

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

COMMITTEE Substitute  
for

HOUSE BILL No. 9

*Originating in the*  
(By Mr. Committee on the Judiciary)



PASSED February, 19, 1947

In Effect from Passage

9

## ENROLLED

COMMITTEE SUBSTITUTE FOR

# House Bill No. 9

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(Originating in the Committee on the Judiciary)

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[Passed February 19, 1947; in effect from passage.]

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AN ACT to amend and reenact section two, article three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, relating to the definition and scope of the term "practice medicine and surgery" and to provide that the term shall not apply to the practice of the religious tenets of any church.

*Be it enacted by the Legislature of West Virginia:*

That section two, article three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 2. *Who Deemed Practitioner; Limitations of*  
2 *Article.*—The term "practice medicine and surgery," as  
3 used in this article, shall be construed to mean the treat-  
4 ment of any human ailment or infirmity by any method.

5 To open an office for such purpose or to announce to the  
6 public in any way a readiness to treat the sick or afflicted  
7 shall be deemed to engage in the practice of medicine and  
8 surgery within the meaning of this article: *Provided,*  
9 *however,* That the provisions of this article, with the  
10 exceptions of sections eight and ten, shall not apply to  
11 dentists, dental hygienists, nurses, optometrists, chirop-  
12 odists, osteopathic physicians and surgeons, midwives, or  
13 chiropractors, regularly licensed or registered as such  
14 under the provisions of this chapter applicable to such  
15 professions and occupations, in the practice of their re-  
16 spective professions and occupations; nor to physicians  
17 or surgeons living in other states and duly qualified to  
18 practice medicine therein who shall be called in con-  
19 sultation into this state by a physician or surgeon legally  
20 entitled to practice medicine and surgery in this state;  
21 nor to commissioned officers of the United States army,  
22 navy or marine hospital service when in the actual dis-  
23 charge of their duties as such; nor to the practice of the  
24 religious tenets of any church in the ministration to the  
25 sick or suffering by mental or spiritual means, whether

26 gratuitously or for compensation: *Provided*, That sanitary  
27 and public health laws shall be complied with: *And pro-*  
28 *vided further*, That no practices shall be used which may  
29 be dangerous or detrimental to life or health and that no  
30 person shall be denied the benefits of accepted medical  
31 and surgical practices.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Forest L. McKeen  
Chairman Senate Committee

R. L. Mathema  
Chairman House Committee

Originated in the House of Delegates

Takes effect from \_\_\_\_\_ passage.

Howard Hayes  
Clerk of the Senate

Phillips  
Clerk of the House of Delegates

Arnold M. Tickers  
President of the Senate

John E. Cust  
Speaker House of Delegates

The within Approved this the 25<sup>th</sup>  
day of Feb., 1947.

Oliver Medford



Filed in the Office of the Secretary of State  
of West Virginia

**FEB 26 1947**

SECRETARY OF STATE