

The State Board of Nurse Examiners shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board and the State Board of Examiners for Registration of Nurses;

The State Board of Barber Examiners shall exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Cosmetology shall exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Veterinary Medical Examiners shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Examination of Public Accountants shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Examiners of Architects shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Registration Board for Professional Engineers shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Chiropractic Examiners shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Chiropody Examiners shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the licensing board.

APPROVED—The 2nd day of March, A. D. 1956.

GEORGE M. LEADER

No. 375

AN ACT

Relating to and defining the practice of chiropody; conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction; requiring licensure; providing for the granting, cancellation, suspension and revocation of licenses; preserving the rights of existing licenses; providing for the promulgation of rules and regulations; transfer of jurisdiction and records to the board; regulation of schools of chiropody; reciprocity; and providing penalties, and remedies.

Chiropody Act of
1956.

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

Definitions.

Section 1. Short Title.—This act shall be known and may be cited as the “Chiropody Act of 1956.”

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) “Chiroprody” shall mean the diagnosis of foot ailments and the practice of minor surgery upon the feet, the padding, dressing and strapping of the feet, the making of models of the feet and palliative and mechanical treatment of functional disturbances of feet not including the amputation of the leg, foot or toes or the treatment of systemic diseases of the bones, ligaments or muscles of the feet, or any part of the body.

(B) “Chiroprapist” shall mean a practitioner of chiroprody.

(C) “Board” shall mean the State Board of Chiroprody Examiners.

(D) “Department” shall mean the Department of Public Instruction.

Section 3. Status of Existing Licensees.—Any person who has heretofore been licensed to practice chiroprody in this Commonwealth and who is so licensed on the date of the approval of this act and who desires to continue the practice of chiroprody must be licensed and registered under the provisions of this act, and, upon making application and payment of a fee of five dollars (\$5.00), on or before the thirty-first day of December, one thousand nine hundred fifty-six, such person will be licensed under the provisions of this act without being required to take the examination provided by this act.

Section 4. Except as hereinafter provided, any person not heretofore authorized to practice chiroprody in this Commonwealth, desiring to be entitled to so practice, shall file with the board a written application for examination accompanied by a fee of twenty-five dollars (\$25) and two unmounted finished photographs, one of which shall be verified by the dean of the school of chiroprody which he attended, and by satisfactory proof that the applicant is twenty-one years of age, a citizen of the United States of America, or has legally declared an intention to become such a resident of this Commonwealth, of good moral character, is not addicted to the intemperate use of alcohol or narcotic drugs and has obtained an education of not less than four years high school, or its equivalent, and actual pre-professional education of at least one year in a recognized college of liberal arts or of the sciences. The fact that the instruction has been received by the applicant shall be evidenced by a certificate obtained from such institution satisfactory to the board. The applicant must be a graduate of a school of chiroprody, approved by the

Requirements for application to take examination to be licensed as a practitioner of chiroprody.

board. The board shall send to every applicant an admission card and one of his photographs marked with an assigned number for admission to examination.

Section 5. Exclusive Jurisdiction of Board.—From and after the effective date of this act, the board shall exercise exclusive jurisdiction over all persons licensed, or to be licensed, and registered to practice chiropody in this Commonwealth.

Conduct of
examinations.

Section 6. The board shall hold examinations at a time and place as it shall specify. The subjects for examination shall be determined by the board and shall be on those subjects taught in a recognized school of chiropody. No candidate shall indicate his name or the school where he obtained his education on his examination papers, but shall identify his papers by the number assigned him on his photograph. No candidate shall be admitted for examination without his marked photograph and admission card.

Section 7. Curriculum.—The curriculum taught shall be confined to subjects covered by the definition of chiropody as contained in this act. The board shall or shall not approve schools of chiropody.

Average required
to pass
examination.

Section 8. Every candidate for examination who obtains an average of not less than fifty-five per centum in any one subject and a general average of seventy-five per centum or more of a maximum of one hundred per centum in the examination shall be considered to have successfully passed the required examination. In case of failure at any examination, the candidate, within two years, may take a second examination without further application or the payment of an additional fee.

Issuance of
license to practice
chiropody.

Section 9. The board shall issue a license to practice chiropody to those qualified under the provisions of this act. All original registrations shall expire on the first day of January next succeeding the issue thereof, and thereafter, each person so registered shall be required to register annually before the first day of January of each succeeding year. The form and method of such registration shall be provided for by the board in a manner enabling it to carry into effect the purposes of this act. Each person who registers shall pay for each annual registration a fee of five dollars (\$5), or the amount the department may determine. The fees required by this act shall be paid into the State Treasury for the use of the Commonwealth.

Reciprocity
exemption.

Section 10. Any person may be exempt from examination if he holds a license or certificate to practice chiropody issued by any other state or territory of the United States, which has requirements for licensure, which are substantially equivalent to those of this Com-

monwealth, and which extends similar privileges to persons licensed under the laws of this Commonwealth. Application for license in these cases shall be made on forms supplied by the board and shall be under oath. The fee therefor shall be one hundred dollars (\$100).

