

HOUSE BILL NO. 855

2/16 Introduced  
2/16 Referred to Business & Labor  
2/16 fiscal Note Requested  
2/20 Fiscal Note Received  
2/21 Hearing  
2/22 Committee Report-Bill Pass As Amended  
2/22 Statement of Intent Attached  
2/25 2nd Reading Do Not Pass  
2/25 Bill Killed

1 HOUSE BILL NO. 855  
2 INTRODUCED BY Darcia Kuehn

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE  
5 REGULATION AND LICENSING OF PERSONS PRACTICING ROLFING IN  
6 MONTANA; PROVIDING PENALTIES FOR VIOLATIONS; AND ALLOWING  
7 DISABILITY INSURANCE COVERAGE FOR SERVICES PERFORMED BY  
8 LICENSED ROLFERS; AMENDING SECTION 33-22-111, MCA."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Short title. [Sections 1  
12 through 18] shall be known and may be cited as the "Rolfing  
13 Practice Act of 1985".

14 NEW SECTION. Section 2. Purpose. The legislature  
15 finds and declares that the practice of rolfing affects the  
16 public health, safety, and welfare and should therefore be  
17 subject to regulation and control in the public interest, to  
18 protect the public from the unauthorized and unqualified  
19 practice of rolfing and from unprofessional conduct by  
20 persons licensed to practice rolfing.

21 NEW SECTION. Section 3. Definitions. As used in  
22 [sections 1 through 18], the following definitions apply:

23 (1) "Board" means the Montana state board of medical  
24 examiners provided for in 2-15-1841.

25 (2) "Rolfing" is the evaluation, treatment, and

1 instruction of human beings to detect, assess, prevent,  
2 correct, alleviate, or limit physical disability, bodily  
3 malfunction, myofacial pain syndrome, or structural  
4 injuries, and to evolve the musculoskeletal system into a  
5 better alignment within the field of gravity by the use of  
6 therapeutic exercises called rolfing movement and the use of  
7 the rolfer's hands, fingers, and elbows, for the purpose of  
8 alleviating a physical disability.

9 (3) "Rolfer" means a natural person licensed by the  
10 board to practice rolfing.

11 NEW SECTION. Section 4. Partial exemptions. Nothing  
12 in [sections 1 through 18] may be construed to require  
13 doctors of medicine, osteopathy, chiropractic, dentistry, or  
14 podiatry who are licensed in Montana to take further  
15 examinations in anatomy, physiology, chemistry, dermatology,  
16 diagnosis, bacteriology, materia medica, or other subjects  
17 that are or may be required for licensure in their  
18 respective professions; but no doctor of medicine,  
19 osteopathy, chiropractic, dentistry, or podiatry may  
20 practice rolfing in this state unless he has passed an  
21 examination in rolfing as required by [sections 1 through  
22 18].

23 NEW SECTION. Section 5. Powers and duties of board.  
24 In addition to other powers and duties provided under  
25 [sections 1 through 18], the board may:

1 (1) adopt rules in accordance with the Montana  
2 Administrative Procedure Act that it determines are  
3 necessary to administer [sections 1 through 18];

4 (2) prescribe forms for application for examination  
5 and licensure;

6 (3) prepare and supervise examinations for licensure  
7 to practice rolfging;

8 (4) obtain the services of professional examination  
9 agencies in lieu of its own preparation of the examinations;

10 (5) issue, revoke, and suspend licenses as provided in  
11 [sections 1 through 18];

12 (6) hold hearings, issue subpoenas, administer oaths,  
13 and take testimony concerning matters within its  
14 jurisdiction;

15 (7) order the taking of depositions of witnesses who  
16 are sick or absent from the state; and

17 (8) adopt a seal to be affixed to all licenses and  
18 other official papers issued by the board under [sections 1  
19 through 18].

20 NEW SECTION. Section 6. License requirements for  
21 practice. No person may practice rolfging in this state  
22 unless he is licensed under [sections 1 through 18].

23 NEW SECTION. Section 7. Application for examination  
24 -- fee -- qualifications. (1) Except as provided in [section  
25 10], a person desiring to practice rolfging in this state

1 must apply to the board, in the manner prescribed by the  
2 board, to take the examination for licensure. Application  
3 must be made at least 30 days before the date set by the  
4 board for the commencement of the examination. An  
5 examination fee set by the board must accompany the  
6 application.

