

# HOUSE . . . . . No. 1192

By Mr. Porter of Agawam, petition of Wilfred R. Lenville 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-Four.

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

*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 sections:—  
5 *Section 61.* 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, as such term is defined in sec-  
8 tion eighty-seven PPP of chapter 112. The five members shall  
9 be residents of this commonwealth, graduates of a legally  
10 chartered chiropractic school or college having the power to  
11 confer degrees, and upon their appointment and payment of a  
12 fee of twenty-five dollars they shall be deemed to have been  
13 duly registered as chiropractors under sections eighty-seven  
14 QQQ to eighty-seven XXX, inclusive, of chapter 112. The  
15 initial appointments of the members of the board of registration  
16 of chiropractors provided for by this act shall, within sixty days  
17 after the effective date hereof, be made by the governor, with  
18 the advice and consent of the council, from a list of chiro-  
19 practors submitted by the Massachusetts Chiropractic Associ-  
20 ation, Inc. Two of said members shall be appointed for a  
21 term of one year, two for a term of two years, and one for a  
22 term of three years, and each shall serve until the qualification

23 of his successor. No more than two (2) members of the board  
24 shall be graduates of the same legally chartered chiropractic  
25 school or college. Subsequent members of the board shall be  
26 appointed by the governor in the aforementioned manner, for  
27 terms of three years each.

28 *Section 62.* The board shall hold at least two regular meetings  
29 in each year for the purpose of examining applicants and the  
30 transaction of other business, and shall annually choose from  
31 its own membership, a chairman and a secretary.

32 *Section 63.* All fees received by the secretary of the board and  
33 not returned to the applicant shall be paid monthly to the state  
34 treasurer. Each member of the board shall receive fifteen  
35 dollars per day for each day actually spent in the discharge of  
36 his duties, and also the necessary traveling and other expenses  
37 actually incurred in connection with his duties. Such com-  
38 pensation and traveling expenses, and all expenses necessarily  
39 incurred by the board in the performance of its duties, after  
40 approval by the board, shall be paid by the commonwealth;  
41 provided, that such payments shall not be in excess of the  
42 receipts for registration and renewals paid to the state treasurer  
43 by the board.

1 SECTION 2. Chapter 112 of the General Laws is hereby  
2 amended by adding after section eighty-seven OOO, inserted  
3 by section 2 of said chapter 625, the following nine sections,  
4 under the caption "Registration of Chiropractors":

5 *Section 87PPP.* For the purposes of this section and sections  
6 87QQQ to 87XXX, inclusive, chiropractic is defined as the  
7 science and art of healing which employs that art of manipula-  
8 tion, specific adjustment and related procedures in dealing with  
9 the relationship of the nervous system and the articulations of  
10 the body, particularly the spinal column, for the prevention and  
11 correction of bodily malfunction and disease. The practice of  
12 chiropractic shall include the use of essential diagnostic instru-  
13 ments as taught in chiropractic schools, including the use of  
14 X-ray equipment, necessary to correctly evaluate the individual  
15 case for treatment or referral. The practice of chiropractic  
16 specifically excludes the practice of operative surgery, prescrip-  
17 tion or use of drugs or medicine, and the practice of obstetrics.  
18 Chiropractor is defined as a person legally registered to practice  
19 chiropractic in the commonwealth. The use of X-ray shall be

20 restricted to diagnostic procedures only; such usage shall in  
21 addition conform to the protection code of the commonwealth  
22 with respect to screening and dosage.

23 The board of registration of chiropractors shall furnish to  
24 each person licensed by it a copy of this section above, of the  
25 same size as his certificate of registration which shall be kept  
26 conspicuously displayed by each registered chiropractor in his  
27 place of business.

28 *Section 87QQQ.* The board of registration of chiropractors,  
29 in this and the following sections called the board, may make  
30 and publish necessary rules and regulations for the proper con-  
31 duct of its duties, and shall keep a full record of its proceed-  
32 ings and keep a record of the names of all persons examined or  
33 registered by it, which shall be open to public inspection. The  
34 board shall make an annual report containing a full and com-  
35 plete account of all of its official acts during the preceding year  
36 and setting forth the condition of chiropractic in the com-  
37 monwealth.

