

State Board of Chiropractic Examiners

CHAPTER 228.

[S. B. No. 116—Englund.]

CHIROPRACTIC EXAMINERS—CREATING BOARD OF.

AN ACT Creating a State Board of Chiropractic Examiners, to Regulate the Practice of Chiropractic in the State of North Dakota, Defining Chiropractic, Providing for Licensing Chiropractors and to Prescribe Penalties for the Violation of this Act.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. BOARD HOW APPOINTED.] The Governor of the State of North Dakota shall within thirty (30) days after the taking effect of this Act appoint a State Board of Chiropractic Examiners, and said board is to be composed of five (5) practicing chiropractors of integrity and ability who shall be residents of the State of North Dakota, holding a diploma giving them the degree of doctor of chiropractic, and who shall have practiced chiropractic continually within the state for a period of at least two (2) years, and shall not all be graduates of the same school or college of chiropractic. Said members shall be so classified by the Governor that the term of office of one shall expire January 1, 1916, one January 1, 1917, one January 1, 1918, one January 1, 1919, and one January 1, 1920; annually thereafter the Governor shall appoint one member who shall be a licensed practitioner to serve for a period of five (5) years and shall fill all vacancies in said board caused by death, resignation or otherwise, as soon as practicable.

§ 2. MEETINGS WHEN HELD. EXPENSES HOW PAID. LICENSES HOW ISSUED.] The board shall hold regular meetings for examinations at such places as it may designate on the first Tuesday of January and July of each year, and such special meetings as it may from time to time appoint. The board shall by appropriate rules and regulations make provisions for the payment of the expenses of its members, but all such expenses shall be paid out of application fees. Three (3) members of the board shall constitute a quorum and no license to practice chiropractic shall be granted except upon the affirmative vote of at least three of such members. The board shall keep a record of all its proceedings and also a register of applicants for license, showing the names and location of the institutes from which applicant holds the degree of doctor of chiropractic, together with the date of his or her diploma. Said register shall also show whether the applicant was licensed or rejected, and such register shall be prima facie evidence of all matters therein recorded. Said Board of Chiropractic Examiners shall convene

within thirty (30) days after their appointment, and elect a president, a vice-president, a secretary and treasurer from their membership, and such officers shall hold their office until the first regular meeting in January, or until their successors are elected and qualified. The said board shall have a seal.

§ 3. EXAMINATIONS. HOW CONDUCTED. LICENSES HOW GRANTED AND REVOKED.] All persons before commencing the practice of chiropractic in this state shall apply to the State Board of Chiropractic Examiners for a license, and such applicant shall submit to an examination in the following subjects: Anatomy, physiology, symptomatology, diagnosis, nerve tracing, dietetics, chiropractic, orthopedia, principles of chiropractic, physiological chemistry, pathology, analysis, gynecology, chiropractic hygiene, chiropractic palpation, intellectual adaptation, chiropractic jurisprudence and adjusting as taught by chiropractic schools and colleges, and shall present a diploma from a chartered school of chiropractic wherein a resident course of instructions is not less than three (3) years of eight months each, or its equivalent, and shall have in addition to the qualifications prescribed herein, preliminary educational qualifications required for admission to the University of the State of North Dakota or any other university of equal standing; *provided*, however, that the above qualifications shall not apply to students who shall graduate prior to January 1st, 1916. And the board shall cause such examination to be made according to the method deemed by it to be the most practicable and expeditious to test the applicant's qualifications, and if the applicant passes the prescribed examination by answering correctly not less than seventy-five per cent. of the questions propounded in each subject, the board may grant such applicant a license to practice chiropractic in this state, which license shall be signed by the president and secretary of the board and attested by the seal thereof. The fee for such examination shall be twenty-five dollars, payable in advance, which, together with all money paid in, shall be applied to the payment of the expenses of the board and of such examination. The board may, in its discretion, permit an unsuccessful applicant to take a second examination within one year after rejection, without the payment of an additional fee. The board may also, in its discretion, grant a license for the fee above specified, without examination to applicants examined and licensed by a legally constituted board of other states and territories of the United States, or the District of Columbia or other countries maintaining standards of equal grade with those required by this Act. The board may refuse or revoke a license for dishonorable, unprofessional or immoral conduct, chronic or persistent inebriety, or mental aberration, excessive use of narcotics, the practice of criminal abortion or for violating the provisions of this Act. In which case the accused shall be furnished a copy of the complaint and be given a hearing before the board in person, or by attorney.

