

the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," except insofar as it saves the jurisdiction of other courts in actions which were pending at the time of the approval of said act, and subsections (b), (d), (g) and (i) of section forty-six and subsection (a) of section forty-seven thereof, absolutely.

(b) General Repeal. All other acts and parts of acts inconsistent herewith are hereby repealed.

(c) Saving Clause. This act shall not repeal or modify any of the provisions of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 963), entitled "An act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class," or its amendment.

APPROVED—The 10th day of August, A. D. 1951.

JOHN S. FINE

No. 264

AN ACT

Relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the court of common pleas of Dauphin County; and prescribing penalties.

"Chiropractic
Registration
Act of 1951."

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short Title.—This act shall be known and may be cited as the "Chiropractic Registration Act of 1951."

Section 2. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the *meanings ascribed to them in this section:

(a) "Chiropractor" shall mean a practitioner of chiropractic.

* "meaning" in original.

(b) "Chiropractic" shall mean a system of locating misaligned or displaced vertebrae of the human spine, the examination preparatory to and the adjustment by hand of such misaligned or displaced vertebrae, and other articulations, together with the use of scientific instruments of analysis, as taught in the approved schools and colleges of chiropractic, without the use of either drugs or surgery. The term "chiropractic" shall not include the practice of obstetrics or reduction of fractures or major dislocations.

(c) "Board" shall mean the State Board of Chiropractic Examiners.

(d) "Department" shall mean the Department of Public Instruction.

Section 3. General Supervision of Chiropractic Schools.—It shall be the duty of the board to approve and disapprove chiropractic schools and colleges constantly, to ascertain the facilities, qualifications of instructors and character of the instruction of each of the various legally incorporated and reputable chiropractic schools and colleges operating under the laws of this Commonwealth for the teaching of chiropractic, to establish standards in conformity with this act for such schools and colleges and, by inspection or otherwise, to ascertain the facilities, qualifications and character of such schools and colleges outside this Commonwealth. Failure to conform to the standards required by the board after notification shall render the graduates of any such school ineligible for licensure within this Commonwealth.

Section 4. Curriculum.—An approved school or college of chiropractic within the provisions of this act shall teach a standard course of not less than four thousand (4000) hours of fifty minutes each of classroom and laboratory work composed of the following named subjects: Hygiene, Sanitation, Anatomy, Physiology, Physiological Chemistry, Bacteriology, Pathology, Histology, Symptomatology, Diagnosis, Chiropractic Analysis, and X-ray, Philosophy, Principles and Technique of Chiropractic.

Section 5. Licensing Present Practitioners.—Any person of good character who has been engaged in the full-time practice of chiropractic for twenty-five (25) years or more, the last five of which have been in this State prior to the effective date of this act, and who was graduated from a legally incorporated and reputable school or college of chiropractic, shall be entitled to take a limited examination for licensure. Any person of good character who has been engaged in the full-time practice of chiropractic for less than twenty-five (25) but more than twenty (20) years, the last five of which have been

in this State prior to the effective date of this act, and possessing a general education of not less than a standard four year high school course or its equivalent, as approved by the Department of Public Instruction, and in excess of eighteen hundred (1800) hours of classroom instruction in a legally incorporated and reputable school or college of chiropractic and has been graduated therefrom, shall be entitled to take a limited examination for licensure. Any person of good character who has been engaged in the full-time practice of chiropractic for less than twenty (20) years but more than ten (10) years, the last five of which have been in this State prior to the effective date of this act, and possessing a general education of not less than a standard four year high school course or its equivalent, as approved by the Department of Public Instruction, and not less than two thousand one hundred and fifty (2150) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom, shall be entitled to take a limited examination for licensure. Any person of good character who has engaged in the full-time practice of chiropractic in this State for at least one (1) year but less than ten (10) years prior to the effective date of this act, and possessing a general education of not less than a standard four year high school course or its equivalent, and not less than one year of college credits in chemistry, biology and physics, as approved by the Department of Public Instruction, and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom, shall be entitled to take a limited examination for licensure: Provided, however, That application to take any limited examination under the provisions of this act for licensure must be made by the applicant within six months of the effective date of this act. Any person of good character who has engaged in the full-time practice of chiropractic in this State for less than one (1) year prior to the effective date of this act, and possessing a general education of not less than a standard four year high school course or its equivalent, and not less than one year of college credits in chemistry, biology and physics, as approved by the Department of Public Instruction, and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom, shall take a standard examination as provided in this act.

