LC 0979/01

H BILL NO. 318 Metcall 1 INTRODUCED SY 2 BY REQUEST OF З THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE 6 BOARD OF CHIRDPRACTORS ARE NO LONGER REQUIRED TO HOLD A 7 REGULAR MEETING ON THE FIRST TUESDAY OF EACH OCTOBER; TO 8 PROVIDE FOR A TEMPORARY PERMIT UNDER BOARD GUIDELINES; TO 9 REQUIRE THAT CHIRDPRACTIC APPLICATIONS BE PRESENTED 21 DAYS 10 BEFORE A BOARD MEETING AND THAT FULL APPLICATION FEE MUST 11 ACCOMPANY THE APPLICATION; AND TO ALLOW THE USE OF NAME 12 13 INSTEAD OF NUMBER ON A CLINICAL PROFICIENCY EXAMINATION; AMENDING SECTIONS 66-503, 66-504, 66-505, AND 66-506, R.C.M. 14 15 1947.8 16 17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 18 Section 1. Section 66-503, R.C.M. 1947, is amended to 19 read as follows: "66-503. Organization of board -- meetings -- powers 20 and duties. (1) The board shall elect annually a president, 21 vice-president, and secretary-treasurer from its membership. 22 23 (2) The board shall hold a regular meeting on-the first-Tuesday-of-October-in each year at Helena, and shall 24 25 hold special meetings at times and places as a majority of

the board designates. Not more than four (4) meetings may be
 held in any one (1) year. A majority of the board
 constitutes a quorum.

4 (3) The board may administer oaths, take affidavits, 5 summon witnesses, and take testimony as to matters coming 5 within the scope of the board. It shall adopt a seal, which 7 shall be affixed to licenses issued, and shall make rules я necessary for the performance of its duties, and shall make 9 a schedule of minimum educational requirements, which are 10 without prejudice, partiality, or discrimination as to the 11 different schools of chiropractic. The department shall keep 12 a record of the proceedings of the board, which shall at all 13 times be open to public inspection." 14 Section 2. Section 66-504, R.C.N. 1947, is amended to

15 read as follows:

16 "66-504. Practicing without license -- Lemporary 17 permits. (1) It is unlawful for a person to practice 18 chiropractic in this state without first obtaining a license 19 under this act.

(2) When application for examination for license is
filed with the department, under section 66-505, the board
may authorize the department to issue to-the-applicant a
temporary permit to practicey-which-is-good-until--the-next
meeting-of-the-board."

25 Section 3. Section 66-505; R.C.N. 1947; is amended to

2 #66-505. Applications to practice -- fees for license. 3 (1) A person wishing to practice chiropractic in this state 4 shall make application to the department on the form and in 5 the manner prescribed by the board, at least fifteen-fift 21 days prior to a meeting of the board. Each applicant shall 6 7 be a graduate of a college of chiropractic approved by the 8 board in which he has attended a course of study of four-t4+ 9 school years of not less than nine--+9+ months each. and shall present evidence showing completion of two-{2} full 10 11 academic years of college or university work from an 12 institution acceptable to the board of education. 13 Application shall be made in writing and shall be sworn to 14 by an officer authorized to administer oaths, and shall 15 recite the history of applicant's educational qualifications, how long he has studied chiropractic, of 16 17 what school or college he is a graduate, and the length of 13 time he has been engaged in practice, accompanying the same 19 with proofs by diplomas, certificates, etc., and shall 20 accompany the application with satisfactory evidence of good 21 character and reputation.

(2) There shall be paid to the department, by an
applicant for a license, a fee of fifty--dollars--(\$50);
twenty-five--dollars--(\$25)--of--which--shall--accompany-the
application-and-the-remainder-shall-be-paid-on-the--issuance

1 of--the--license. Like fees shall be paid for a subsequent 2 examination and application." 3 Section 4. Section 66-506, R.C.M. 1947, is amended to 4 read as follows: 5 #66+506. Examinations -- subjects embraced in. (1) Examinations for a license to practice chiropractic shall be 6 made by the department subject to section 82A-1503, 7 according to the method considered by the board to be the 8 9 most practicable and expeditious to test the applicant's gualifications. The--application--shall--be-designated-by-a 10 number-instead-of-the-applicant_s-namey-so-that-the-identity 11 12 will--not--be--discovered--or--disclosed--until--after---the 13 examination-papers-are-gradedw 14 (2) Examinations shall be made in writing, the subjects of which are as follows: anatomy, physiology, 15 16 symptomatology, diagnosis, chiropractic orthopedy, principles of chiropractic and adjusting, sanitation and 37 18 hygiene, urinalysis, uynecology, and palpation. Additional 19 subjects may be prescribed by the board to meet new conditions. A license shall be granted to applicants who 20 21 correctly answer seventy-five-parcent-{75%} of all questions 22 asked, and if an applicant fails to answer correctly sixty 23 percent--(60%) of the questions on any branch of the 24 examination, he is not entitled to a license.

