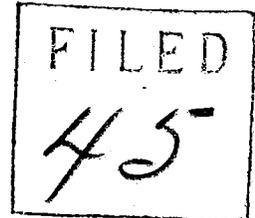


CHIROPODY: "Podiatry" is synonymous with "chiroprody," and State Board of Health may determine eligibility of any applicant for admission to practice in this state.

October 5, 1945



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R. M. James, M. D.
State Health Commissioner
Jefferson City, Missouri

Dear Sir:

We are in receipt of your letter requesting an opinion, dated October 4, 1945, as follows:

"Dr. Samuel Zuckerman, Chiroprody, 7731 Gannon Avenue, St. Louis, Missouri, who has been serving in the Army, and is a graduate of the First Institute of Podiatry, New York City, June 3, 1939, is asking permission to take the examination in Chiroprody. It seems that the Chiroprody Advisory Board, appointed by the State Board of Health of Missouri, is objecting to Dr. Zuckerman taking the examination for the reason that it would be contrary to the Laws of Missouri, Session Acts 1943, Section 9798. They claim that since the First Institute of Podiatry does not teach the degree of D. S. C. (doctor of surgical chiroprody) that he should not be permitted to take the examination.

"In your opinion, would the board be acting contrary to the Laws of Missouri, Session Acts 1943, in permitting this party to take the Chiroprody examination."

Attached to your request was a folder issued by the National Association of Chiroprody, Washington, D. C. This folder states that the First Institute of Podiatry of New York, N. Y., from which the applicant graduated in 1939, is one of

six colleges approved by the National Association of Chiropractors.

The folder also states that the word "podiatry" is synonymous with "chiroprody," being used in the regulatory laws of a few states instead of "chiroprody." A search of the statutes of various states reveals that this is true, and that New York, the District of Columbia, and other jurisdictions commonly use the word "podiatry," in each case stating that it is synonymous with "chiroprody."

We note that the applicant in question is a graduate of a New York school, and reference to the New York Statutes reveals Section 1415, Article 53, Public Health Laws of New York, which is as follows:

"Whenever the word 'podiatry' is used in this article or in any other law, the word 'chiroprody' shall be considered as having the same meaning and effect and whenever the word 'podiatrist' is used in this article, or in any other law, the word 'chiroprodist' shall be considered as having the same meaning and effect."

We also find the following definition of the science of "podiatry" in Section 1401, Article 53, Public Health Laws of New York:

"The practice of podiatry is defined as follows: For the purpose of this article 'chiroprody' or 'podiatry' shall be held to be the diagnosis of foot ailments and the practice of minor surgery upon the feet limited to those structures of the foot superficial to the inner layer of the fascia of the foot, the palliative and mechanical treatment of deformities and functional disturbances of the feet, but it shall not confer the right to treat communicable or constitutional diseases of the bones, ligaments, muscles or tendons of the feet or any other part of the body, or to perform any operation on the

bones, ligaments, muscles or tendons of the feet involving the use of any cutting instrument or the right to use any an-aesthetics other than local."

An Act of Congress of May 23, 1918 (40 Stat. 560), gives the following definition:

"Podiatry (or chiropody) is hereby defined to be the surgical, medical or mechanical treatment of any ailment of the human foot, except the amputation of the foot or any of the toes, and, also, except the use of an anesthetic other than a local one."

The latter definition corresponds very closely to that found in the laws of Missouri, Section 9796, R. S. Mo. 1939, which is as follows:

"The definition of the word 'chiropody' 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."

The State Board of Health may, therefore, treat the terms "podiatry" and "chiropody" as synonymous in considering the qualifications of the applicant mentioned.

To be admitted to registration as a practitioner of chiropody in this state, an applicant is now required to comply with Section 9798, Laws of 1943, page 582, which is as follows:

"Any person not entitled to registration as aforesaid, who shall furnish the board with satisfactory proof that he or she is

twenty-one years of age or over, and of good moral character, and a citizen of the United States, and that he or she has received at least four years' high school training, or the equivalent thereof, as determined by the board, and has received a diploma or certificate of graduation from a reputable school of chiropody conferring the degree of D.S.C. (doctor of surgical chiropody) and recognized and approved by the State Board of Health, having a minimum requirement of three scholastic years, shall, upon payment of a fee of twenty-five dollars, be examined, and if found qualified, shall be registered, and shall receive in testimony thereof a certificate signed by the chairman and secretary of the board: Provided, that the state board of health may, under regulations established by the board, admit without examination legally qualified practitioners of chiropody who hold certificates to practice chiropody in any state or territory of the United States or the District of Columbia with equal educational requirements to the state of Missouri and that extend like privileges to legally qualified practitioners from this state upon the applicant paying to the state board of health a fee of fifty dollars (\$50.00)."

An examination of the previous statute, amended by that just above quoted, reveals that the requirements were raised to require a diploma from a reputable school of chiropody, having a minimum requirement of three scholastic years, the previous requirement being only two years. The last act also provided for recognition and approval of the school of chiropody concerned by the State Board of Health, and required that the school have authority to confer the degree of doctor of surgical chiropody.

Reference to the folder, above-mentioned, discloses that the First Institute of Podiatry of New York has an entrance requirement of two years college work and that the professional course extends over a period of four years. Appli-

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cant states that he is a graduate of this school, and he was apparently invested with a degree from the school. The statements contained in this folder are not accepted as proof of the facts stated, but those facts, in the final analysis, should be determined by the State Board of Health.

It is believed that the foregoing will enable the State Board of Health to arrive at a proper conclusion by a determination of the facts surrounding the qualifications of the applicant and the standing of the school from which he received his training.

CONCLUSION

It is our conclusion that "podiatry" and "chiroprody" are synonymous terms, and that an applicant for registration to practice chiroprody in this state may be permitted to take the examination required by Section 9798, Laws of Missouri, 1943, page 582, in the discretion of the State Board of Health, if the board shall determine that he has met the necessary educational requirements at a school of chiroprody or podiatry recognized and approved by the State Board of Health. The board may approve such school if it grants a degree equivalent to that of doctor of surgical chiroprody; although given another designation.

Respectfully submitted,

ROBERT L. HYDER
Assistant Attorney General

APPROVED:

J. E. TAYLOR
Attorney General

RLH:HR