Section 6. Limited Examination.—A limited examination for the purpose of this act is defined herewith as

an examination comprising the following subjects only: (1) Philosophy of Chiropractic, (2) Principle and Technique of Chiropractic, Anatomy, Physiology and Hygiene, (3) Quarantine and Sanitary Laws of the Commonwealth of Pennsylvania.

Section 7. Preliminary Educational Qualifications.—No person matriculating in the study of chiropractic after the effective date of this act shall be licensed to practice chiropractic unless he or she produces proof to the board, before taking his or her examination, of having had a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in physics, chemistry and biology, as determined by the Department of Public Instruction.

Section 8. Professional Education Qualifications.—Except as hereinbefore provided for present practitioners, no person shall hereafter be licensed to practice chiropractic in this Commonwealth unless he or she shall deliver to the secretary of the board a written application, together with satisfactory proof that the applicant is more than twenty-one (21) years of age, is of good moral character, has obtained the preliminary education as required by section seven of this act, and has graduated from an approved legally incorporated and reputable school or college of chiropractic as defined in section four of this act, *having a course of chiropractic instruction of not less than four graded courses of not less than four thousand (4000) hours of fifty (50) minutes each of classroom and laboratory instruction in the subjects as set forth in section four, and shall pass a final examination before the board as provided in this act.

Section 9. Fees.—The board shall charge the following fees for examination, registration and renewal of certificates: the sum of twenty-five dollars (\$25.00) for a standard examination and ten dollars (\$10.00) for a limited examination. It shall be the duty of all persons licensed under the provisions of this act by the board to register annually with the board and pay for each such annual registration such fee as may be fixed by the department. All fees paid to the board shall be paid to the General Fund of the State Treasury.

Section 10. Examinations.—

(a) The board shall admit to a standard examination any applicant who has complied with the qualifications provided herein. The examination shall be demonstrative, oral and written, upon the principles and technique of chiropractic as herein defined, and shall include the following subjects: Anatomy, Physiology,

* "having" omitted in original.

Histology, Chemistry, Pathology, Bacteriology, Diagnosis, Hygiene and Sanitation, Symptomatology, Chiropractic Analysis, X-ray, Chiropractic Principles, and a practical demonstration of chiropractic technique.

(b) For the purpose of examining applicants for licensure, the board shall hold at least two (2) stated meetings each year, due notice of which shall be made public, the examinations to be held at such times and places as the board may determine. At such meetings, examinations may be conducted by a committee of two (2) or more members of the board authorized by the board. Examinations shall be conducted in accordance with the rules and regulations prescribed by the board. No license shall be granted to any applicant unless he or she has obtained a general average of not less than seventy-five per centum (75%) of a maximum of one hundred.

Section 11. Failure in Examination.—Any applicant for licensure who shall fail in the examination authorized by this act shall have the privilege of a second examination without the payment of an additional fee. In the case of failure at any standard examination, the applicant, after the expiration of six (6) months and within two (2) years, shall have the privilege of taking a second examination. In the case of failure of a limited examination as provided for in sections five and six of this act, the applicant shall have the privilege of taking a second examination at such time as the board may determine. In the event of his failure to pass the second examination, he shall thereafter cease to practice chiropractic in this Commonwealth. The board may, in its discretion, permit an applicant to take more than two examinations, but the applicant shall be required to pay the same fee as is required for the original examination.

Section 12. Unlawful to Practice Unless Licensed and Registered.—It shall be unlawful for any person, after the first day of July, one thousand nine hundred fifty-two, to operate or practice as a chiropractor unless he or she shall hold a license as provided by this act and unless such person is registered for the then current license year after the year in which he is first licensed.

Section 13. Status of Existing Licensees and Registrants Preserved.—Any person licensed or legally authorized to practice chiropractic in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of chiropractic without being required to be licensed anew under the provisions of this act, and as fully as if he were licensed under the provisions of this act; and to that extent, he shall be exempt

from the penalties of this act and may remain under the jurisdiction of the State Board of Medical Education and Licensure, subject to the provisions of the Medical Practice Act of 1911. Those desiring to be under the jurisdiction of the chiropractic board shall be subject to the power of the board, as provided by this act, to suspend or revoke the license of any practitioner under this act for the causes set forth in this act and subject to the power of the board to require any such person to register annually as provided in this act.

Section 14. Term of License and Registration.—All *licenses and all registrations granted under this act shall expire on the first day of September following their issuance. It shall be the duty of the board, on or before the first day of June of each year, to mail to every person licensed under this act a blank application form for registration. Registration may be effected at any time during the month of August following by the filing of such application with the board, together with such registration fee as may be fixed by the department and satisfactory evidence that the applicant has attended, during the preceding license year, an educational conference as hereinafter provided: Provided, That the board may, at its discretion, register any licensee who has failed to make application for registration before the first day of September.