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(3) The board may accept the grades an applicant has

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1 received in the written examinations given by the national z board of chiropractic examiners and may authorize the department to issue a license without further written 3 examination to an applicant who holds a valid certificate 4 from the national board of chiropractic examiners, if the 5 applicant meets the other requirements of this chapter and 6 satisfactorily passes a practical clinical proficiency 7 examination before the department, subject to section 8 9 82A-1603.*

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Approved by Committee on Business and Industry

	11 218
1	<u>H</u> BILL NO. <u>318</u>
2	INTRODUCED BY
3	BY REQUEST DF
4	THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING
5	
5	A BILL FOR AN ACT ENTITLED: MAN ACT TO PROVIDE THAT THE
7	BOARD OF CHIROPRACTORS ARE NO LONGER REQUIRED TO HOLD A
8	REGULAR MEETING ON THE FIRST TUESDAY OF EACH OCTOBER; TO
9	PROVIDE FOR A TEMPORARY PERMIT UNDER BOARD GUIDELINES; TO
10	REQUIRE THAT CHIROPRACTIC APPLICATIONS BE PRESENTED 21 DAYS
11	BEFORE A BOARD MEETING AND THAT FULL APPLICATION FEE MUST
12	ACCOMPANY THE APPLICATION; AND TO ALLOW THE USE OF NAME
13	INSTEAD OF NUMBER ON A CLINICAL PROFICIENCY EXAMINATION;
14	AMENDING SECTIONS 66-503, 66-504, 66-505, AND 66-506, R.C.M.
15	1947."
16	
17	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
18	Section 1. Section 66-503, R.C.M. 1947, is amended to
19	read as follows:
20	<pre>"66~503. Organization of board meetings powers</pre>
21	and duties. (1) The board shall elect annually a president,
22	vice-president, and secretary-treasurer from its membership.
23	(2) The board shall hold a regular meeting on-the
24	first-Tuesday-of-October-in each year at Helena, and shall
25	hold special meetings at times and places as a majority of

SECOND READING

1 the board designates. Not more than four 444 meetings may be held in any one (1) year. A majority of the board 2 constitutes a guorum. 3

(3) The board may administer oaths, take affidavits, 4 summon witnesses, and take testimony as to matters coming 5 within the scope of the board. It shall adopt a seal, which 6 shall be affixed to licenses issued, and shall make rules 7 necessary for the performance of its duties, and shall make 8 9 a schedule of minimum educational requirements, which are 10 without prejudice, partiality, or discrimination as to the different schools of chiropractic. The department shall keep 11 12 a record of the proceedings of the board, which shall at all times be open to public inspection." 13

14 Section 2. Section 66-504, R.C.M. 1947, is amended to read as follows: 15

"66-504. Practicing without license -- temporary 16 permits. (1) It is unlawful for a person to practice 17 chiropractic in this state without first obtaining a license 18 19 under this act.

20 (2) When application for examination for license is filed with the department, under section 66-505, the board 21 22 may authorize the department to issue to-the-applicant a 23 temporary permit to practicey-which-is-good-until--the--next 24 meeting-of-the-board."

25 Section 3. Section 66-505, R.C.M. 1947, is amended to

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1 read as follows:

2 #66-505. Applications to practice -- fees for license. (1) A person wishing to practice chiropractic in this state 3 4 shall make application to the department on the form and in 5 the manner prescribed by the board, at least fifteen-fift 21 6 days prior to a meeting of the board. Each applicant shall 7 be a graduate of a college of chiropractic approved by the 8 board in which he has attended a course of study of four-t4; 9 10 shall present evidence showing completion of t_{wo-f}^2 full 11 academic years of college or university work from an 12 institution acceptable to the board of education. Application shall be made in writing and shall be sworn to 13 by an officer authorized to administer oaths, and shall 14 15 recite the history of applicant's educational qualifications, how long he has studied chiropractic, of 16 17 what school or college he is a graduate, and the length of 18 time he has been engaged in practice, accompanying the same 19 with proofs by diplomasy certificates, etc., and shall 20 accompany the application with satisfactory evidence of good 21 character and reputation.

