

CHIROPRACTIC:

- (1) Reciprocity requirements;
- (2) Actual term necessary for applicant to attend recognized college or school for chiropractic.

October 22, 1935. 10-23



Dr. Jerome F. Fontana, Secretary  
State Board of Chiropractic Examiners  
2605 Chippewa Street  
St. Louis, Missouri

Dear Sir:

This is to acknowledge your letter dated October 17, 1935, as follows:

"We would very much appreciate your opinion in the following case:

"We have on file an application from one, Dr. Vincent A. Vacca, who is licensed in the State of Iowa and wishes reciprocity with the State of Missouri, with which state Missouri has a reciprocal agreement.

"The application of Dr. Vacca shows:

- "1. That he has graduated from the Palmer School of Chiropractic in January, 1933, after completing his course of 3 years of 6 months each. Our law requires 3 years of 9 months each.
- "2. That he has attended 2,421 class hours of 60 minutes each. Our law requires 2,045 hours of 60 minutes each.
- "3. That he has not practiced in the State of Iowa after receiving his

license, as required by our law, but has practiced in the State of Indiana for 2 years and 8 months without a license.

"The question being, can a license be granted Dr. Vacca by reciprocity under the above circumstances?"

"Another question, can this Board accept an application for examination or reciprocity if the applicant has the required number of hours, but has not attended a Chiropractic College for a period of 3 years of 9 months each, as required by our law."

Section 13549, R. S. Mo., 1929, provides in part as follows:

"No person shall engage in the practice of chiropractic without having first secured from the board of chiropractic examiners a license as provided in this chapter. \* \*"

Said section further provides:

"Any applicant who applies for examination to procure a license to practice chiropractic, and who has matriculated in a chiropractic school or college after the passage of this chapter, \* \* Their chiropractic course shall cover a period of not less than three years of nine months each, and requiring actual attendance of not less than 2045 hours and which shall be construed as the maximum requirements for qualifications to practice chiropractic under this chapter. \* \* \*"

The intent of the Legislature is very apparent in that it fixed the number of years and months and hours that an applicant must attend a chiropractic school or college after the passage of the Act, and also placed a limitation on the Board by providing that such years, months and hours were the maximum requirement for qualifications; so that the Board cannot increase the qualifications as to the chiropractic course of instruction in a school or college. It likewise follows that the applicant must attend three years of nine months each and actual attendance of not less than 2,045 hours in a school or college in order to be qualified as to the chiropractic course of instruction.

We invite your attention to the fact that the requirements as to the chiropractic course of instruction only prevail as to those seeking to be licensed after the passage of the chiropractic act. Said act was passed by the Legislature in 1927. The Legislature knew that at the time of the passage of said act that there were persons engaged in the practice of chiropractic and also students matriculated in colleges or schools seeking to qualify for practice of chiropractic. Consequently, the Legislature made provision, affecting those engaged at the time of the passage of the act in the practice of chiropractic, as follows:

"Provided, that persons who have been engaged in the practice of chiropractic for a period of two years continuously prior to the passage of this chapter may be granted a license by the board upon the payment of the required fee, and upon satisfying the board that he or she is a person of good moral character, and upon meeting such other requirements as the board may prescribe: Provided further, that any such person, who has practiced chiropractic for such period of two years shall apply for such license within thirty days after organization of the first board of chiropractic examiners: \* \*"

It is to be noted that this provision is not now of any force and effect and could be deleted from said section. The Legislature also provided a different requirement of chiropractic course for those students who were matriculated in colleges or schools preparatory to the engaging in the practice of chiropractic, providing as follows:

"Provided further, that students who are matriculated in a properly recognized chiropractic school or college on October 1, 1926, and who have had two years high school or its equivalent at that time, shall be admitted to examination upon qualifying with three years of six months each actual attendance in such school or college: \* \*"

This provision is likewise obsolete and of no force and effect and was inserted presumably in said section to permit those students who were attending recognized chiropractic colleges or schools, which at that time only had courses of study of three years of six months each, to be eligible to examination.

However, at the present time it is our opinion that an applicant must attend a school or a college that has a chiropractic course of not less than three years of nine months each, and requiring an actual attendance of not less than 2,045 hours.

Section 13549, R. S. Mo. 1929, also has a provision as to "reciprocity", providing as follows:

"Provided further, that the board may issue a license without examination to persons who have been regularly licensed to practice chiropractic in any other state, territory, or the District of Columbia, wherein the regulations

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for securing such license are equivalent to those required in the state of Missouri, provided such applicant shall furnish satisfactory evidence that he or she has continuously practiced chiropractic in such state, territory, or the District of Columbia, at least one year after the securing of such license. \* \*

The facts stated in your letter concerning Dr. Vacca show that he was licensed to practice in the State of Iowa but that he never practiced in said State "at least one year after the securing of such license." Therefore, Dr. Vacca would not be the subject of reciprocity and would be the same as a new applicant, which would require three years of nine months each and 2,045 hours attendance in a recognized school or college of chiropractic.

It is our further opinion that reciprocity should be with states, territories or the District of Columbia when the requirements of such are equivalent to the Missouri statutes, which means that such states, territories or District of Columbia must have a prescribed chiropractic course of instruction equal to or greater than the provisions of Section 13549, supra.

Yours very truly,

James L. HornBostel  
Assistant Attorney-General

APPROVED:

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JOHN W. HOFFMAN, Jr.,  
(Acting) Attorney-General.

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