

CHIROPRACTIC: Qualifications for license.

October 7, 1937. <sup>10/</sup>9



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

Dear Sir:

We acknowledge your request for an opinion dated September 14, 1937, which reads as follows:

"About two years ago the 'COLLEGE OF CHIROPRACTIC' (International Chiropractic Research Foundation) was founded here in St. Louis and began teaching Chiropractic under the above name until this year when it was incorporated under a pro forma decree of the Circuit Court of St. Louis and filed with the Secretary of State on January 16, 1937 as the 'LOGAN CHIROPRACTIC COLLEGE INC.' and continued under this name until September of this year when the College was dissolved, leaving the students to complete their Chiropractic Education elsewhere.

"Of the students who attend the above mentioned College approximately twenty (20) now wish to enroll in the Missouri Chiropractic College here in St. Louis to complete their course. Due to the fact that the Logan College was not recognized by this Board we request your opinion as to whether or not these students can receive credit for the period of time they attended the Logan College and if the Missouri Board can accept them for examination after completing their course at the Missouri Chiropractic College.

Section 13549 R. S. Mo. 1929, provides:

"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. Any person desiring to procure a license authorizing him or her to practice chiropractic in this state shall make application therefor to the board on a form prescribed thereby, giving his or her name, sex, age, which shall not be less than 21 years, name of school or college of which he or she is a graduate, and shall furnish the board satisfactory evidence of preliminary education as required in this chapter, and of good moral character, and that he or she is a graduate of a chiropractic school or college teaching chiropractic in accordance with the requirements of this chapter, which shall be determined by the board, together with such other information as the board may require, and which application shall be sworn to before some officer authorized to administer oaths. 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, furnish satisfactory evidence of their preliminary educational qualifications, to-wit: a certificate of graduation from an accredited high school or its equivalent. 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. There shall be paid to said board, by each applicant, a fee of \$25.00, \$15.00 of which shall accompany the application, and the balance of \$10.00 shall be paid upon the issuance of a license. Any person failing to pass such examination may be re-examined within one year from the time of such failure without additional fee. The board shall subject all applicants to an examination in the following subjects: anatomy, physiology, symptomatology, hygiene and sanitation, chiropractic orthopedy, pathology, principles of chiropractic, chiropractic analysis, and practical application of their knowledge and skill in chiropractic adjusting and nerve tracing. The board shall issue to such applicant, who shall correctly answer 75 per cent. of all questions propounded in such examination, and who shall not fall below 60 per cent. in any one subject, a license to practice chiropractic. 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: Provided further, that the board shall not recognize any correspondence work in any chiropractic school or college as credit for meeting the requirements of this chapter: 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: 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 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, and that he or she is of good moral character, and upon the payment of the required fee to the treasurer of the board. All licenses shall be in effect until September 1st of the even-numbered years succeeding the date of issue."

As to the statutory construction of legislative acts, the Legislature has provided in Section 655, R. S. Mo. the following:

"The construction of all statutes of this state shall be by the following additional rules, unless

such construction be plainly repugnant to the intent of the legislature, or of the context of the same statute: First, words and phrases shall be taken in their plain or ordinary and usual sense, but technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import; \* \* \* \*."

Your request states that the Missouri Chiropractic college at this time has the approval of the Board as being a reputable college teaching chiropractic in accordance with Missouri statutes.

#### CONCLUSION.

The words and phrases used in Section 13549, supra, should be given their ordinary and usual meaning. In said section the Legislature laid down the process in which a person can legally obtain a license and become a practicing chiropractic.

Applicants for the chiropractic license, before taking the examination, must furnish the Board the name of the school or college of which he or she is a graduate, and that he or she is a graduate of a chiropractic school or college teaching chiropractic in accordance with the requirements of the Missouri Code.

The accrediting of any school or college, teaching chiropractic, is left entirely to the determination of the Board, and once the Board accredits a college in its minutes, it remains accredited until the Board rescinds its prior order.

In addition to prescribed preliminary educational qualifications, to wit: a certificate of graduation from an accredited high school, or its equivalent, any applicant for a license must show that he or she has completed a chiropractic course of study of not less than three years of nine months each, and must have been in actual class attendance not less than 2045 hours, this being the maximum requirements for qualifications to practice chiropractic in Missouri.

Dr. J. F. Fontana

-6-

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This department is of the opinion that the only plausible construction of Section 13549, supra, is as follows: Since the Missouri chiropractic college is admittedly an accredited college of chiropractic in Missouri, the former students of the Logan Chiropractic College who matriculate complete their course of study in the accredited school to the end that in all they attend three years of nine months each, and attend classes for at least 2045 hours of study of chiropractic and receive a diploma from the accredited school, and at the same time have the necessary preliminary educational qualifications, the said applicants are legally qualified to take the examination for a chiropractic license in Missouri.

Respectfully submitted

WM. ORR SAWYERS  
Assistant Attorney General.

APPROVED:

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J. E. TAYLOR  
(Acting) Attorney General.

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