7 (2) An applicant shall furnish the board with evidence  
8 that he is at least 18 years of age or that this age  
9 requirement has been waived by a school of rolfging approved  
10 by the board.

11 NEW SECTION. Section 8. Examination -- scope --  
12 retention and inspection of examination papers --  
13 reexamination. (1) An applicant meeting the qualifications  
14 under [section 7] must be admitted to take the examination  
15 conducted by the board. An examination must be given at  
16 least twice a year.

17 (2) The examination must be sufficiently thorough to  
18 test the fitness of the applicant to practice rolfging. It  
19 must be in writing, insofar as the board considers  
20 practical, and cover subjects in the curriculum taught in  
21 schools approved by the board that offer courses leading to  
22 a degree in rolfging. Demonstration of the applicant's skill  
23 in the practice of rolfging may also be required.

24 (3) An applicant's examination papers must be retained  
25 by the board for 2 years after the date of examination and

1 then may be destroyed. While retained, the examination  
 2 papers are open to inspection only by board members, the  
 3 applicant or a person appointed by the applicant to examine  
 4 them, or by a court of competent jurisdiction in a  
 5 proceeding in which the question on the contents of the  
 6 papers is properly involved.

7 (4) An applicant failing to pass his first examination  
 8 before the board may, at any subsequent meetings of the  
 9 board held for the purpose of examining applicants, if  
 10 otherwise qualified, take subsequent examinations upon  
 11 payment of the fee set by the board for each examination.

12 NEW SECTION. Section 9. Issuance of certificate of  
 13 license -- license fee. An applicant who successfully passes  
 14 the examination required under [section 8] must be  
 15 registered as a licensed rolfer in the board register and,  
 16 upon the payment of a license fee set by the board, be  
 17 issued a license bearing the board's official seal.

18 NEW SECTION. Section 10. Licensure without  
 19 examination. Upon payment of the license fee, an applicant  
 20 may be issued a license to practice rolfig without taking  
 21 the examination provided for in [section 8] if he:

22 (1) is licensed or certified as a rolfer in another  
 23 state if the board finds that the licensing or certification  
 24 requirements of that state are substantially equivalent to  
 25 the requirements of [sections 1 through 18]; or

1 (2) has completed rolfig training and is certified by  
 2 a school of rolfig approved by the board on or before  
 3 October 1, 1985; has practiced rolfig in this state for at  
 4 least 1 year before October 1, 1985; and has presented to  
 5 the board a verified letter from a practicing and licensed  
 6 doctor of medicine in this state attesting to the  
 7 qualifications of the applicant.

8 NEW SECTION. Section 11. Annual renewal -- fee --  
 9 military exemption. (1) A license to practice rolfig  
 10 expires on December 31 of each year and, upon request of the  
 11 licensee, may be renewed without examination. The request  
 12 for renewal must be on forms prescribed by the board and  
 13 accompanied by a renewal fee set by the board. The request  
 14 and fee must be received by the board no later than the  
 15 expiration date of the license.

16 (2) On or before December 1 of each year, the board  
 17 shall notify each licensee by letter, addressed to his last  
 18 place of business according to the board's records, that his  
 19 license will expire on December 31 following the date of  
 20 notice unless application for renewal, accompanied by the  
 21 renewal fee, is received by the board on or before the  
 22 expiration date.

23 (3) Immediately following December 31 of each year,  
 24 the board shall notify each licensee from whom a request for  
 25 renewal has not been received that his license has expired

1 and will be canceled unless a request for the renewal and  
 2 reinstatement, accompanied by the renewal fee and an  
 3 additional fee set by the board, is received by the board on  
 4 or before February 1 following the expiration date.

5 (4) Immediately following February 1 of each year, the  
 6 board shall cancel all licenses that have not been renewed  
 7 or reinstated and shall notify the licensees whose licenses  
 8 were canceled of such action.

9 (5) A licensee who allows his license to lapse by  
 10 failing to renew or reinstate it may subsequently reinstate  
 11 the license upon good cause shown to the satisfaction of the  
 12 board and upon payment of all renewal fees then accrued plus  
 13 an additional fee set by the board for each year following  
 14 the cancellation of the license.

15 (6) A person actively engaged in the military service  
 16 of the United States and licensed to practice rolfing under  
 17 [sections 1 through 18] is not required to pay the annual  
 18 renewal fee or apply for renewal until December 31 of the  
 19 year in which he returns from military service to civilian  
 20 or inactive status.

