

# Chapter 684

## 1974 REPLACEMENT PART

### Chiropractors

#### GENERAL PROVISIONS

- 684.010 Definitions
- 684.015 Prohibited practices
- 684.020 License required to practice chiropractic
- 684.025 Application of chapter
- 684.030 Application of public health laws
- 684.035 Chapter not applicable to other methods of healing

#### LICENSING

- 684.040 Application for license; qualifications of applicants; fees
- 684.050 Examination of applicants; issuing license
- 684.052 Use of nationally administered test
- 684.054 Qualifications for license; notification of address change required
- 684.060 Reciprocity
- 684.070 Recording license; effect of failure to record
- 684.080 Book of license records
- 684.090 Annual registration; fees; failure to renew license

- 684.092 Completion of continuing education course required; exemptions
- 684.094 Procedure for approving continuing education courses
- 684.100 Refusal, suspension or revocation of licenses; grounds; reissuance of licenses
- 684.105 License denial procedure; review of board orders

#### STATE BOARD

- 684.130 State Board of Chiropractic Examiners; appointment, qualifications, terms and removal of members; confirmation
- 684.140 Officers of board
- 684.150 Powers and duties of board
- 684.160 Compensation and expenses of board members
- 684.171 Disposition of receipts

#### ENFORCEMENT

- 684.190 Enforcement of chapter

#### PENALTIES

- 684.990 Penalties

### CROSS REFERENCES

Administrative procedures and rules of state agencies, Ch. 183

Chiropractors exempt from jury duty, 10.040

Health certificate, signature by physician licensed by Board of Medical Examiners only, 433.010

Liability for emergency medical care, 30.800

Military or naval service, persons relieved from payment of fees, 408.450

Physician-patient privileged communications, 44.040

Professional corporations, Ch. 58

#### 684.015

Professional designation of licensed chiropractor, 676.110

Use of professional designation by unlicensed person prohibited, 676.120

#### 684.030

Falsification of health certificate prohibited, 106.990(1), (3)

#### 684.040

Waiver of educational requirement for admission to examination, 670.010

#### 684.100

Denial, suspension or revocation of license prohibited solely because of criminal conviction, 670.280

Injunction against practicing after suspension or revocation of license, 676.220

#### 684.130

Administrative agencies generally, Ch. 182

Health Division administrator as ex officio member of board, 184.835

#### 684.140

Payment of expense of bond, 743.738

#### 684.160

Subsistence and mileage allowance for travel, 292.210 to 292.250

## GENERAL PROVISIONS

**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, hydrotherapy and minor surgery.

(3) "Drugs" means all medicines and preparations and all substances, except food and water, used or intended to be used for the diagnosis, cure, treatment, mitigation or prevention of diseases or abnormalities of man, which are recognized in the latest editions of the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia, official National Formulary, or any supplement to any of them, or otherwise established as drugs.

(4) "Minor surgery" means the use of electrical or other methods for the surgical repair and care incident thereto of superficial lacerations and abrasions, benign superficial lesions, and the removal of foreign bodies located in the superficial structures; and the use of antiseptics and local anesthetics in connection therewith.

[Amended by 1953 c.541 §2]

**684.015 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 administer or write prescriptions for, or dispense drugs, practice optometry or naturopathy or do major surgery.

[Formerly 684.110]

**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.

**684.025 Application of chapter.** (1) Nothing in this chapter shall be deemed to prevent one licensed under this chapter from the administration of the anesthetics or antiseptics authorized in subsection (3) of ORS 684.010 or the use of radiopaque substances administered by mouth or rectum necessary for Roentgen diagnostic purposes.

(2) Nothing in this section or ORS 684.010 shall be interpreted as authorizing the administration of any substance by the penetration of the skin or mucous membrane of the human body for a therapeutic purpose. [Formerly 684.115]

**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.

**684.035 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. [Formerly 684.120]

## LICENSING

**684.040 Application for license; qualifications of applicants; fees.** (1) Any person applying for a license 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. The application must be accompanied by a nonrefundable fee of \$15.

(2) Each applicant shall furnish to the board:

(a) Evidence satisfactory to the board of the applicant's good moral character.

(b) His diploma or satisfactory evidence of having graduated from a standardized high school accredited to the University of Oregon or any other university of equal standing, or a certificate signed by a state superintendent of public instruction or similar officer to the effect that such applicant

has had scholastic preparation equivalent in all respects to that demanded for graduation from high school giving a four-year course of instruction in the state from which said certificate is issued.

(c) Present a certificate of proficiency in the fundamental sciences (Part I, taken subsequent to January 1, 1971) issued to the applicant by the National Board of Chiropractic Examiners.

(d) Evidence satisfactory to the board that he has successfully completed at least two years liberal arts and sciences study, in a college or university accredited by either the Northwest Association of Secondary and Higher Schools or a like regional association or in a college or university in Oregon approved for granting degrees by the Oregon State Board of Education prior to matriculation into a chiropractic school or college.

(e) A copy of his diploma or other evidence satisfactory to the board of his graduation from a chiropractic school or college approved by the board which requires for graduation a period of actual attendance of four years of at least nine months each with a schedule of minimum educational requirements enumerated in subsection (4) of ORS 684.050.

(3) The board may waive the requirements of paragraph (d) of subsection (2) of this section for any applicant for a license to practice chiropractic if the applicant is licensed in another state and practiced chiropractic in that state prior to March 1, 1958, but the applicant must pass the examination authorized by ORS 684.050 or by ORS 684.052.

[Amended by 1953 c.432 §2; 1969 c.191 §1; 1973 c.31 §4]

**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.

**684.052 Use of nationally administered test.** In lieu of an examination in any or all required subjects, the board may accept a passing grade on a test administered by a national testing agency approved by the board if the test is no less strict than a test administered under ORS 684.050.

[1969 c.191 §7]

**684.054 Qualifications for license; notification of address change required.** (1) Upon complying with ORS 684.040, and earning a passing grade on the examination authorized by ORS 684.050 or 684.052, an applicant shall be licensed as a chiropractic physician upon payment of a fee of \$35 unless the board refuses to grant the license on grounds specified in ORS 684.100.

(2) Every chiropractic physician shall promptly notify the board of any change in his professional address.

[1969 c.191 §3]

**684.060 Reciprocity.** A person licensed to practice chiropractic under the laws of any other state who demonstrates to the satisfaction of the board that he possesses qualifications at least equal to those required of persons eligible for licensing under this chapter and who meets the requirements of ORS 684.040 may be issued a license to practice in this state without examination upon payment of a fee of \$50.

[Amended by 1969 c.191 §4]

**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 renew license.** (1) In addition to meeting the requirements of ORS 684.092, each person practicing chiropractic within this state shall, on or before July 1 of each year after a license is issued to him, pay to the board an annual registration fee not to exceed \$60, as determined by the board and approved by the Executive Department. The maximum annual registration fee for one not engaged in active practice shall not exceed \$30, as determined by the board and approved by the Executive Department. The board, on or before May 1 of each year, shall cause to be mailed to the last-known professional address of all licensed chiropractors in this state a notice of the requirements of ORS 684.092 and that the registration fee will be due on or before July 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 and to show compliance with or exemption from the requirement of ORS 684.092 during the time his license remains in force shall cause his license to expire after a period of 30 days from July 1 of the year for which the failure occurs.

(3) The licenses not renewed on time shall not be renewed except upon the written application therefor and a payment to the board of the fee for the license category plus one-half thereof, and upon compliance with or exemption from the requirements of ORS 684.092. A licentiate who pays the annual renewal fee and shows compliance or exemption within 12 months of the expiration date of the license shall not be required to submit to an examination for the reissuance of a license.

(4) The license of any licentiate who fails to renew his license within one year from July 1 preceding shall be renewed only upon written application, the payment to the board of the fee for the license category plus one-half thereof and successful completion of the examination authorized under ORS 684.050.

(5) Any person whose license application was denied or whose license has been revoked and whose license privileges are granted or restored may receive the license for the year in which the privilege is granted or restored upon payment of the fee for the license category plus \$10.

[Amended by 1957 c.40 §1; 1969 c.191 §8; 1971 c.14 §2; 1974 s.s. c.48 §1]

**684.092 Completion of continuing education course required; exemptions.** (1) Except as provided in subsection (2) of this section, each chiropractic physician at the time he submits any fee required under ORS 684.090, shall submit evidence satisfactory to the board of his successful completion of an approved program of continuing chiropractic education, if any, in that 12-month period preceding the date on which the evidence is submitted.

(2) The board may exempt a chiropractic physician from the requirements of subsection (1) of this section upon an application by him showing by evidence satisfactory to the board that he is unable to comply with the requirements because of unusual or extenuating circumstances or because no program has been approved by the board.

[1969 c.191 §5]

**684.094 Procedure for approving continuing education courses.** (1) Any person seeking approval of a program of continuing chiropractic education, to be offered to assist persons licensed under this chapter to comply with the requirements of subsection (1) of ORS 684.092, shall submit to the board, at such time as the board may require, copies of courses of study to be offered and proof of such other qualifications as the board may require.

(2) The board may approve for purposes of continuing chiropractic education any program of not less than 15 hours duration covering new, review, experimental, research or specialty subjects in the field of chiropractic to be presented by persons reasonably qualified to do so.

