

PHYSICIANS: ) A registered physician may hold himself out to the  
CHIROPODISTS: ) public as a chiroprapist, and in so doing does not  
violate criminal law.

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May 1, 1934.



Hon. F. Richard Weber  
Member, House of Representatives  
341-2-3 Ridge Building  
Kansas City, Missouri

Dear Mr. Weber:

This is to acknowledge your letter as follows:

"I would appreciate it very much if you would give me the opinion of the Attorney General's Office on the following proposition:-

Can a duly licensed physician,- that is one holding an M. D. Degree,- also licensed in the State of Missouri, advertise and hold himself out and use the term, Chiroprapist?

There seems to be some misunderstanding between the Chiroprapist Association in regard to the use of this term by anyone other than a licensed Chiroprapist."

Section 9111, R. S. Mo. 1929, provides that:

"It shall be unlawful for any person not now a registered physician within the meaning of the law to practice medicine or surgery in any of its departments, or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, \* \* \*."

A person licensed and registered as a physician may treat the human body of any of its infirmities. Thus, a registered physician may treat ailments of the human foot.

In your letter you state that the person holding himself out to the public as a chiroprapist is a licensed physician in this State.

Article 4, Chapter 52, R. S. No. 1929, pertains to "chiroprasty". Section 9075 defines "chiroprasty" as follows:

"The definition of the word 'chiroprasty' shall, for the purpose of this article, be held to be the local, medical, mechanical or surgical treatments of the ailments of the human foot, and massage in connection therewith except amputation of the foot or toes, or the use of anaesthetics other than local, or the use of drugs or medicine other than local antiseptics."

Section 9080, of the same article and chapter, provides the following:

"It shall be deemed prima facie evidence of the practice of chiroprasty, or of holding oneself out as a practitioner within the meaning of this article, for any person to treat in any manner the human foot by medical, mechanical or surgical methods, or to use the title 'chiroprapist' or 'registered chiroprapist,' or any other words, or letters, which designate, or tend to designate, to the public that the person so treating or holding himself or herself out to treat, is a chiroprapist."

Section 9088, R. S. No. 1929, provides in part the following:

"This article shall not apply \* \* \* \* \*  
nor to any physician duly registered,  
\* \* \* \* \*."

The word "chiroprody" has a well defined meaning with the public, namely, that of treatment of ailments of the human foot. And the statute provides that only those who are registered as a "chiroprapist" may treat such ailments; however, registered physicians are exempted. Thus, the provisions of article 4, chapter 52, do not apply in any particular to a registered physician. A registered physician may do all things that a registered chiroprapist may do.

The Legislature has undertaken to regulate, as a safeguard to the public, persons from treating ailments of the human body unless such be competent; a person being deemed competent when he has met the qualifications required by statute. In other words, the public is protected against fraud. Thus, if one holds himself out as a chiroprapist he must be qualified and licensed under the law to treat ailments of the human foot; and a registered chiroprapist is qualified, and so is a registered physician.

It is our opinion that a licensed registered physician may hold himself out to the public as a chiroprapist and in so doing does not violate the penal statutes of the State of Missouri.

Yours very truly,

James L. HornBostel  
Assistant Attorney-General.

APPROVED:

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ROY McKITTRICK  
Attorney-General.

JLH:EG