21 NEW SECTION. Section 12. Deposit of money received.  
 22 Money received under [sections 1 through 18] by the board  
 23 must be deposited in the state special revenue fund, for use  
 24 by the board, subject to 37-1-101(6).

25 NEW SECTION. Section 13. Grounds for denial,

1 suspension, or revocation of license or other disciplinary  
 2 action. The board may deny, suspend, or revoke a license to  
 3 practice rolfing or otherwise discipline a licensee for any  
 4 of the following causes:

5 (1) conviction of a felony or conviction of a  
 6 violation of a state or federal law regulating the  
 7 possession, distribution, or use of a controlled substance,  
 8 as shown by a certified copy of a court record, subject to  
 9 Title 37, chapter 1, part 2;

10 (2) being adjudicated incompetent or seriously  
 11 mentally ill;

12 (3) sustaining a physical or mental disability that  
 13 renders further practice dangerous;

14 (4) habitual drunkenness or habitual addiction to the  
 15 use of a controlled substance;

16 (5) gross malpractice;

17 (6) engaging in dishonorable, unethical, or  
 18 unprofessional conduct that may deceive, defraud, or harm  
 19 the public or which is unbecoming a person licensed to  
 20 practice under [sections 1 through 18];

21 (7) obtaining or attempting to obtain a license or a  
 22 practice of the profession for money or any other thing of  
 23 value by fraudulent misrepresentation;

24 (8) advertising by means of knowingly false or  
 25 deceptive statements;

1 (9) advertising, practicing, or attempting to practice  
2 under a name other than his own;

3 (10) using a false, fraudulent, or forged statement or  
4 document or engaging in a fraudulent, deceitful, dishonest,  
5 or immoral practice in connection with the licensing  
6 requirements of [sections 1 through 18]; or

7 (11) violating, attempting to violate, assisting or  
8 abetting the violation of, or conspiring to violate a  
9 provision of [sections 1 through 18].

10 NEW SECTION. Section 14. Procedure for denial,  
11 suspension, or revocation of license. (1) Any person,  
12 including a member of the board, may file a sworn complaint  
13 with the board against a person licensed to practice rolfing  
14 in this state, charging the licensee with the commission of  
15 an offense listed in [section 13]. The complaint must  
16 specify the charge. When the complaint is filed, the board  
17 shall mail a copy to the person accused, at his last address  
18 on record with the board, together with a written notice of  
19 the time and place of a hearing thereon, advising him to be  
20 present in person, and represented by counsel if so desired,  
21 to offer evidence and be heard in his defense. The time  
22 fixed for hearing may not be less than 30 days from the date  
23 the notice was mailed.

24 (2) At the time and place set for the hearing under  
25 subsection (1), the board shall receive evidence concerning

1 the complaint and shall permit the person against whom the  
2 complaint was filed a fair opportunity to be heard in his  
3 defense. After consideration, the board shall adopt a  
4 resolution finding the person guilty or not guilty of the  
5 offense charged. If the board finds that the grounds listed  
6 in [section 13] do not exist or that the person is not  
7 guilty, the board shall dismiss the complaint. If the board  
8 finds that the grounds exist and that the person is guilty,  
9 the board shall:

10 (a) revoke the person's license;

11 (b) suspend his right to practice for a period not  
12 exceeding 1 year;

13 (c) suspend its judgment of revocation upon terms and  
14 conditions to be determined by the board;

15 (d) place him on probation; or

16 (e) take such other disciplinary action as the board  
17 in its discretion considers proper.

18 (3) The board, in a case of revocation, suspension, or  
19 probation, shall enter in its records the facts of the  
20 action and of any subsequent action taken by the board.

21 NEW SECTION. Section 15. Reinstatement after a period  
22 of suspension. Upon the expiration of a term of suspension,  
23 the board shall reinstate the licensee if the licensee  
24 furnishes the board with evidence that he is of good moral  
25 character or conduct or restored to good health and that he

1 has not practiced rolfing in this state during the term of  
 2 suspension. If the evidence fails to establish to the  
 3 board's satisfaction that the licensee is of good moral  
 4 character and conduct or restored to good health or if the  
 5 evidence shows he has practiced rolfing in this state during  
 6 the term of suspension, the board shall revoke the license  
 7 at a hearing, the notice and procedure of which must be as  
 8 provided in [section 16]. The board's revocation of the  
 9 license is final.

