of the same legally
22 chartered chiropractic school or college.

23 *Section 65.* The board shall hold at least two regular meet-
24 ings in each year for the purpose of examining applicants and
25 the transaction of other business, and shall annually choose
26 from its own number a chairman and a secretary.

27 *Section 66.* All fees received by the secretary of the board
28 and not returned to the applicant shall be paid monthly to the
29 state treasurer. Each member of the board shall receive fifteen
30 dollars per day for each day actually spent in the discharge of
31 his duties, and also the necessary traveling and other expenses
32 actually incurred in connection with his duties. Such com-
33 pensation, and traveling expenses, and all expenses neces-
34 sarily incurred by the board in the performance of its duties,
35 after approval by the board, shall be paid by the common-
36 wealth; provided, that such payments shall not be in excess
37 of the receipts for registration and renewals paid to the state
38 treasurer by the board.

1 SECTION 2. Chapter 112 of the General Laws is hereby
2 amended by adding after section 88, under the caption REGIS-
3 TRATION OF CHIROPRACTORS, the following nine sections: —

4 *Section 89.* For the purposes of this section and sections
5 ninety to ninety-seven, inclusive, chiropractic is defined as the
6 science of locating, and removing by hand adjustment only,
7 interference with the transmission or expression of nerve force
8 in the human body, by the correction of misalignments or sub-
9 luxations of the vertebral column and pelvis. It shall exclude
10 operative surgery, prescription or use of drugs or medicines,
11 or the practice of obstetrics, except that the X-ray and
12 analytical instruments may be used solely for the purposes of
13 chiropractic examinations; chiropractor is defined as a person
14 who lawfully practices chiropractic.

15 The board of registration of chiropractors shall furnish to
16 each person licensed by it a copy of this section of the same

17 size as his certificate of registration which shall be kept con-
18 spicuously displayed by each registered chiropractor in his
19 place of business.

20 *Section 90.* The board of registration of chiropractors,
21 in this and the following seven sections called the board, may
22 make and publish necessary rules and regulations for the proper
23 conduct of its duties, and shall keep a full record of its proceed-
24 ings and keep a record of the names of all persons examined or
25 registered by it, which shall be open to public inspection. The
26 board shall make an annual report containing a full and com-
27 plete account of all of its official acts during the preceding year
28 and setting forth the condition of chiropractic in the common-
29 wealth.

30 *Section 91.* 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 fifteen days before
35 the date of examination, and shall be accompanied by an exam-
36 ination fee of twenty-five dollars. There shall be an annual
37 renewal fee of twenty-five dollars. Each applicant must be at
38 least twenty-one years of age and of good moral character,
39 and shall furnish the board with satisfactory proof that he is a
40 graduate of a chiropractic school or college approved by the
41 board, and which possesses the following qualifications: —

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

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

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

51 *Section 92.* Any person licensed by a chiropractic board
52 of any other state having at the time when said person ob-
53 tained his license a standard equal to that of this common-
54 wealth and which extends similar privileges to persons licensed
55 by the commonwealth may be licensed by the board upon the
56 payment of a fee of one hundred dollars and the production to

57 the board of his diploma, the license obtained in such other
58 state by examination and evidence satisfactory to the board
59 of good moral character and that he has practiced chiropractic
60 under such license for at least three years.

61 *Section 93.* The board may refuse to grant a certificate
62 to any person who has been convicted of a felony, involving
63 moral turpitude, who has been guilty of unprofessional con-
64 duct, or who is addicted to any vice to such a degree as to
65 render him, in the opinion of the board, unfit to practice chiro-
66 practic, and may, for any of said causes, after due notice and
67 hearing, revoke a certificate already issued.

68 *Section 94.* The board shall examine each applicant as
69 to his qualifications for the practice of chiropractic. Such
70 examination shall be in writing, and except as otherwise pro-
71 vided by section ninety-two, shall include the subjects of
72 anatomy, physiology, chemistry, pathology, diagnosis, hy-
73 giene, public health and chiropractic principles and practice as
74 taught in chiropractic schools and colleges, and its examina-
75 tion shall also include practical demonstrations of chiropractic
76 technique. Every applicant whom the board finds qualified
77 to practice chiropractic shall be registered as a chiropractor by
78 the board, and shall receive a certificate of such registration
79 signed by the chairman and secretary of the board. Said cer-
80 tificate shall entitle the person to whom it is granted to prac-
81 tice chiropractic in this commonwealth, shall designate him as
82 a chiropractor and shall be publicly displayed at his principal
83 place of business so long as he shall continue to practice chiro-
84 practic.

