

CHAPTER 201**H. B. No. 206—(Carlson.)****CANCELLATION OUTSTANDING STATE WARRANTS**

An Act empowering the State Auditor to cancel from his records any warrant which has not been presented for payment or paid within five years from the date of its issuance.

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

§ 1. The State Auditor shall at the beginning of each fiscal year certify to the State Treasurer the number, amount and on what fund drawn, each and every warrant which is more than five years old and which is unpaid and outstanding.

§ 2. Upon receipt of such certificate the State Treasurer shall issue his receipt for the amount of such outstanding warrants and credit such amount to Cancelled Warrant Fund.

§ 3. Upon receipt of the said State Treasurer's receipt, the State Auditor shall credit the State Treasurer with the amount and cancel the unpaid and outstanding warrants from his records.

§ 4. If any such cancelled warrant should subsequently be presented for payment the holder thereof shall execute a voucher for the amount, to which shall be attached the original warrant, or other satisfactory evidence of ownership of the said warrant, and such voucher when approved by the State Auditor and State Auditing Board shall be paid by State Auditor's warrant drawn on the Cancelled Warrant Fund.

§ 5. REPEAL.] All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 7, 1933.

OSTEOPATHY**CHAPTER 202****S. B. No. 105—(Erickson.)****REGULATION PRACTICE OF OSTEOPATHY**

An Act regulating the practice of osteopathy in the State of North Dakota.

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

§ 1. OSTEOPATHY DEFINED.] Osteopathy is hereby defined as the art and science of applied therapy as heretofore, or hereafter, taught by the recognized colleges of osteopathy, except major surgery.

§ 2. STATE BOARD OF OSTEOPATHIC EXAMINERS. HOW APPOINTED. QUALIFICATIONS. VACANCIES. HOW FILLED.] Within thirty days after this Act becomes a law the Governor shall appoint a State Board of Osteopathic Examiners, consisting of three practicing doctors of osteopathy, graduates of recognized colleges of osteopathy and resident practitioners of the state. The members of said board shall hold offices for one, two or three years respectively, in order of their appointment, from July 1, 1933. All vacancies in the Board shall be filled by the Governor by appointment, appointees to such vacancies to possess the qualifications above required for members of said board.

§ 3. OFFICERS. MEETINGS FOR EXAMINATION. EXPENSES OF BOARD. QUORUM. RECORD OF LICENSE.] Such board shall elect a president and secretary. The Board shall hold regular meetings for examination at such places as it may designate on the first Tuesdays 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 provision for the payment of the expenses of its members including per diem and mileage, but all expenses shall be paid out of application fees. Two members shall constitute a quorum and no license to practice osteopathy shall be granted except upon the affirmative vote of at least two such members. The board shall keep a record of all its proceedings and also a register of applicants for license, showing the name of each, his age, time spent in the study of osteopathy, the names and locations of the institutions from which such applicants hold the degree of doctor, or diploma of osteopathy, together with the date of his diploma. Such register shall also show whether the applicant was licensed or rejected. Such record and register shall be prima facie evidence of the matters therein recorded.

§ 4. EDUCATIONAL REQUIREMENTS.] Preliminary:—The applicant shall present a certificate, or its equivalent, of graduation from an accredited four year high school. Professional:—The applicant shall be a graduate of a professional school or college of osteopathy which required three years of nine months each for graduation prior to February, 1919, and four years of nine months each since February, 1919.

§ 5. EXAMINATIONS. HOW CONDUCTED. LICENSES. HOW GRANTED AND REVOKED.] All persons before commencing the practice of osteopathy in this state shall apply to the state board of osteopathic examiners for a license to do so, and such applicant shall submit to an examination in the following subjects: anatomy and histology, physiology, chemistry, pathology, bacteriology, toxicology and medical jurisprudence, preventive medicine, dietetics, diagnosis, obstetrics, gynecology, therapeutics, minor surgery, practice of osteopathy, and such other subject as the board may require. The board shall cause such examination to be practical and scientific and suffi-

cient to test the applicant's fitness to treat the diseases of the human body as taught by the recognized colleges of osteopathy. If the applicant passes the prescribed examinations by answering correctly not less than seventy-five per cent of the questions propounded to him in each subject, the board shall grant him a license to practice osteopathy in this state, which practice shall include the right to prescribe and use such medicinal agents, as shall be necessary in connection with the practice of obstetrics, namely general anesthetics and pituitous. The said license shall be signed by the president and the secretary of the board and attested by the seal thereof. The fee for such examination shall be twenty dollars, payable in advance, which shall be applied to the payment of the expenses of the board and 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 legally constituted board of other states and territories of the United States, or the District of Columbia, maintaining standards of equal grade with these required of this Article. The board may refuse or revoke a license for dishonorable, unprofessional or immoral conduct, chronic or persistent inebriety, or aberration, excessive use of narcotics, or the practice of criminal abortion, or violating the provisions of this Act. The accused shall be furnished with a copy of the complaint and be given a hearing before the board in person, or by attorney.

§ 6. LICENSE TO BE 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 resides and the Register of Deeds shall record the same in like manner as other instruments required to be recorded.

§ 7. PRESENT PRACTITIONERS.] The board shall acknowledge all licenses of doctors of osteopathy who are licensed under the laws of 1913, at the time of the passage of this Act.

§ 8. PERMITS.] An applicant after presenting qualifications fulfilling the educational requirements of this Act, and the payment to the secretary of the fee of twenty dollars, may be granted a permit by the board to practice osteopathy until the next regular examination; but, only one such permit shall be granted to the same applicant.

§ 9. WHO EXEMPT FROM THE PROVISIONS OF THIS ARTICLE.] This Act shall not apply to doctors of osteopathy in actual consultation from other states or territories, or the District of Columbia. Nothing in this Act shall be construed as to interfere with or prevent the practice of any other system of healing or therapy as licensed by the State of North Dakota.

§ 10. PENALTY FOR PRACTICING WITHOUT A LICENSE.] Any person practicing osteopathy without a license or permit, or who,

without complying with the provisions of this Act shall advertise or attempt to practice as an osteopathic physician or shall use any of the terms or letters as "osteopath," or "osteopathist," or "osteopathy," or "D. O.," or any other title or titles under such circumstances or in such manner as to lead to the belief that he or she is engaged in the practice of osteopathy, or otherwise violates provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than fifty dollars and not more than five hundred dollars for each offense. Nothing in this Section shall be construed so as to prohibit gratuitous assistance to a sick or injured person in case of emergency.

§ 11. PRIVILEGES AND OBLIGATIONS.] All duly licensed osteopathic physicians practicing in the State of North Dakota shall observe and subject to all state and municipal regulations relating to the control of contagious and infectious diseases, signing of birth and death certificates and signing certificates pertaining to public health, and shall report to the proper health officer the same as other licensed physicians. Any such certificate signed by a doctor of osteopathy duly licensed to practice as such under the laws of this state shall be of the same force and effect as those signed by other licensed practitioners. All state and municipal officers shall recognize all licensed osteopathic physicians the same as other licensed practitioners.

§ 12. PUBLIC INSTITUTIONS.] Physicians licensed hereunder shall have the same rights as physicians of other schools with respect to the treatment of cases in institutions maintained wholly or in part by public funds.

§ 13. COMPENSATION.] Physicians licensed under this Act shall have equal rights with other physicians in matters pertaining to disability compensation or adjustments for claims thereof in the State of North Dakota.

§ 14. REPEALING CLAUSE.] All laws or parts of laws in conflict with provisions of this Act are hereby repealed.

Approved March 9, 1933.