Section 15. Attendance at Educational Conferences.—No applicant for registration shall be granted a registration for the ensuing license year unless the applicant shall furnish to the board satisfactory evidence that he has attended not less than one two-day educational conference by the Pennsylvania Chiropractic Society, Inc. during the current license year, or that he has attended an equivalent educational conference during the same period. An equivalent educational conference shall be one approved or ratified by the board as meeting the educational and professional requirements of the profession.

It shall be the duty of the board, on or before the first day of February of each year, to mail to every person licensed under this act a notice setting forth the provisions of this section. No licensee shall be registered for the ensuing license year if he fails to comply with the provisions of this section: Provided, That the board may, at its discretion, register any licensee upon subsequent compliance with the provisions of this section.

Section 16. Refusal to Grant; Revocation; Etc.—The board, by a majority vote thereof, may refuse to grant and may suspend or revoke a license or a registration to any applicant for the following reasons:

* "Licensees" in original.

(1) The practice of any fraud or deceit in obtaining or attempting to obtain a license.

(2) Violation of the health laws of this Commonwealth.

(3) Pleading guilty or nolo contendere to, or being found guilty by a court of competent jurisdiction of, a crime involving moral turpitude.

(4) Gross incompetency, negligence or misconduct in carrying on of such profession.

(5) Violation of this act or the non-compliance with its provisions or the rules and regulations of the board.

(6) Loaning, borrowing or using the license of another, or knowingly aiding or abetting in any way the granting of an improper license.

Section 17. Hearing; Appeals.—The board may refuse to issue, suspend, revoke or restore any license or certificate of registration for sufficient cause in accordance with the rules and regulations of the board, but any suspension *or revocation shall be after a full and fair hearing held as provided by the Administrative Agency Law (Act of June 4, 1945, Pamphlet Laws 1388, as amended).

Section 18. Rules and Regulations.—The board may make such reasonable rules and regulations for the regulation of the practice of chiropractic as it deems necessary and proper within the scope of this act.

Section 19. Scope and Limitations of the Practice of Chiropractic.—The license provided for in this act shall entitle the holder thereof to practice chiropractic as defined in this act.

Section 20. Display of Certificate.—Every holder of a certificate granted by the board under the provisions of this act shall display the same in a conspicuous place in his or her office wherein such person shall practice chiropractic.

Section 21. Doctor of Chiropractic and Abbreviation.—Any person who has a valid certificate of registration as a chiropractor and who has complied with the annual registration provided by section nine of this act may practice chiropractic, as defined herein, and use the title "Doctor of Chiropractic" and the abbreviation "DC."

Section 22. Penalties.—Any person who shall practice or attempt to practice chiropractic, as defined in this act, or shall use the term chiropractor under such circumstances as to induce the belief that the person who uses such terms is authorized to engage in the practice of chiropractic, without first having obtained a license as herein provided for, or contrary to the provisions of this act, or who shall under any other terms

* "of" in original.

or name practice chiropractic, or who, for the purpose of obtaining such license, shall falsely represent himself or herself to be the owner of a diploma from a reputable school, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not more than five hundred dollars (\$500), or suffer imprisonment for not more than six months, for each offense, or both, at the discretion of the court.

Section 23. This act shall not apply either directly or indirectly, by intent or purpose, to affect the practice of any other branch of the healing art by any person duly licensed by the Department of Public Instruction to engage in such practice, nor to any person who, as an adherent of a well recognized religion which uses spiritual means or prayer for healing, practices the healing art in accordance with its teachings.

Practices excluded.

Section 24. The preliminary education, both secondary and collegiate, of applicants for licensure to practice chiropractic in this Commonwealth, shall be determined, valued, standardized and regulated by the Department of Public Instruction, as now required by law of applicants for licensure to practice any profession or work at any trade or occupation in this Commonwealth.

Department of Public Education to determine, value, standardize and regulate preliminary education of applicants for licensure.

Section 25. Repeal.—All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 26. Effective Date.—The provisions of this act shall become effective immediately upon its final enactment.

APPROVED—The 10th day of August, A. D. 1951.

JOHN S. FINE

No. 265

AN ACT

Regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors and chief clerks) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purposes.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Cities of the second class.

Section 1. All positions in the bureau of police, except as hereinafter provided, in cities of the second class, shall be in the competitive class of the civil service of such cities. This act shall not apply to or include superintendents of police under the direction of the department of public safety by whatever title his position may

Positions in bureau of police placed in competitive class of civil service of such cities.

Positions excepted.