

ACTS, RESOLUTIONS AND  
MEMORIALS  
OF THE  
Regular Session  
OF THE  
Fifth Legislature  
OF THE  
STATE OF ARIZONA



**Amendments to the Constitution,  
Referendum and Initiative Measures**

Showing votes cast for and against at the  
general election held November 2, 1920.

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Session Began January 10, 1921

Session Adjourned March 10, 1921

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Sub-Div. 24, Sec. 1, Chap. 181, Session Laws,  
Fifth Legislature,  
State of Arizona  
1921

# CERTIFICATE

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STATE OF ARIZONA, }  
Office of the Secretary, } ss.

I, ERNEST R. HALL, Secretary of State of Arizona, do hereby certify that the Acts, Resolutions and Memorials herein contained are printed as passed by the Regular Session of the Fifth Legislature of the State of Arizona according to the enrolled and engrossed copies on file in my office.



Witness, my hand and seal of the State of Arizona, given at Phoenix this ninth day of June, A. D., 1921.

(Signed)

A handwritten signature in cursive script that reads "Ernest R. Hall". The signature is written in black ink and is positioned below the text "(Signed)".

Secretary of State.

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Section 13. FALSE SWEARING--NEGLECT OF DUTIES BY OFFICERS--PENALTIES. If any person shall wilfully swear falsely to the affidavit in Section 6, provided for, he shall upon conviction thereof be deemed guilty of perjury and shall be punished as in such cases by law provided. If the County Recorder or any election officer shall refuse or neglect to perform any of the duties prescribed in this Act, or shall violate any of the provisions thereof, or if any officer taking the affidavit provided for in Section 6, shall make any false statements in his certificate thereto attached, he shall be deemed guilty of a misdemeanor and shall be punished by a fine of not exceeding \$100 or by imprisonment in the county jail for thirty days, or by both such fine and imprisonment.

Approved March 17th, 1921.

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## CHAPTER 118.

(House Bill No. 14.)

### AN ACT

To Authorize and Regulate the Practice of Chiropractic, to Provide for the Licensing and Examination of Chiropractors, to Create a State Board of Examination and Registration, to Provide for the Appointment of Same, to Establish Rules and Regulations Governing Said Board, to Provide a Curriculum, and Establish a Fee for Examination, to Provide for the Disposal of the Fund Arising From Said Fee, to Regulate the Holding of Meetings of Said Board and Issuance of License to Practice Chiropractic, to Provide a Penalty for Practicing Chiropractic Without a License as Provided by this Act, and to Repeal All Acts in Conflict Herewith.

### **Be it Enacted by the Legislature of the State of Arizona:**

Section 1. That there is hereby created and established a board to be known by the name and style of the State Board of Chiropractic Examiners, and said board shall be composed of three (3) resident course graduated practicing Chiropractors of integrity and ability, who shall be residents of the State of Arizona and who shall have practiced Chiropractic in the State for a period of at least three (3) years. No two members of said board shall be graduates of the same school or college of Chiropractic.

Section 2. The Governor of the State of Arizona shall within thirty (30) days after the taking effect of this Act appoint three (3) Chiropractors, who shall possess the qualifications specified in Section One of this Act, to constitute the members of said board. Said members shall be so classified by the Governor that the term of office of one shall expire in one year, one in two years and one in three years from the date of appointment. Annually thereafter the Governor shall appoint one member who shall be a licensed practitioner and possess the qualifications specified in Section One of this Act, who shall serve for a period of three (3) years, and the Governor shall fill vacancies in said board caused by death or otherwise as soon as practicable.

Section 3. (a) Said Board of Chiropractic Examiners shall convene within thirty (30) days after their appointment and elect a president, a vice-president and secretary-treasurer from their membership.

(b) Said board shall hold regular sessions at such places as the board may decide, the first week in January and July, respectively, of each year, and shall publish such dates for examination and place of meeting in some newspaper of general circulation at least fifteen (15) days prior to said meeting.

(c) Said board shall have authority to administer oaths, take affidavits, summon witnesses and take testimony as to matters pertaining to their duties. They shall adopt a seal, which shall be affixed to all licenses issued by them and shall from time to time adopt such rules and regulations as they deem proper and necessary for the performance of their duties, which shall be without prejudice, partiality or discrimination as to the different schools of Chiropractic. The secretary of said board shall keep a record of the proceedings of the board which shall at all times be open to public inspection. Said board shall also keep on file with the Secretary of State a copy of the rules and regulations for public inspection, and shall elect annually a president, vice president and secretary-treasurer.

A majority of the board shall constitute a quorum.

(d) A license to practice Chiropractic within this State shall be issued to the individual members of said board at first meeting of said board upon payment of the regular fee as provided for in this Act.