22 (2) There shall be paid to the department, by an
23 applicant for a license, a fee of fifty-dollars-(\$50),
24 twenty-five-dollars-(\$25)-of-which-shall-accompany-the
25 application-and-the-remainder-shall-be-paid-on-the-issuance

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1 of--the--license. Like fees shall be paid for a subsequent
2 examination and application.*

Section 4. Section 56-506, R.C.M. 1947, is amended to
 read as follows:

5 "66-506. Examinations -- subjects embraced in. (1) 6 Examinations for a license to practice chiropractic shall be 7 made by the department subject to section 82A-1003, 8 according to the method considered by the board to be the 9 most practicable and expeditious to test the applicant's qualifications. The--application--shall--be-designated-by-a 10 11 number-instead-of-the-applicant4s-namey-so-that-the-identity 12 will--not--be--discovered--or--disclosed--until--after---the

13 examination-papers-are-gradedw

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14 (2) Examinations shall be made in writing, the 15 subjects of which are as follows: anatomy, physiology, 16 symptomatology, diagnosis. chiropractic orthopedy, 17 principles of chiropractic and adjusting, sanitation and 18 hygiene, urinalysis, gynecology, and palpation. Additional 19 subjects may be prescribed by the board to meet new 20 conditions. A license shall be granted to applicants who 21 correctly answer seventy-five-percent-{75%} of all questions 22 asked, and if an applicant fails to answer correctly sixty 23 percent-- +60% of the questions on any branch of the 24 examination, he is not entitled to a license.

(3) The board may accept the grades an applicant has

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1 received in the written examinations given by the national board of chiropractic examiners and may authorize the 2 department to issue a license without further written 3 examination to an applicant who holds a valid certificate 4 5 from the national board of chiropractic examiners, if the applicant meets the other requirements of this chapter and 6 satisfactorily passes a practical clinical proficiency 7 examination before the department, subject to section 8 9 82A-1603."

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LC 0979/01

H_ BILL NO. _318 ı INTRODUCED BY 2 3 AY REDUEST OF THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE 6 7 BOARD OF CHIROPRACTORS ARE NO LONGER REQUIRED TO HOLD A REGULAR MEETING ON THE FIRST TUESDAY OF EACH OCTOBER; TO 8 9 PROVIDE FOR A TEMPORARY PERMIT UNDER BOARD GUIDELINES; TO REQUIRE THAT CHIROPRACTIC APPLICATIONS BE PRESENTED 21 DAYS 10 11 BEFORE A BOARD MEETING AND THAT FULL APPLICATION FEE MUST ACCOMPANY THE APPLICATION; AND TO ALLOW THE USE OF NAME 12 13 INSTEAD OF NUMBER ON A CLINICAL PROFICIENCY EXAMINATION; AMENDING SECTIONS 66-503, 66-504, 66-505, AND 66-506, R.C.M. 14 1947. 15 16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 17 Section 1. Section 66-503, R.C.M. 1947, is amended to 18 19 read as follows: 20 *66-503. Organization of board -- meetings -- powers 21 and duties. (1) The board shall elect annually a president. vice-president, and secretary-treasurer from its membership. 22 (2) The board snall hold a regular meeting on-the 23 first-Tuesday-of-October-in each year at Helena, and shall 24 hold special meetings at times and places as a majority of 25

the board designates. Not more than four (4) meetings may be
 held in any one (1) year. A majority of the board
 constitutes a quorum.

4 (3) The board may administer oaths, take affidavits, 5 summon witnesses, and take testimony as to matters coming 6 within the scope of the board. It shall adopt a seal, which 7 shall be affixed to licenses issued, and shall make rules 8 necessary for the performance of its duties, and shall make 9 a schedule of minimum educational requirements, which are 10 without prejudice, partiality, or discrimination as to the 11 different schools of chiropractic. The department shall keep 12 a record of the proceedings of the board, which shall at all 13 times be open to public inspection."

14 Section 2. Section 66-504, R.C.M. 1947, is amended to 15 read as follows:

20 {2} When application for examination for license is 21 filed with the department, under section 66-505, the board 22 may authorize the department to issue to-the-applicant a 23 temporary permit to practicey-which-is-good-until--the--next 24 meeting-of-the-board."