(3) Approval granted any course of study under subsection (2) of this section shall be reviewed periodically and approval

shall be withdrawn from any course of study which fails to meet the requirements of the board.

[1969 c.191 §6]

**684.100 Refusal, suspension or revocation of licenses; grounds; reissuance of licenses.** (1) The board may refuse to grant a license to any applicant who desires to practice chiropractic in this state or may suspend or revoke such a license 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. A copy of the record of conviction, certified to by the clerk of the court entering the conviction, is conclusive evidence of the conviction.

(e) Commitment to a mental institution. A copy of the record of commitment, certified to by the clerk of the court entering the commitment, is conclusive evidence of the commitment.

(f) 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.

(g) Unprofessional or dishonorable conduct.

(h) The procuring or aiding or abetting in procuring an abortion, and for the purpose of this subsection an abortion means the removal from the womb of a woman the product of conception at any time prior to delivery of the child; provided, that nothing in this chapter shall be construed to authorize any licentiate under this chapter to perform an abortion.

(i) Representing to a patient that a manifestly incurable condition of sickness, disease or injury can be permanently cured.

(j) The obtaining of any fee through fraud, or misrepresentation.

(k) The wilful betrayal of a professional secret.

(L) The use of any advertising in which untruthful, improper, misleading or deceptive statements are made.

(m) The advertising of techniques or modalities to infer or imply superiority of treatment or diagnosis by the use thereof.

(n) Knowingly permitting or allowing

any person to use his certificate in the practice of any system or mode of treating the sick or afflicted.

(o) Advertising either in his own name or under the name of another person, or clinic, or concern, actual or pretended, in any newspaper, pamphlet, circular or other written or printed paper or document, professing superiority to or a greater skill than that possessed by fellow chiropractic physicians.

(p) Aiding or abetting the practice of any of the healing arts by an unlicensed person.

(q) The use of his name under the designation, "Doctor," "Dr.," "D.C.," "Chiropractor," "Chiropractic D.C.," "Chiropractic Physician," or "Ph.C.," or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise.

(r) The advertising or holding oneself out to treat diseases or other abnormal conditions of the human body by any secret formula, method, treatment or procedure.

(s) Violation of any provision of this chapter or any rule adopted thereunder.

(2) The board may at any time after 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 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.

[Amended by 1953 c.556 §2; 1971 c.734 §129; 1973 c.265 §1]

**684.105 License denial procedure; review of board orders.** (1) Where the board proposes to refuse to issue a license, or proposes to revoke or suspend a license, opportunity for hearing shall be accorded as provided in ORS 183.310 to 183.500.

(2) Judicial review of orders under subsection (1) of this section shall be in accordance with ORS 183.310 to 183.500.

[1971 c.734 §131]

684.110 [Amended by 1953 c.541 §2; renumbered 684.015]

684.115 [1953 c.541 §2; renumbered 684.025]

684.120 [Renumbered 684.035]

## STATE BOARD

**684.130 State Board of Chiropractic Examiners; appointment, qualifications, terms and removal of members; confirmation.** (1) A board hereby is established to be known as the State Board of Chiropractic Examiners in the Health Division. 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.

(3) All appointments of members of the board by the Governor are subject to confirmation by the Senate in the manner provided in ORS 171.560 and 171.570.  
[Amended by 1971 c.650 §33; 1973 c.792 §39]

**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) A member is entitled to compensation and expenses as provided in ORS 292.495.

(2) Such per diem and mileage, and other incidental expenses necessarily connected with the board shall be paid out of the account of the State Board of Chiropractic Examiners and not otherwise.  
[Amended by 1967 c.10 §2; 1969 c.314 §85]

**684.170** [Amended by 1967 c.637 §31; repealed by 1973 c.427 §25 (684.171 enacted in lieu of 684.170)]

**684.171 Disposition of receipts.** All moneys received by the Health Division under this chapter shall be paid into the General Fund in the State Treasury and placed to the credit of the Health Division Account and such moneys hereby are appropriated continuously and shall be used only for the administration and enforcement of this chapter.  
[1973 c.427 §26 (enacted in lieu of 684.170)]

**684.180** [Repealed by 1969 c.191 §10]

## ENFORCEMENT

**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.

## PENALTIES

**684.990 Penalties.** Violation of any of the provisions of subsection (1) of ORS 684.015 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.

## **CHIROPRACTORS**

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### **CERTIFICATE OF LEGISLATIVE COUNSEL**

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.  
Done at Salem, Oregon,  
on June 1, 1974.

Thomas G. Clifford  
Legislative Counsel