Section 4. It shall be unlawful for any person to practice Chiropractic in this State unless he shall have first obtained a license as provided in this Act; provided, however, that nothing in this Act shall apply to or affect any persons who are now

actually engaged in the practice of such profession, except as hereinafter provided.

Section 5. (a) Any person wishing to practice Chiropractic in this State, before it shall be lawful for him to do so, shall make application to said Board of Chiropractic Examiners through the Secretary-treasurer thereof, upon form thereof and in such manner as be adopted and directed by the board at least ten (10) days prior to any meeting of said board. Each applicant shall be a graduate of a Chiropractic school or college which teaches a resident course of three (3) years, of six months each, or more, or the equivalent thereof requiring active attendance in the same. Application shall be made in writing and shall be signed by the applicant in his own hand-writing and shall be sworn to before some officer authorized to administer oath, and shall recite the history of the applicant as to his educational advantages, his experience in matters pertaining to a knowledge of the care of the sick, how long he has studied Chiropractic, under what teachers, what collateral branches, if any, he has studied, the length of time he has been engaged in clinical practice, accompanying same by reference therein, with any proof thereof in shape of diplomas, certificates, etc., and shall accompany said application with satisfactory evidence of good character and reputation.

(b) There shall be paid to the secretary-treasurer of the State Board of Chiropractic Examiners by each applicant for a license, a fee of Twenty-five (\$25.00) Dollars, Ten (\$10.00) Dollars of which shall accompany the application and the remaining Fifteen (\$15.00) Dollars shall be paid upon issuance of license. Like fees shall be paid for any subsequent examination and application.

Section 6. Examinations for license to practice Chiropractic shall be made by said board according to the method deemed by it to be most practicable and expeditious to test the applicant's qualifications. Such application shall be designated by a number instead of his or her name so that the identity will not be discovered or disclosed to the members of the board until after the examination papers are graded.

(b) All examinations shall be made in writing the subject of which shall be as follows: anatomy, physiology, symptomatology, chiropractic orthopedy, principles of chiropractic and adjusting, nerve tracing, chemistry, hygiene, and chiropractic analysis as taught by Chiropractic schools and colleges. A license shall be granted to all applicants who shall correctly answer seventy-five percentum (75%) of all questions asked,



and if any applicant shall fail to answer correctly sixty per centum (60%) of the questions on any branch of said examination he or she shall not be entitled to a license.

(c) Any Chiropractor who has complied with the provision of this act may adjust by hand any articulations of the spinal column, but shall not prescribe for or administer to any person any medicine or drugs now or hereafter included in materia medica, practice major or minor surgery, obstetrics, nor any other branch of medicine, nor practice osteopathy.

Section 7. Any person who has practiced Chiropractic for a livelihood in this State not less than five years prior to the passage of this act; and also any person graduated from any organized school or college of Chiropractic, who has been engaged in actual and bona fide practice as a Chiropractor in this state, for at least two years prior to the taking effect of this act; and also any person engaged in the actual practice of Chiropractic in this state, at the time of the passage of this act and who is a graduate of a legally incorporated Chiropractic school or college giving a three year course of six months each, or more, requiring actual attendance in class work, upon proper application and due proof of good moral character, furnished to said board within thirty (30) days after the organization of said board, and verified, showing that said applicant comes within either of said three classes herein, shall upon the payment of the fee of Twenty-five (\$25.00) Dollars be granted a license to practice Chiropractic without examination.

Section 8. (a) The State Board of Chiropractic Examiners may refuse to grant or may revoke a license to practice Chiropractic in this State, or may cause a licentiate's name to be removed from the records in the offices of the county recorders of this state upon any of the following grounds, to-wit: The employment of fraud or deception in applying for a license or in passing an examination provided for in this act, the practice of Chiropractic under a false or assumed name, or the impersonation of another practitioner of like or different name, the conviction of a crime involving moral turpitude, habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him or her for the performance of his or her professional duties. Any person who is a licentiate, or who is an applicant for a license to practice Chiropractic against whom any of the foregoing grounds for revoking or refusing a license is presented to said board with the view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing

before said board in person or by attorney, or both, and witnesses may be examined by said board respecting the guilt or innocence of said accused.

(b) Said board may at any time within two years of the refusal or revocation or cancellation of registration under this section, by a majority vote, issue a new license or grant a license to the person affected, restoring him to or conferring upon him all rights and privileges of, and pertaining to the practice of Chiropractic as defined and regulated by this act. Any person to whom such have been restored shall pay to the secretary-treasurer the sum of Twenty-five (\$25.00) Dollars upon issuance of a new license.