Section 11. Residence Required of Out of State Licensees.—Any person who does not intend to become a resident of this Commonwealth will not be entitled to obtain a license to practice chiropody in this Commonwealth in accordance with section ten of this act, and any person who obtains a license to practice chiropody in this Commonwealth in accordance with section ten of this act and does not become a resident of this Commonwealth immediately thereafter will not be entitled to retain said license.

Section 12. Any person who is not a licensed, and registered as a chiropodist shall not practice chiropody nor in any written or printed circular or in any business card, letterhead or sign or otherwise assume the title "Chiropodist", "Podiatrist", "DSC", "G cp", "M cp", "Ped G", "Foot Specialist", "Foot Correctionist", "Pedopractor" nor any other title, name or description implying or calculated to lead to the belief that he is qualified to practice chiropody.

Prohibition from advertising unless licensed.

Section 13. Penalties.—Any person violating any of the provisions of this act, or any rule or regulation of the board, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or undergo imprisonment for not less than thirty days nor more than six months for the first violation. On the second and each subsequent conviction, he shall be sentenced to pay a fine not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or undergo imprisonment for not less than sixty days nor more than six months in jail, or both.

Penalties.

Section 14. Disposition of Fees.—All fees, fines and penalties specified and imposed under this act, or any rule or regulation pursuant thereto, shall be paid into the State Treasury.

Section 15. Rules and Regulations.—The board may make such reasonable rules and regulations as it deems necessary and proper in order to carry out the intent and purposes of this act within the scope of this act.

Section 16. Refusal to Grant, Suspension and Revocation.—The board may refuse to grant and may suspend or revoke or cancel a license or a registration for the following reasons:

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

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

(3) Gross incompetency, gross immorality, negligence or misconduct in carrying on of such profession.

(4) Violation of any of the provisions of this act, or the rules and regulations of the board.

(5) Loaning, borrowing or using the registration or license to practice chiropody of another, or knowingly aiding or abetting in any way the granting of an improper license or registration.

(6) That said applicant or licensee is an habitual drunkard or is addicted to the use of morphine, cocaine or other drugs having a similar effect, or if he or she is or shall become mentally incompetent.

(7) Knowingly making substantial misrepresentations.

(8) Unethical conduct or misleading, fraudulent or unethical advertising.

(9) Soliciting patronage other than by legitimate advertisement, or paying a commission or agreeing to pay a commission to any person or persons for soliciting or for business secured, or paying any gratuity to any person with intent to have such person aid in securing business, or like unprofessional conduct.

Section 17. Procedure.—All actions of the board shall be taken subject to the right of notice, hearing and adjudication, and the right of appeal therefrom, in accordance with the provisions of the Administrative Agency Law, approved the fourth day of June, one thousand nine hundred forty-five (Pamphlet Laws 1388), or any amendment or reenactment thereof, relating to adjudication procedure.

Section 18. Display of License and Certificate.—Every holder of a license or certificate of registration shall display the same in a conspicuous place wherein such person shall practice chiropody.

Section 19. Injunction or Other Process.—The board, upon the advice of the Attorney General, may maintain an action in the name of the Commonwealth for an injunction, or other process, against any person, to restrain or prevent his practicing the profession of chiropody in a public or private capacity. Any such action shall be instituted in the court of common pleas in any county where the alleged unauthorized practice was committed. The court may issue a temporary restraining order or injunction under this act, but shall

determine any such action on its merits as soon as convenient, whether in term, time or in vacation. Appeals from any final decision of the court to the Superior or Supreme Court shall be as in similar cases. No bond shall be required of and no costs shall be taxed against the board on account of any such action. No action brought under the provisions of this act shall prevent the prosecution or institution of any civil or criminal action provided by this act for violation thereof, or of any rule or regulation of the board promulgated thereunder.

Section 20. Records.—All records and documents pertaining to persons licensed to practice chiropody shall be transferred to the board.

Section 21. Nothing in this act contained shall be construed to interfere with, or affect, regularly licensed physicians in the discharge of their professional duties, and nothing herein contained shall be construed to prohibit or restrict the sale or fitting of shoes or commercial foot appliances. No retail merchant shall be permitted to practice chiropody as provided for in this act, unless duly licensed to practice chiropody.

Applicability.

Section 22. The act of March twenty-one, one thousand nine hundred forty-five (Pamphlet Laws 51) entitled "An act defining and regulating the practice of Chiropody and providing penalties" is repealed as amended.

Repeal.

Section 10. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 2nd day of March, A. D. 1956.

GEORGE M. LEADER

No. 376

AN ACT

Providing for and regulating the licensing and practice of practical nursing; imposing duties on the State Board of Nurse Examiners; and imposing penalties.

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

Practical Nurse Law.

Section 1. This act shall be known and may be cited as the "Practical Nurse Law."

Definitions.

Section 2. When used in this act the following words and phrases shall have the following meaning, unless the context clearly indicates otherwise.

(1) The "practice of practical nursing" means the performance of such duties as are required in the physical care of a patient and in carrying out of medical