§ 4. CHIROPRACTIC DEFINED.] Any chiropractor who has complied with the provisions of this Act may adjust any displaced tissues of any kind or nature, but shall not prescribe for, or administer to any person, any medicine or drug now or hereafter included in materia medica, to be taken internally, nor perform any surgery, except as herein stated, nor practice obstetrics, nor use the titles doctor, physician or surgeon.

§ 5. LICENSE, HOW RECORDED.] The person receiving a license shall file the same for record in the office of the Register of Deeds of the county wherein he or she resides and the Register of Deeds shall record the same in like manner as other instruments required to be recorded.

§ 6. PRESENT PRACTITIONERS.] The board shall acknowledge all chiropractic diplomas of chiropractors who are and have been resident practitioners for not less than two years in the State of North Dakota at the time of the passage of this Act, or who holds a diploma from a reputable school of chiropractic wherein the course of instruction was not less than two years, of six months each, or its equivalent, and issue a license to the applicant upon the payment of fifteen dollars without requiring said applicant to pass the state board of examination, *provided*, however, that the board is satisfied as to the good character, ability and professional standing of said applicant.

§ 7. WHO EXEMPT FROM THE PROVISIONS OF THIS ACT.] This Act shall not apply to chiropractors in actual consultation from other states or territories, the District of Columbia or other countries.

§ 8. PENALTY FOR VIOLATION OF THIS ACT. DUTY OF STATE'S ATTORNEY.] Any person or persons practicing chiropractic without a license or permit, or who without complying with the provisions of this Act, shall advertise or attempt to practice as a chiropractic, or who shall use the terms or letters, doctor of chiropractic, chiropractor, or D. C. or any other title or titles under such circumstances or in such manner as to induce the belief that he or she is engaged in the practice of chiropractic, or otherwise violates the provisions of this Act, shall be deemed guilty of misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, for each offense and it shall be the duty of the State's Attorney of any county in this state to prosecute all persons charged with the violation of any of the provisions of this Act, and it shall be the duty of the secretary-treasurer of said board, under the direction of said board to aid said attorneys in the enforcement of this Act.

§ 9. REPEAL.] All Acts or parts of Acts in conflict with this Act are hereby repealed.

§ 10. EMERGENCY.] Whereas, there is now no law in force regulating the practice of chiropractic and the examination of applicants for license to practice chiropractic in this state, therefore,

an emergency exists and this Act shall take effect and be in force from and after its passage and approval.

Approved, February 27, 1915.

STATE BOARD OF CONTROL

CHAPTER 229.

[S. B. No. 152—Hughes.]

BOARD OF CONTROL TRUSTEES OF PUBLIC PROPERTY.

AN ACT Amending and Re-enacting Section 376 of the Compiled Laws of North Dakota, 1913, Relating to the Powers of the Board of Trustees of Public Property.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 376 of the Compiled Laws of North Dakota, 1913, be amended and re-enacted to read as follows:

§ 376. The Board of Control shall constitute the Board of Trustees of Public Property, and shall have all the rights, powers, and perform the duties now conferred by law upon the Board of Trustees of Public Property, and such board shall have charge and control of the Capitol, the executive mansion and the park and public grounds connected therewith.

§ 2. EMERGENCY.] An emergency is hereby declared to exist and this Act shall take effect immediately after its passage and approval.

Approved, March 9, 1915.

CHAPTER 230.

[S. B. No. 279—Davis.]

BOARD OF CONTROL.

AN ACT to Amend Sections 236, 237, 255, 265, 270 and 273 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Board of Control of State Institutions, and to Provide for the Transfer of Inmates from one Institution to Another Institution.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 236 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows: