

ARTICLE 16. CHIROPRACTORS

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§ 2998. [1] **Chiropractic; License Required.**—It shall be unlawful for any person to practice, or offer to practice, in this State chiropractic, as hereinafter defined, unless duly licensed to do so by the medical licensing board of this State, after examination conducted by such board or a committee thereof, under rules and regulations prepared and promulgated by it, except as hereinafter provided: Provided, however, that the provisions of this section shall not apply to any person legally entitled to practice chiropractic in this State at the time of the adoption of this act.

§ 2999. [2] **Application for License; Qualifications of Applicant.**—Any person wishing to practice chiropractic in this state shall apply to the secretary of the medical licensing board for a license so to practice. Each applicant shall establish the fact to the medical licensing board that he has satisfied the following requirements: (a) that he is twenty-one years of age or over; (b) that he is of good moral character; (c) that he is a graduate of an accredited high school giving a four year course or has an education equivalent to the same; (d) that he has attended for at least two academic years an academic college equal in standing to the West Virginia University; (e) that he is a graduate of a chiropractic school or college approved by the West Virginia chiropractor's society, incorporated, which requires for graduation a resident course of not less than four academic years of nine months each, and active attendance at the same for a minimum of four thousand hours of fifty minutes each of classroom and laboratory instruction: Provided, however, that this requirement shall not be construed to disqualify applicants that graduate from chiropractic schools or colleges before passage of this act which taught a resident course of at least three academic years of eight months each and required active attendance upon the same. Attendance at the academic college as set forth in requirement (d) shall be prior to completion of the chiropractic training as set forth in requirement (e): Provided, however, this requirement of sequence of attendance at an academic college and chiropractic school or college shall not apply to those

applicants who at the time of passage of this act have completed, or are in the process of fulfilling, the requirements set forth in (e) above; nor shall such requirement of sequence of attendance at academic college and chiropractic school or college apply to such applicants who have subsequent to the passage of this act commenced the fulfillment of requirement (e) under the educational provisions of the federal servicemen's readjustment act now in force or as may hereafter be amended, or such federal act of similar effect, benefit or purpose as may be hereafter enacted by Congress.

§ 3000. [3] **Examination by Medical and Chiropractic Members of Medical Licensing Board.**—Applicants to practice chiropractic in this State shall be examined by the medical physicians who are members of the state medical licensing board in the following subjects: Anatomy, histology, physiology, pathology, symptomatology, physical diagnosis, hygiene, sanitation, chemistry and bacteriology.

The chiropractic members of the medical licensing board shall give an examination in the following subjects: Chiropractic philosophy, chiropractic analysis, nerve tracing, palpation and the art of adjusting.

All applicants shall be required to secure an average grade of eighty per cent in all subjects, sixty-five per cent shall be the minimum grade in any subject.

§ 3001. [4] **Licensing Chiropractors from Other States.**—Persons licensed to practice chiropractic under the laws of any other state having requirements equivalent to those of this article, and extending like privileges to practitioners of this State, may in the discretion of the medical licensing board, be licensed to practice in this State without examination.

§ 3002. [5] **Refusal to Issue, Suspension or Revocation of License.**—The medical licensing board may refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the following grounds, to-wit: The employment of fraud or deception in applying for a license or in passing the examination provided for in this article; the practice of chiropractic under a false or an assumed name or the impersonation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; or habitual intemperance in the use of intoxicating liquors or narcotic drugs. In addition to the above stated grounds, the medical licensing board shall revoke or refuse to grant a license to anyone practicing, under the guise of chiropractic, any health science or mode of healing other than chiropractic as defined in this article.

§ 3003. [6] **Fees.**—Fees for examination and for issuing licenses to doctors of chiropractic shall be the same as in the case of the medical practitioners.

§ 3004. [7] **Who May Practice Chiropractic; Title of Chiropractor.**—Every chiropractor who has complied with the provisions of this article shall thereupon be entitled to practice chiropractic in this State. The title of a chiropractor shall be doctor of chiropractic and shall be designated by the letters D. C.

§ 3005. [8] **Practice of Chiropractic Defined.**—The practice of chiropractic is hereby defined as physical diagnosis, nerve tracing, palpation of

the segments of the spinal column, and the adjustment of misaligned segments of the spinal column to their normal position for the purpose of relieving pressure upon spinal nerves.

§ 3006. [9] **Use of Mechanical Devices Prohibited; Exceptions.**—The use of mechanical devices of any kind or any agency whatsoever other than the human hands, in giving chiropractic treatment, is prohibited in the practice of chiropractic, except the use of adjusting tables, and the employment of the X-ray which may be used only for the purpose of making pictures of the spine or segments of the spinal column, and only then by those who have completed the course and are in possession of a diploma in spinography issued by a regularly chartered school of chiropractic teaching spinography.

§ 3007. [10] **Duty of Chiropractor to Observe Health Regulations; Reports to Health Officers and Local Registrar of Vital Statistics.**—Doctors of chiropractic shall observe and be subject to all state and municipal regulations in regard to the control of infectious diseases, and to any and all other matters pertaining to public health, and shall report to the public health officer in the same manner as is required of other practitioners. It shall further be the duty of doctors of chiropractic in this State to report to the registrar of vital statistics of his magisterial district, within ten days of its occurrence, any death which may come under his supervision, with a certificate of the cause of death and such correlative facts as may be at the time required by the state department of health.

§ 3008. [11] **Chiropractor Not Permitted to Perform Certain Acts; Exception.**—No chiropractor shall be permitted to prescribe for any person any medicine or drugs now or hereafter included in materia medica, or to administer any such medicine or drugs; and no chiropractor shall perform any minor or major surgery, practice obstetrics or practice osteopathy, unless duly licensed to do so by the laws of this State in addition to his license to practice chiropractic.

§ 3009. [12] **Chiropractor Not to be Paid Fee Out of Workmen's Compensation Fund.**—No practitioner of chiropractic in this or any other state shall be paid any fee out of the workmen's compensation fund, or any other fund administered under the provisions of the workmen's compensation act, for services rendered an injured workman whose employer has complied with the provisions of the workmen's compensation act.

§ 3010. [13] **Unlawful to Practice Chiropractic Without License.**—No person shall practice chiropractic in this State without first having obtained a license so to do, or after revocation and before renewal, or during suspension, of such license as provided in this article.

§ 3011. [14] **Offenses; Penalties.**—Any person who shall practice or attempt to practice chiropractic in this State without a license to do so, or any person who shall buy, sell, or fraudulently obtain any diploma or license to practice chiropractic, whether recorded or not, or who shall use the title to induce belief that he is engaged in the practice of chiropractic without fully complying with the provisions of this article, or any person who shall violate any other provision of this article, or who shall attempt to practice any of the arts of healing the sick by the practice of medicine or surgery in any of its branches, shall be guilty of a misdemeanor, and, upon conviction thereof, shall

be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than one year, or both, in the discretion of the court, and each day any person shall so violate any provision of this article shall constitute a separate offense.

§ 3012. [15] **Duties of Prosecuting Attorneys and Secretary of Medical Licensing Board.**—It shall be the duty of the several prosecuting attorneys of this State to enforce the provisions of this article, and it shall be the duty of the secretary of the medical licensing board, under the direction of the medical licensing board, under the direction of said board, to aid such attorneys in such enforcement.

N. H. DYER, M.D., M.P.H.
STATE DIRECTOR OF HEALTH



State of West Virginia

DEPARTMENT OF HEALTH

CHARLESTON 25305

November 28, 1967

Honorable Robert D. Bailey
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Mr. Bailey:

Enclosed are two copies of a Reference Page and two copies of Index Pages for The Public Health Laws of West Virginia and a Manual of Regulations of the West Virginia Board of Health. These Laws and Regulations are filed in the Odd Size File as item number 3.

Sincerely yours,

N. H. Dyer, M. D., M. P. H.
State Director of Health

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 11/28/67