38 *Section 87RRR.* Every person, before engaging in the prac-  
39 tice of chiropractic in this commonwealth, shall make applica-  
40 tion to the board, on a form prescribed and furnished by it,  
41 for a certificate to practice chiropractic. Said application to be  
42 filed with the secretary of the board at least 15 days before the  
43 date of examination, and shall be accompanied by an examin-  
44 ation fee of twenty-five dollars. Each applicant must be at  
45 least twenty-one years of age and of good moral character, and  
46 shall furnish the board with satisfactory proof that he is a  
47 graduate of a chiropractic school or college approved by the  
48 board, and which possesses the following qualifications:

49 1. It shall be incorporated and authorized by its charter to  
50 confer the degree of doctor of chiropractic.

51 2. It shall give a course of four academic years of nine months  
52 each consisting of not less than forty two hundred resident  
53 classroom hours.

54 3. Metriculation qualifications shall be those required for  
55 graduation from an accredited public high school; that sub-  
56 sequent to January first, nineteen hundred and sixty-eight, two  
57 years of pre-professional collegiate work shall be required, in-  
58 cluding the subjects of physics, chemistry and biology.

59 *Section 87SSS.* Any person licensed by a chiropractic board  
60 of any other state having at the time when said person ob-

61 tained his license a standard equal to that of this common-  
62 wealth may, by reciprocity, be licensed by the board upon the  
63 payment of a fee of one hundred dollars and the production to  
64 the board of his diploma, the license obtained in such other  
65 state by examination and evidence satisfactory to the board  
66 of good moral character and that he has practiced chiropractic  
67 under such license for at least three years.

68 *Section 87TTT.* The board may refuse to grant a certificate  
69 to any person who has been convicted of a felony, involving  
70 moral turpitude, who has been guilty of unprofessional con-  
71 duct, or who is addicted to any vice to such a degree as to render  
72 him, in the opinion of the board, unfit to practice chiropractic,  
73 and may, for any of said reasons, after due notice and hearing,  
74 revoke a certificate already issued.

75 *Section 87UUU.* The board shall examine each applicant as  
76 to his qualifications for the practice of chiropractic. Such  
77 examination shall be in writing, and except as otherwise pro-  
78 vided in section 87SSS, shall include the subjects of anatomy,  
79 physiology, chemistry, pathology, diagnosis, hygiene and public  
80 health, bacteriology, and chiropractic principles and practice  
81 as taught in chiropractic schools and colleges. This examination  
82 should include a practical demonstration of chiropractic tech-  
83 nique. Every applicant whom the board finds qualified to  
84 practice chiropractic shall be registered as a chiropractor by  
85 the board, and shall receive a certificate of such registration  
86 signed by the chairman and secretary of the board. Said cer-  
87 tificate shall entitle the person to whom it is granted to practice  
88 chiropractic in this commonwealth, shall designate him as a  
89 chiropractor and shall be publicly displayed at his principal  
90 place of business so long as he shall continue to practice  
91 chiropractic.

92 *Section 87VVV.* Whoever not being lawfully authorized to  
93 practice chiropractic in this commonwealth, practices or at-  
94 tempts to practice chiropractic, or holds himself out as a prac-  
95 titioner of, or as being able to practice, chiropractic, or uses  
96 the science or system of chiropractic, or uses any of the titles,  
97 words or letters, "chiropractic", "chiropractor", "chiropractic  
98 physician", "doctor of chiropractic", "D.C.", or any other  
99 titles or letters, either alone or with qualifying words or phrases,  
100 in such manner or under such circumstances as to indicate that  
101 he is engaged in the practice of chiropractic, or whoever prac-

102 tices chiropractic under a false or assumed name or under a  
103 name other than that under which he is registered, or whoever  
104 personates another practitioner of chiropractic, or whoever  
105 buys, sells or fraudulently obtains any diploma, license or record  
106 of registration to practice chiropractic, or aids or abets in such  
107 selling or fraudulent obtaining, or whoever practices chiro-  
108 practic under cover of any diploma, license, record or registra-  
109 tion to practice chiropractic illegally obtained or signed or  
110 issued unlawfully or under fraudulent representations, shall be  
111 punished by a fine of not less than one hundred nor more than  
112 one thousand dollars, or by imprisonment for not less than  
113 thirty days nor more than one year, or both.