25 Section 3. Section 66-505, R.C.N. 1947, is amended to

THIRD READING

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z "66-505. Applications to practice -- fees for license. (1) A person wishing to practice chiropractic in this state 3 shall make application to the department on the form and in 4 5 the manner prescribed by the board, at least fifteen-fift 21 days prior to a meeting of the board. Each applicant shall 6 be a graduate of a college of chiropractic approved by the 7 board in which he has attended a course of study of four-14) 8 school years of not less than nine--+9+ months each, and 9 10 shall present evidence showing completion of two-{2} full 11 academic years of college or university work from an 12 institution acceptable to the board of education. Application shall be made in writing and shall be sworn to 13 14 by an officer authorized to administer oaths, and shall 15 recite the history of applicant's educational 16 qualifications, how long he has studied chiropractic, of 17 what school or college he is a graduate, and the length of 19 time he has been engaged in practice, accompanying the same 19 with proofs by diplomas, certificates, etc., and shall 20 accompany the application with satisfactory evidence of good 21 character and reputation.

22 {2} There shall be paid to the department, by an
23 applicant for a license, a fee of fifty-dollars-(\$50);
24 twenty-five-dollars-(\$25)-of-which-shall-accompany-the
25 application-and-the-remainder-shall-be-paid-on-the-issuance

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1 of--the--license. Like fees shall be paid for a subsequent

2 examination and application."

3 Section 4. Section 56-506, R.C.M. 1947, is amended to
 4 read as follows:

#66-506. Examinations -- subjects embraced in. (1) 5 Examinations for a license to practice chiropractic shall be 6 made by the department subject to section 82A-1603, 7 according to the method considered by the board to be the 8 9 most practicable and expeditious to test the applicant's 10 qualifications. The--application--shall--be-designated-by-a number-instead-of-the-applicant4s-namey-so-that-the-identity 11 12 will--not--pe--discovered--or--disclosed--until--after---the 13 examination-papers-are-gradedy

(2) Examinations shall be made in writing, the 14 subjects of which are as follows: anatomy, physiology, 15 diagnosis• chiropractic orthopedy, 16 symptomatology, principles of chiropractic and adjusting, sanitation and 17 hygiene, urinalysis, gynecology, and palpation. Additional 18 subjects may be prescribed by the board to meet new 19 20 conditions. A license shall be granted to applicants who correctly answer seventy-five-percent-(75%) of all questions 21 22 asked, and if an applicant fails to answer correctly sixty percent--+60%+ of the questions on any branch of the 23 examination, he is not entitled to a license. 24

25 (3) The board may accept the grades an applicant has

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received in the written examinations given by the national 1 board of chiropractic examiners and may authorize the 2 department to issue a license without further written 3 4 examination to an applicant who holds a valid certificate 5 from the national board of chiropractic examiners, if the applicant meets the other requirements of this chapter and 6 satisfactorily passes a practical clinical proficiency 7 examination before the department, subject to section 8 82A-1603." 9

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HB 0318/02

HOUSE BILL NO. 318 1 2 INTRODUCED BY METCALF BY REQUEST OF 3 THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING 4 5 A BILL FUR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE 6 7 BOARD OF CHIROPRACTORS ARE NO LONGER REQUIRED TO HOLD A в REGULAR MEETING ON THE FIRST TUESDAY OF EACH OCTOBER; TO 9 PROVIDE FOR A TEMPORARY PERMIT UNDER BOARD GUIDELINES; TO 10 REQUIRE THAT CHIROPRACTIC APPLICATIONS BE PRESENTED 21 DAYS BEFORE A BOARD NEETING AND THAT FULL APPLICATION FEE MUST 11 ACCOMPANY THE APPLICATION; AND TO ALLOW THE USE OF NAME 12 INSTEAD OF NUMBER ON A CLINICAL PROFICIENCY EXAMINATION; 13 AMENDING SECTIONS 66-503+ 66-504+ 66-505+ AND 66-506+ R+C+M+ 14 15 1947." ló 17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 18 Section 1. Section 66-503, R.C.M. 1947, is amended to read as follows: 19

*66-503. Organization of board -- meetings -- powers 20 and duties. (1) The board shall elect annually a president, 21 vice-president, and secretary-treasurer from its membership. 22 (2) The board shall hold a regular meeting on-the 23 first-Tuesday-of-October-in each year at Helena, and shall 24 hold special meetings at times and places as a majority of 25

1 the board designates. Not more than four (4) meetings may be 2 held in any one (1) year. A majority of the board 3 constitutes a quorum.