10 NEW SECTION. Section 16. Application of  
 11 administrative procedures. (1) The contested case procedures  
 12 of the Montana Administrative Procedure Act apply to the  
 13 notice and hearing required in [sections 14 and 15], except  
 14 that neither common law nor statutory rules of evidence need  
 15 apply. The board may adopt rules to exclude repetitive,  
 16 redundant, or irrelevant testimony.

17 (2) A person aggrieved by the final decision of the  
 18 board may seek judicial review of the decision. The judicial  
 19 review procedures are as provided for contested cases under  
 20 the Montana Administrative Procedure Act.

21 NEW SECTION. Section 17. Enjoining unlawful practice.  
 22 A person engaging in the practice of rolfing in any way  
 23 other than as defined in [sections 1 through 18] may be  
 24 enjoined by the district court on petition by the board. In  
 25 such proceeding, it is not necessary to show that any person

1 is individually injured by the actions complained of. If the  
 2 respondent is found to have so practiced, the court shall  
 3 enjoin him from practicing until he has been licensed. The  
 4 procedure in such cases must be as in any other suit. The  
 5 remedy by injunction is in addition to criminal prosecution  
 6 and punishment.

7 NEW SECTION. Section 18. Penalty. A person who  
 8 violates a provision of [sections 1 through 18] or the rules  
 9 of the board adopted under [sections 1 through 18] is guilty  
 10 of a misdemeanor punishable by imprisonment in the county  
 11 jail for not to exceed 6 months or by a fine not to exceed  
 12 \$500, or both.

13 Section 19. Section 33-22-111, MCA, is amended to  
 14 read:

15 "33-22-111. Policies to provide for freedom of choice  
 16 of practitioners -- professional practice not enlarged. (1)  
 17 All policies of disability insurance, including individual,  
 18 group, and blanket policies, and all policies insuring the  
 19 payment of compensation under the Workers' Compensation Act  
 20 shall provide the insured shall have full freedom of choice  
 21 in the selection of any duly licensed physician, dentist,  
 22 osteopath, chiropractor, rolfer, optometrist, chiropodist,  
 23 psychologist, or nurse specialist as specifically listed in  
 24 37-8-202 for treatment of any illness or injury within the  
 25 scope and limitations of his practice. Whenever such

1 policies insure against the expense of drugs, the insured  
2 shall have full freedom of choice in the selection of any  
3 duly licensed and registered pharmacist.

4 (2) Nothing in this section shall be construed as  
5 enlarging the scope and limitations of practice of any of  
6 the licensed professions enumerated in subsection (1); nor  
7 shall this section be construed as amending, altering, or  
8 repealing any statutes relating to the licensing or use of  
9 hospitals."

-End-



STATE OF MONTANA  
FISCAL NOTE

REQUEST NO. FNN458-85

Form BD-15

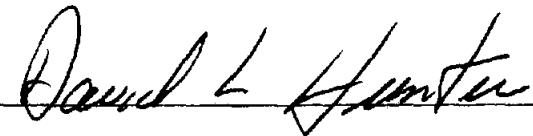
In compliance with a written request received February 18 19 85, there is hereby submitted a Fiscal Note for H.B. 855 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Providing for the regulation and licensing of persons practicing rolfing in Montana, providing for penalties for violations; and allowing disability insurance coverage for services performed by licensed rolfers and placing the licensing regulations under the Board of Medical Examiners.

FISCAL IMPACT ON STATE SPECIAL REVENUES:

Fiscal impact would be nominal based on information supplied of only one person performing rolfing in Montana in Billings, Montana on a part-time basis.



BUDGET DIRECTOR  
Office of Budget and Program Planning

Date:

Feb 20, 1985

HB 855

APPROVED BY COMM. ON  
BUSINESS AND LABOR

STATEMENT OF INTENT

HOUSE BILL 855

House Business and Labor Committee

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A statement of intent is required for this bill because section 5 permits the board of medical examiners to adopt rules in accordance with the Montana Administrative Procedure Act to administer the Rolwing Practice Act of 1985. It is contemplated that the rules should address the following:

- (1) contents of forms for application for examination, licensure, and renewal of license;
- (2) fees commensurate with costs for examination, licensure, renewal, and reinstatement;
- (3) contents of the written examination required to test an applicant's competency;
- (4) minimum score for passing the examination;
- (5) criteria for giving board approval for schools of rolwing; and
- (6) guidelines for comparing licensing requirements in other states for applicants licensed outside Montana.