114 *Section 87WWW.* Every registered chiropractor, upon com-  
115 mencing to practice, shall forthwith notify the board of his  
116 office address or addresses. Every registered chiropractor prac-  
117 ticing as aforesaid, shall annually, before April first pay to the  
118 board a license fee; such license fee shall be set annually by  
119 the board, adequate to meet the annual expenses of the board.  
120 Every registered chiropractor shall also promptly notify the  
121 board of any change in his office address or addresses, and  
122 from time to time shall furnish such other information to the  
123 board as it may require. The board may suspend the au-  
124 thority of any registered chiropractor to practice chiropractic  
125 for failure to comply with any of the above requirements. The  
126 board shall publish annually complete lists of the names and  
127 office addresses of all chiropractors registered and practicing  
128 in the commonwealth, arranged alphabetically by name and  
129 also by the names of the towns where their various offices are  
130 located.

131 *Section 87XXX.* Registered chiropractors may render serv-  
132 ices under the terms and provisions of the workmen's com-  
133 pensation and rehabilitation laws, sign health certificates for  
134 employment permits, sign health excuses for school children in  
135 connection with school attendance or classes in physical ex-  
136 ercise, sign certificates of death in accordance with present laws.

137 No registered chiropractor or person practicing chiropractic  
138 shall include or permit or cause to be included, in any news-  
139 paper, radio, television, display sign, personal solicitation or  
140 other manner of advertising, any written or spoken words or  
141 statements of a character tending to deceive or mislead the  
142 public, or claiming professional superiority of professional serv-

143 ices in a superior manner or tending to solicit patronage for his  
144 practice, services, advice or advertising fixed prices for pro-  
145 fessional services, or shall make or set forth any promises,  
146 guarantees, offers, inducements, representations, statements or  
147 rewards of a character tending to influence, persuade or induce  
148 persons to seek, employ or patronize his practice, service, or  
149 advice; provided, that, notwithstanding the foregoing, a person  
150 subject to this section may (1) use and distribute personal  
151 professional cards setting forth his name, title, address or ad-  
152 dresses, telephone number or numbers and office hours; (2) use  
153 and distribute personal professional cards or other information  
154 announcing his change of place of practice, or his entrance into,  
155 absence from or return to practice; (3) issue personal appoint-  
156 ment cards to his patients, stating thereon the time and place  
157 of appointment, and containing any statements hereinbefore  
158 authorized to be set forth in his personal professional cards;  
159 (4) display his name and any such authorized statements, by  
160 means of a sign or signs at his residence or place of practice,  
161 or both, or upon the window thereof or upon a door plate or in a  
162 building directory, so called, thereat; and (5) insert his name  
163 and any such authorized statements in public print, in the form  
164 of advertisements not more than one column in width nor more  
165 than two inches in depth; and provided, that, notwithstanding  
166 the foregoing, chiropractors, chiropractic groups (professional  
167 or lay organizations) shall be permitted to publish and dis-  
168 seminate information concerning the philosophy, science and  
169 art of chiropractic.

170 SECTION 3. Any person who has been a resident of this  
171 commonwealth for at least three years prior to the effective  
172 date of this act, and who is a graduate of a legally chartered  
173 chiropractic school or college having the power to confer de-  
174 grees, having attended a resident course thereat, and who was  
175 graduated therefrom prior to said effective date, shall within  
176 ninety days after such effective date make application to be  
177 examined, and, upon passing a written examination given by  
178 the board in physiology, chemistry, diagnosis, chiropractic  
179 principles and practice, and upon furnishing to the board evi-  
180 dence satisfactory to it of his good moral character, and upon  
181 payment of a fee of twenty-five dollars, be granted by the  
182 board a certificate of registration as a chiropractor. Such ex-  
183 amination may be waived and a certificate of registration

184 granted by the board to any person presenting evidence to the  
185 board of being licensed in another state of the United States  
186 having examination requirements the equivalent of those of  
187 the commonwealth. In the case of a person serving in the  
188 armed forces of the United States on said effective date, such  
189 ninety-day period shall not commence until after six months  
190 following his separation or discharge from such service.

1 SECTION 4. For the purpose of this and the previous three  
2 sections, the practice of chiropractic shall not be deemed to be  
3 the practice of medicine.

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.