4 (3) The board may administer oaths, take affidavits, 5 summon witnesses, and take testimony as to matters coming 6 within the scope of the board. It shall adopt a seal, which 7 shall be affixed to licenses issued, and shall make rules 8 necessary for the performance of its duties, and shall make 9 a schedule of minimum educational requirements, which are 10 without prejudice, partiality, or discrimination as to the 11 different schools of chiropractic. The department shall keep 12 a record of the proceedings of the board, which shall at all 13 times be open to public inspection." 14 Section 2. Section 66-504, R.C.M. 1947, is amended to 15 read as follows: 15 #66-504. Practicing without license -- temporary 17 permits. (1) It is unlawful for a person to practice

18 chiropractic in this state without first obtaining a license 19 under this act.

20 (2) When application for examination for license is 21 filed with the department, under section 66-505, the board 22 may authorize the department to issue to-the-applicant a 23 temporary permit to practicey-which-is-good-until--the--next 24 meeting-of-the-board." 25

Section 3. Section 66-505, R.C.M. 1947, is amended to

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REFERENCE BILL

HB 0318702

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1 read as follows:

2 *66-505. Applications to practice -- fees for license. 3 (1) A person wishing to practice chiropractic in this state shall make application to the department on the form and in 4 5 the manner prescribed by the board, at least fifteen-fift 21 6 days prior to a meeting of the board. Each applicant shall 7 be a graduate of a college of chirogractic approved by the R board in which he has attended a course of study of four-f4+ 9 school years of not less than mine--++9+ months each, and 10 shall present evidence showing completion of two-f2+ full 11 academic years of college or university work from an 12 institution acceptable to the board of education. 13 Application shall be made in writing and shall be sworn to 14 by an officer authorized to administer oaths, and shall 15 recite the history of applicant's educational 16 qualifications, how long he has studied chiropractic, of 17 what school or college he is a graduate, and the length of time he has been engaged in practice, accompanying the same 18 19 with proofs by diplomes, certificates, etc., and shall 20 accompany the application with satisfactory evidence of good 21 character and reputation.

(2) There shall be paid to the department, by an
applicant for a license, a fee of fifty--dollars--(\$50)+
twenty-five--dollars--(\$25)--of--which--shall--accompany-the
application-ane-the-remainder-shall-be-paid-on-the--issuance

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1 of--the--license. Like fees shall be paid for a subsequent
2 examination and application."

3 Section 4. Section 66-506, R.C.M. 1947, is amended to
4 read as follows:

5 "66-506. Examinations -- subjects embraced in. (1) 6 Examinations for a license to practice chiropractic shall be 7 made by the department subject to section 82A-1603, according to the method considered by the board to be the 8 most practicable and expeditious to test the applicant's ų 10 qualifications. The--application--shall--be-designated-by-a 11 number-instead-of-the-applicant*s-namey-so-that-the-identity 12 will -- not--be--discove: (d--or--disclosed--until--after---the 13 examination--papers--are--gradedy THE APPLICATION SHALL BE 14 DESIGNATED BY A NUMBER INSTEAD OF THE APPLICANT'S NAME. SO 15 THAT THE IDENTITY WILL NOT BE DISCOVERED OR DISCLOSED UNTIL 16 AFTER THE EXAMINATION PAPERS ARE GRADED. 17 (2) Examinations shall be made in writing, the 18 subjects of which are as follows: anatomy, physiology, 19 symptometology, diagnosis, chiropractic orthopedy. 20 principles of chiropractic and adjusting, sanitation and 21 hygiene, urinalysis, gynecology, and palpation. Additional 22 subjects may be prescribed by the board to meet new 23 conditions. A license shall be granted to applicants who

25 asked, and if an applicant fails to answer correctly sixty

correctly answer seventy-five-percent-(75%) of all questions

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percent--(60%) of the questions on any branch of the
examination, he is not entitled to a license.

(3) The board may accept the grades an applicant has 3 4 received in the written examinations given by the national board of chiropractic examiners and may authorize the 5 department to issue a license without further written 6 examination to an applicant who holds a valid certificate 7 from the national board of chiropractic examiners, if the 8 9 applicant meets the other requirements of this chapter and 10 satisfactorily passes a practical clinical proficiency 11 examination before the department, subject to section 82A-1503.* 12