## 1 HOUSE BILL NO. 855

2 INTRODUCED BY GARCIA, KRUEGER

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE  
5 REGULATION AND LICENSING OF PERSONS PRACTICING ROLFING IN  
6 MONTANA; PROVIDING PENALTIES FOR VIOLATIONS; AND ALLOWING  
7 DISABILITY INSURANCE COVERAGE FOR SERVICES PERFORMED BY  
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12 through 18] shall be known and may be cited as the "Rolfing  
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18 protect the public from the unauthorized and unqualified  
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21 NEW SECTION. Section 3. Definitions. As used in  
22 [sections 1 through 18], the following definitions apply:

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25 (2) "Rolfing" is the evaluation, treatment, and

1 instruction of human beings to ~~detect, assess, prevent,~~  
2 ~~correct,~~ alleviate, ~~or limit physical disability, bodily~~  
3 ~~malfunction,~~ myofacial pain syndrome, ~~or structural~~  
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5 ~~better alignment within the field of gravity~~ by the use of  
6 therapeutic exercises called rolfing movement and the use of  
7 the rolfer's hands, fingers, and elbows, for the purpose of  
8 alleviating a physical disability.

9 (3) "Rolfing" means a natural person licensed by the  
10 board to practice rolfing.

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15 examinations in anatomy, physiology, chemistry, dermatology,  
16 diagnosis, bacteriology, materia medica, or other subjects  
17 that are or may be required for licensure in their  
18 respective professions; but no doctor of medicine,  
19 osteopathy, chiropractic, dentistry, or podiatry may  
20 practice rolfing in this state unless he has passed an  
21 examination in rolfing as required by [sections 1 through  
22 18].

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24 In addition to other powers and duties provided under  
25 [sections 1 through 18], the board may:

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 5 and licensure;

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 9 agencies in lieu of its own preparation of the examinations;

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12 (6) hold hearings, issue subpoenas, administer oaths,  
 13 and take testimony concerning matters within its  
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 16 are sick or absent from the state; and

17 (8) adopt a seal to be affixed to all licenses and  
 18 other official papers issued by the board under [sections 1  
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 21 practice. No person may practice rolfling in this state  
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7 (2) An applicant shall furnish the board with evidence  
 8 that he is at least 18 years of age or that this age  
 9 requirement has been waived by a school of rolfling approved  
 10 by the board.

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 12 retention and inspection of examination papers --  
 13 reexamination. (1) An applicant meeting the qualifications  
 14 under [section 7] must be admitted to take the examination  
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 18 test the fitness of the applicant to practice rolfling. It  
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 20 practical, and cover subjects in the curriculum taught in  
 21 schools approved by the board that offer courses leading to  
 22 a degree in rolfling. Demonstration of the applicant's skill  
 23 in the practice of rolfling may also be required.

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 25 by the board for 2 years after the date of examination and

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 3 applicant or a person appointed by the applicant to examine  
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 23 state if the board finds that the licensing or certification  
 24 requirements of that state are substantially equivalent to  
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 2 a school of rolfing approved by the board on or before  
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 8 as shown by a certified copy of a court record, subject to  
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6 requirements of [sections 1 through 18]; or

7 (11) violating, attempting to violate, assisting or  
8 abetting the violation of, or conspiring to violate a  
9 provision of [sections 1 through 18].

10 NEW SECTION. Section 14. Procedure for denial,  
11 suspension, or revocation of license. (1) Any person,  
12 including a member of the board, may file a sworn complaint  
13 with the board against a person licensed to practice rolfing  
14 in this state, charging the licensee with the commission of  
15 an offense listed in [section 13]. The complaint must  
16 specify the charge. When the complaint is filed, the board  
17 shall mail a copy to the person accused, at his last address  
18 on record with the board, together with a written notice of  
19 the time and place of a hearing thereon, advising him to be  
20 present in person, and represented by counsel if so desired,  
21 to offer evidence and be heard in his defense. The time  
22 fixed for hearing may not be less than 30 days from the date  
23 the notice was mailed.

24 (2) At the time and place set for the hearing under  
25 subsection (1), the board shall receive evidence concerning

1 the complaint and shall permit the person against whom the  
2 complaint was filed a fair opportunity to be heard in his  
3 defense. After consideration, the board shall adopt a  
4 resolution finding the person guilty or not guilty of the  
5 offense charged. If the board finds that the grounds listed  
6 in [section 13] do not exist or that the person is not  
7 guilty, the board shall dismiss the complaint. If the board  
8 finds that the grounds exist and that the person is guilty,  
9 the board shall:

10 (a) revoke the person's license;

11 (b) suspend his right to practice for a period not  
12 exceeding 1 year;

13 (c) suspend its judgment of revocation upon terms and  
14 conditions to be determined by the board;

15 (d) place him on probation; or

16 (e) take such other disciplinary action as the board  
17 in its discretion considers proper.

18 (3) The board, in a case of revocation, suspension, or  
19 probation, shall enter in its records the facts of the  
20 action and of any subsequent action taken by the board.

21 NEW SECTION. Section 15. Reinstatement after a period  
22 of suspension. Upon the expiration of a term of suspension,  
23 the board shall reinstate the licensee if the licensee  
24 furnishes the board with evidence that he is of good moral  
25 character or conduct or restored to good health and that he

1 has not practiced rolfing in this state during the term of  
 2 suspension. If the evidence fails to establish to the  
 3 board's satisfaction that the licensee is of good moral  
 4 character and conduct or restored to good health or if the  
 5 evidence shows he has practiced rolfing in this state during  
 6 the term of suspension, the board shall revoke the license  
 7 at a hearing, the notice and procedure of which must be as  
 8 provided in [section 16]. The board's revocation of the  
 9 license is final.

10 NEW SECTION. Section 16. Application of  
 11 administrative procedures. (1) The contested case procedures  
 12 of the Montana Administrative Procedure Act apply to the  
 13 notice and hearing required in [sections 14 and 15], except  
 14 that neither common law nor statutory rules of evidence need  
 15 apply. The board may adopt rules to exclude repetitive,  
 16 redundant, or irrelevant testimony.

17 (2) A person aggrieved by the final decision of the  
 18 board may seek judicial review of the decision. The judicial  
 19 review procedures are as provided for contested cases under  
 20 the Montana Administrative Procedure Act.

21 NEW SECTION. Section 17. Enjoining unlawful practice.  
 22 A person engaging in the practice of rolfing in any way  
 23 other than as defined in [sections 1 through 18] may be  
 24 enjoined by the district court on petition by the board. In  
 25 such proceeding, it is not necessary to show that any person

1 is individually injured by the actions complained of. If the  
 2 respondent is found to have so practiced, the court shall  
 3 enjoin him from practicing until he has been licensed. The  
 4 procedure in such cases must be as in any other suit. The  
 5 remedy by injunction is in addition to criminal prosecution  
 6 and punishment.

7 NEW SECTION. Section 18. Penalty. A person who  
 8 violates a provision of [sections 1 through 18] or the rules  
 9 of the board adopted under [sections 1 through 18] is guilty  
 10 of a misdemeanor punishable by imprisonment in the county  
 11 jail for not to exceed 6 months or by a fine not to exceed  
 12 \$500, or both.

13 Section 19. Section 33-22-111, MCA, is amended to  
 14 read:

15 "33-22-111. Policies to provide for freedom of choice  
 16 of practitioners -- professional practice not enlarged. (1)  
 17 All policies of disability insurance, including individual,  
 18 group, and blanket policies, and all policies insuring the  
 19 payment of compensation under the Workers' Compensation Act  
 20 shall provide the insured shall have full freedom of choice  
 21 in the selection of any duly licensed physician, dentist,  
 22 osteopath, chiropractor, rolfer, optometrist, chiropodist,  
 23 psychologist, or nurse specialist as specifically listed in  
 24 37-8-202 for treatment of any illness or injury within the  
 25 scope and limitations of his practice. Whenever such



1 policies insure against the expense of drugs, the insured  
2 shall have full freedom of choice in the selection of any  
3 duly licensed and registered pharmacist.

4 (2) Nothing in this section shall be construed as  
5 enlarging the scope and limitations of practice of any of  
6 the licensed professions enumerated in subsection (1); nor  
7 shall this section be construed as amending, altering, or  
8 repealing any statutes relating to the licensing or use of  
9 hospitals."

-End-