

### Chiropractic—Requirements for License to Practice.

In order to secure a license to practice chiropractic, it is necessary under the provisions of Section 4 of the Initiative Bill passed November 5, 1918, for an applicant to possess a diploma from a legally chartered school of chiropractic.

Dr. Elva V. Daniels,  
President State Board of Chiropractic Examiners,  
Bozeman, Montana.

My dear Doctor Daniels:

You have requested an opinion from this office in connection with an application for a license to practice chiropractic under Section 4 of the Chiropractic Act, on the following question:

*"Is it sufficient for an applicant that he shall have practiced at least three months before the passage of the law, and shall have a diploma from a reputable school, at the time he makes his application for examination, or must he have had such diploma at the time that he actually practiced?"*

Section 4 of Initiative Measure No. 12, passed by popular vote at the general election on November 5, 1918, provides in part:

"It shall be unlawful for any person to practice Chiropractic in this state without first obtaining a license as provided in this act; provided however, that all persons practicing Chiropractic within this state for three months prior to the passage of this law and holding a diploma or certificate from a legally chartered school of Chiropractic of good repute may be licensed to practice Chiropractic in this state by submitting to said Board of Chiropractic Examiners said diploma or certificate and satisfying said board that they are the legal holders thereof, or by taking the examination herein provided for at any regular or special meeting of said Board."

It appears from your inquiry that the applicant practiced in Montana for more than three months prior to the passage of the law, but that he did not then hold a diploma from a legally chartered school of chiropractic. Subsequently to the passage of the law, he attended a school of chiropractic and obtained a diploma therefrom, and now presents the diploma with his application for a license.

Thus the precise question presented is whether the requirement of the foregoing section is that the diploma must have been held by the applicant at the time of the passage of the law, or whether it may be obtained later at any time prior to application for license.

While the intent of the foregoing language is not entirely clear, it cannot be said that it excludes the case here presented. If it was the intention of those who framed and initiated the Act to require such diploma at the time of the passage of the Act, instead of at the time of application for license, they have failed to make that intention clear in the language used.

It is, therefore, my opinion that under Section 4, supra, one who had practiced for at least three months prior to the passage of the law, and who holds a diploma or certificate from a legally chartered school of chiropractic of good repute at the time that his application for license is made, would be entitled to a license under said section.

Very truly yours,

WELLINGTON D. RANKIN,

Attorney General.