

## Chapter 684

### Chiropractors

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### CROSS REFERENCES

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Military or naval service, persons relieved from payment of fees, 408.450	684.140	Payment of expense of bond, 747.110
Physician-patient privileged communications, 44.040	684.150	Rules and regulations, making and filing, Ch. 183
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Falsification of certificate prerequisite to marriage, 106.990(1), (3)	684.110	684.160
		Subsistence and mileage allowance for travel, 291.004(9), 292.210 to 292.260
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**684.010 Definitions.** As used in this chapter:

(1) "Board" means the State Board of Chiropractic Examiners.

(2) "Chiropractic" is defined as that system of adjusting with the hands the articulations of the bony framework of the human body, and the employment and practice of physiotherapy, electrotherapy and hydrotherapy.

**684.020 License required to practice chiropractic.** It is unlawful for any person to practice chiropractic in this state unless he first obtains a license, as provided in this chapter.

**684.030 Application of public health laws.** Chiropractic physicians shall observe and be subject to all state and municipal regulations relating to the control of contagious and infectious diseases, sign birth and death certificates, and report all matters pertaining to public health to the proper health officers the same as other practitioners.

**684.040 Application for license; qualifications of applicants; fees.** (1) Any person wishing the right to practice chiropractic in this state shall make application to the board, upon such form and in such manner as may be provided by the board, 15 days prior to any board meeting.

(2) Each applicant shall:

(a) Be a graduate of a standardized high school, or possess the equivalent of such education, which shall be certified by the State Superintendent of Public Instruction or a county school superintendent.

(b) Possess a certificate of proficiency in the fundamental sciences issued pursuant to ORS 676.040.

(c) Be a graduate of an approved chiropractic school or college requiring for graduation a period of actual attendance equivalent to not less than nine months for four years, with a schedule of minimum educational requirements enumerated in subsection (4) of ORS 684.050.

(3) Each application shall be accompanied with a certificate showing the good moral character of the applicant.

(4) Each applicant for a license shall pay to the secretary-treasurer of the board a fee of \$25, \$10 of which shall accompany the application and the balance upon the issuance of the license.

**684.050 Examination of applicants; issuing license.** (1) Examinations for license to practice chiropractic shall be made by the board according to the method deemed to be the most practicable to test the applicant's qualifications.

(2) Each applicant shall be designated by a number instead of the name so that the identity of the applicant will not be disclosed to the examiners until the papers are graded.

(3) All examinations shall be in writing, the subjects of which shall be in accordance with subsection (4) of this section. A license shall be granted to all applicants who correctly answer 75 percent of all questions asked under each subject, and if any applicant fails to answer correctly 75 percent of the questions on any branch of the examinations he is not entitled to a license. The applicant shall, however, be given credit for all branches passed.

(4) The schedule of minimum educational requirements to enable any person to practice chiropractic in this state is anatomy, histology, embryology, physiology, chemistry, pathology, obstetrics and gynecology, public health and hygiene, toxicology, dietetics, diagnosis, theory and practice of chiropractic, minor surgery, physiotherapy, electrotherapy, hydrotherapy, clinics, eye-ear-nose-throat, jurisprudence, proctology, and such other subjects as the board may, from time to time, require, except internal medicine and major surgery. The minimum number of hours shall be not less than 4,000.

**684.060 Reciprocity.** Persons licensed to practice chiropractic under the laws of any other state having the requirements of this chapter may, in the discretion of the board, be issued a license to practice in this state without examination, upon payment of the fee of \$25 as provided in this chapter.

**684.070 Recording license; effect of failure to record.** (1) Every person who receives a license from the board shall have it recorded in the office of the county clerk of the county in which he resides and shall have it likewise recorded in the counties to which he subsequently moves for the purpose of practicing chiropractic.

(2) The failure or the refusal on the part of the holder of a license to have it recorded before he begins to practice chiropractic in this state, after having been notified by the board to do so, is sufficient grounds to revoke or cancel a license.

**684.080 Book of license records.** The county clerk of each county in this state 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 license is presented to him for record he shall stamp upon the face thereof, his signed memorandum of the date when the license was presented for record.

**684.090 Annual registration; fees; failure to register.** (1) Each person practicing chiropractic within this state shall, on or before January 1 of each year, after a license is issued to him, pay to the board an annual registration fee of \$10. The secretary of the board shall, on or before November 1 of each year, mail to the last known address of all licensed chiropractors in this state a notice that the registration fee will be due on or before January 1 next following.

(2) The failure, neglect or refusal of any person holding a license or certificate to practice under this chapter to pay the annual fee of \$10 during the time his license remains in force shall, after a period of 30 days from January 1 of each year, ipso facto, work a forfeiture of his license or certificate and it shall not be restored except upon the written application therefor and a payment to the board of a fee of \$20, but a licentiate who fails, refuses or neglects to pay such annual fee within that period shall not be required to submit to an examination for the reissuance of a license.

(3) Any licentiate who fails, from any cause, to register his license within one year from January 1 preceding shall have his license registered only upon written application, the payment to the board of a fee of \$25 and re-examination at a regular meeting of the board.

**684.100 Denial and revocation of licenses; grounds; procedure; reissuance of license.** (1) The board 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 all public records in the state upon any of the following grounds:

(a) The employment of fraud or deception in applying for a license or in passing an examination as provided in this chapter.

(b) The practice of chiropractic under a false or assumed name.

(c) The impersonation of another practitioner of like or different name.

(d) A conviction of a crime involving moral turpitude.

(e) Habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him from the performance of his professional duties.

(2) Any person who is a licentiate, or who is an applicant for a license to practice chiropractic against whom any of the grounds listed in subsection (1) of this section for revoking or refusing a license is presented to the board, with a 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 the board in person or by attorney, and witnesses may be examined by the board respecting the guilt or innocence of the accused.

(3) The board may at any time after two years of the refusal or revocation or cancelation 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 on him, all the rights and privileges of and pertaining to the practice of chiropractic as defined and regulated by this chapter. Any person to whom such rights have been restored shall pay to the secretary-treasurer the sum of \$25 upon issuance of a new license.

**684.110 Prohibited practices.** (1) Without first complying with the provisions of this chapter, no person shall:

(a) Practice or attempt to practice chiropractic.

(b) Buy, sell or fraudulently obtain a diploma or license to practice chiropractic, whether recorded or not.

(c) Use the title "Chiropractic," "D.C.," "Chiropractor," "Chiropractic D.C.," or "Ph.C.," or any word or title to induce belief that he is engaged in the practice of chiropractic.

(d) Place upon any door a sign for the purpose of displaying any of the titles mentioned in paragraph (c) of this subsection.

(2) The display of such titles or any of them fraudulently obtained is prima facie evidence that such person is fraudulently engaged in the practice of chiropractic and subject to this chapter.

(3) No person practicing under this chapter shall write prescriptions for, or dispense drugs, practice optometry or naturopathy or do major surgery.

**684.120 Chapter not applicable to other methods of healing.** Nothing in this chapter shall be construed to interfere with any other method or science of healing in this state.

**684.130 State Board of Chiropractic Examiners; appointment, qualifications, terms and removal of members.** (1) A board hereby is established to be known as the State Board of Chiropractic Examiners. The board shall be composed of three chiropractors who are residents of this state and have practiced chiropractic in this state for one year. Annually, upon the expiration of the term of one of the members of the board, the Governor shall appoint one practitioner to the board to serve for a period of three years.

(2) The Governor shall fill vacancies on the board, occasioned by death or otherwise. Upon sufficient proof to the Governor of the inability or misconduct of a member of the board, the member shall be dismissed and the Governor shall appoint his successor from some licensed chiropractor residing in this state.

**684.140 Officers of board.** The board shall annually elect a president, a vice president and a secretary-treasurer from its membership. The secretary-treasurer of the board shall give a bond in the sum and with the sureties the board deems proper. The secretary of the board shall keep a record of the proceedings of the board which shall be open to public inspection at all times during business hours.

**684.150 Powers and duties of board.** (1) The board shall adopt a seal which shall be affixed to all licenses issued by it. The board shall from time to time adopt such rules and regulations as it deems proper and necessary for the performance of its work. The board has authority to administer oaths, take affidavits, summon witnesses and take testimony as to matters pertaining to its duties. A majority of the board constitutes a quorum.

(2) The board shall meet as a board of examiners on the first Tuesday following the second Monday of January and July of each year and at such times and places as may be found necessary for the performance of its duties.

(3) The board shall adopt a schedule of minimum educational requirements, which shall be without prejudice or discrimination

as to the different colleges teaching chiropractic.

**684.160 Compensation and expenses of board members.** (1) The members of the board shall receive a per diem of \$10 each day during which they are actually engaged in the discharge of their duties and mileage at the rate per mile allowed to other state officials for each mile necessarily traveled in going to and from any meetings of the board.

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

**684.170 Disposition of receipts.** All moneys from whatever source that come into the possession of the board shall be paid to the secretary-treasurer thereof, who shall, within 30 days of the receipt of such moneys, deposit them with the State Treasurer, who shall transfer 10 percent of such moneys to the General Fund of this state and the remaining 90 percent to a special fund to be known as the Chiropractic Board Fund.

**684.180 Disposition of examination fees; accounting for funds; report to Governor.** (1) All examination fees received by the board under this chapter shall be paid to the secretary-treasurer of the board who shall at the end of each year deposit them with the State Treasurer, and the State Treasurer shall place the money as received in a special fund of the State Board of Chiropractic Examiners and shall pay the same out in warrants drawn by the Secretary of State, upon vouchers issued and signed by the president and secretary-treasurer of the board. The moneys so received and placed in the fund may be used by the board in defraying expenses in carrying out the provisions of this chapter.

(2) The secretary-treasurer shall keep a true and accurate account of all funds received and all vouchers issued by the board. On December 1 of each year he shall file with the Governor a report of all receipts and disbursements and the proceedings of the board for the fiscal year.

**684.190 Enforcement of chapter.** (1) The district attorneys shall prosecute all persons charged with violation of any of the provisions of this chapter. The secretary-treasurer of the board, under the direction

of the board, shall aid the district attorneys in the enforcement of this chapter.

(2) The district court of Multnomah County and the justice courts of the several counties have concurrent jurisdiction with the circuit courts in the enforcement of this chapter.

**684.990 Penalties.** Violation of any of the provisions of subsection (1) of ORS 684.110 is punishable, upon conviction, by a fine of not less than \$50 nor more than \$200, or by imprisonment in the county jail for not less than 30 days nor more than one year, or by both. All subsequent offenses shall be punished in like manner.