85 *Section 95.* Whoever, not being lawfully authorized to
86 practice chiropractic in this commonwealth, practices or at-
87 tempts to practice chiropractic, or holds himself out as a prac-
88 titioner of, or as being able to practice, chiropractic, or uses
89 the science or system of chiropractic, or uses any of the titles,
90 words or letters, "chiropractic", "chiropractor", "chiropractic
91 physician", "doctor of chiropractic", "D.C.", or any other
92 titles or letters, either alone or with qualifying words or phrases,
93 in such manner or under such circumstances as to indicate that
94 he is engaged in the practice of chiropractic, or whoever prac-
95 tices chiropractic under a false or assumed name or under a
96 name other than that by which he is registered, or whoever

97 personates another practitioner of chiropractic, or whoever
98 buys, sells or fraudulently obtains any diploma, license, or
99 record or registration to practice chiropractic, or aids or abets
100 in such selling or fraudulent obtaining, or whoever practices
101 chiropractic under cover of any diploma, license, record or
102 registration to practice chiropractic illegally obtained or signed
103 or issued unlawfully or under fraudulent representations, shall
104 be punished by a fine of not less than one hundred nor more
105 than one thousand dollars, or by imprisonment for not less than
106 thirty days nor more than one year, or both.

107 *Section 96.* Every registered chiropractor, upon com-
108 mencing to practice, shall forthwith notify the board of his
109 office address or addresses. Every registered chiropractor prac-
110 ticing as aforesaid shall annually, before April first pay to the
111 board a license fee; such license fee shall be set annually by
112 the board, adequate to meet the annual expenses of the board.
113 Every registered chiropractor shall also promptly notify the
114 board of any change in his office address or addresses, and from
115 time to time shall furnish such other information to the board
116 as it may require. The board may suspend the authority of
117 any registered chiropractor to practice chiropractic for failure
118 to comply with any of the above requirements. The board
119 shall publish annually complete lists of the names and office
120 addresses of all chiropractors registered and practicing in the
121 commonwealth, arranged alphabetically by name and also by
122 the names of the towns where their various offices are situated.

123 *Section 97.* Registered chiropractors may render serv-
124 ices under the terms and provisions of the workmen's compen-
125 sation and rehabilitation laws, sign health excuses for school
126 children in connection with school attendance or classes in
127 physical exercises in accordance with present laws.

128 No registered chiropractor or person practicing chiropractic
129 shall include, or permit or cause to be included, in any news-
130 paper, radio, television, display sign, personal solicitation or
131 other manner of advertising, any written or spoken words or
132 statements of a character tending to deceive or mislead the
133 public, or claiming professional superiority of professional serv-
134 ices in a superior manner or tending to solicit patronage for his
135 practice, services, advice or advertising fixed prices for pro-
136 fessional services, or shall make or set forth any promises,

137 guarantee, offers, inducements, representations, statements or
138 rewards of a character tending to influence, persuade or induce
139 persons to seek, employ or patronize his practice, service or
140 advice; provided, that, notwithstanding the foregoing, a per-
141 son subject to this section may (1) use and distribute personal
142 professional cards setting forth his name, title, address or ad-
143 dresses, telephone number or numbers and office hours; (2) use
144 and distribute personal professional cards or other information
145 announcing his change of place of practice, or his entrance into,
146 absence from or return to practice; (3) issue personal appoint-
147 ment cards to his patients, stating thereon the time and place
148 of appointment, and containing any statements hereinbefore
149 authorized to be set forth in his personal professional cards;
150 (4) display his name and any such authorized statements, by
151 means of a sign or signs at his residence or place of practice,
152 or both, or upon the window thereof or upon a doorplate or in
153 a building directory, so called, thereat; and (5) insert his name
154 and any such authorized statements in public print, in the form
155 of advertisements not more than one column in width nor more
156 than two inches in depth; and provided, that, notwithstanding
157 the foregoing, chiropractors, groups of chiropractors, bona fide
158 chiropractic professional or lay organizations shall be per-
159 mitted to publish and disseminate information concerning the
160 philosophy, science 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, shall within
7 ninety days after such effective date make application to be
8 examined, and, upon passing a written and oral examination
9 given by the board in the principles and practice of chiropractic,
10 and upon furnishing to the board evidence satisfactory to it of
11 his good moral character, and upon payment of a fee of twenty-
12 five dollars, be granted by the board a certificate of registra-
13 tion as a chiropractor. In the case of a person serving in the
14 armed forces of the United States on said effective date, such
15 ninety-day period shall not commence until after six months
16 following his separation or discharge from such service.

1 SECTION 3A. In making the original appointments to the
2 board of registration of chiropractors, established by section
3 sixty-four of chapter thirteen of the General Laws, inserted by
4 section one of this act, the governor shall appoint two members
5 for terms of one year, two members for terms of two years and
6 one member for a term of three years.

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

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