Section 9. (a) Every person who shall receive a license from the State Board of Chiropractic Examiners shall have it recorded in the office of the county recorder of the county in which the holder of said license is practicing his profession, and shall likewise have it recorded in the counties to which he shall subsequently remove for the purpose of practicing Chiropractic.

(b) The failure or refusal on the part of the holder of a license to have it recorded before he or she shall begin the practice of Chiropractic in this state after having been notified by the State Board of Chiropractic Examiners to do so, shall be sufficient grounds to revoke or cancel a license and render it null and void. The recorder shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded by him. When any such license shall be presented to him for record he shall stamp upon the face thereof his signed memorandum of date when such license was presented for record.

Section 10. All persons practicing Chiropractic within this state shall pay on or before the first day of September of each year, after a license is issued to them as herein provided to said board of Chiropractic Examiners, a renewal license fee of Ten (\$10.00) Dollars. The secretary-treasurer shall thirty days or more before September 1st of each year mail to all Chiropractors in this state a notice of the fact that the renewal fee will be due on or before the first day of September. Nothing in this act shall be construed so as to require that the receipts shall be recorded as original licenses are required to be recorded.

Section 11. (a) All examination and renewal fees received by the State Board of Chiropractic Examiners under this act shall be paid to the secretary-treasurer of said board, who shall at the end of each year deposit the same with the state treasurer and the said state treasurer shall place said money so received

in a special fund of the State Board of Chiropractic Examiners and shall pay the same out on warrants drawn by the Auditor of the state thereof, upon vouchers issued and signed by the president and secretary-treasurer of said board. Said moneys so received and placed in said fund may be used by the State Board of Chiropractic Examiners in defraying their expenses in carrying out the provisions of this act.

(b) The secretary-treasurer shall keep a true and accurate account of all funds received and all vouchers issued by the board, and on the first day of December of each year he shall file with the Governor of the State a report of all receipts and disbursements and the proceedings of said board for the fiscal year.

(c) The members of said board shall receive a per diem of Ten (\$10.00) Dollars for each day during which they shall be actually engaged in the discharge of their duties, and mileage at the rate of twenty (20) cents per mile of each mile of travel from their respective places of residence to the place of meeting of said board, one way only.

(d) Such per diem and mileage and such other incidental expenses necessarily connected with said board shall be paid out of the fund of the State Board of Chiropractic Examiners and not otherwise.

Section 12. Chiropractic practitioners shall observe and be subject to all state and municipal regulations relating to the control of contagious and infectious diseases, and any and all matters pertaining to public health, reporting to the proper health officer the same as other practitioners. Provided that nothing in this Act shall be construed to authorize or permit any chiropractic practitioner to execute or register certificates of birth.

Section 13. The secretary-treasurer of the said board shall give bond in such sum and with such sureties as the board may deem proper. Upon sufficient proof to the Governor of the inability or misconduct of a member of the board, said member shall be dismissed and the Governor shall appoint as his successor some licensed Chiropractor practicing in this State who shall be a graduate of a different school than those represented on the board.

Section 14. Persons licensed to practice Chiropractic under the laws of any other state having equivalent requirements of this Act, may, in the discretion of the board, be issued a license to practice in this state without examination, upon payment

of the fee of Twenty-five (\$25.00) Dollars as herein provided. Persons licensed under the provisions of this Act shall not use the title "Doctor" and shall state on their stationery, advertising and signs that their practice is limited to the practice of Chiropractic.

Section 15. Said board shall have the power to employ legal counsel and clerical assistance and to fix the salaries of the same and to incur such other expenses as may be deemed necessary to carry into effect the provisions of this Act. It shall also fix the salary of the secretary-treasurer, not to exceed the sum of Twelve Hundred (\$1,200.00) Dollars per annum. The expense of said board, including the salary of secretary, shall not exceed the amount of fees collected by said board as herein provided.

Section 16. Any person who shall practice or attempt to practice Chiropractic, or any person who shall buy, sell or fraudulently obtain any diplomas or licenses to practice Chiropractic, whether recorded or not, or who shall use the title Chiropractor, D. C., or any other word or title to induce belief that he or she is engaged in the practice of Chiropractic without first complying with the provisions of this Act, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Fifty (\$50.00) Dollars, nor more than Two Hundred (\$200.00) Dollars, or by imprisonment in the county jail for not less than thirty (30) days, nor more than one (1) year, or both, at the discretion of the court. All subsequent offenses shall be punished in like manner. Nothing in this Act shall be construed to interfere with any other method or science of healing in this State.

Section 17. It shall be the duty of the several prosecuting or county attorneys of this state to prosecute all persons charged with the violation of any of the provisions of this Act. It shall be the duty of the secretary-treasurer of said board, under the direction of said board, to aid said attorneys of this state in the enforcement of this act.

Section 18. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 18th, 1921.