WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976

ENROLLED

SENATE BILL NO. 327

(By Mr. Savilla & Mr. Benson)

PASSED March 5, 1976

In Effect ninety days from Passage

FILED IN THE OFFICE
JAMES R. McCARTNEY
SECRETARY OF STATE
THIS DATE 3/11/76
ENROLLED
Senate Bill No. 327
(By Mr. Savilla and Mr. Benson)

[Passed March 5, 1976; in effect ninety days from passage.]

AN ACT to amend article sixteen, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section seventeen, relating to the incorporation of chiropractors.

Be it enacted by the Legislature of West Virginia:

That article sixteen, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section seventeen, to read as follows:

ARTICLE 16. CHIROPRACTORS.
§30-16-17. Chiropractors corporations.

1 One or more individuals, each of whom is licensed to practice chiropractic within this state, may organize and become a shareholder or shareholders of a chiropractic corporation. Individuals who may be practicing chiropractic as an organization created otherwise than pursuant to the provisions of this section may incorporate under and pursuant to this section. This section is not intended to amend the statutory or common law as it relates to associations or partnerships, except to allow partnerships of chiropractors to organize as a chiropractic corporation.

12 A chiropractic corporation may render professional service only through officers, employees and agents who are themselves duly licensed to render chiropractic service within this state. The term “employee” or
“agent” as used in this section, does not include secre­
taries, clerks, typists, paraprofessional personnel or other
individuals who are not usually and ordinarily con­
sidered by custom and practice to be rendering chiro­
practic services for which a license is required.

This section does not modify the law as it relates to
the relationship between a person furnishing chiroprac­
tic services and his client, nor does it modify the law
as it relates to liability arising out of such a professional
service relationship. Except for permitting chiropractic
corporations, this section is not intended to modify any
legal requirement or court rule relating to ethical stan­
dards of conduct required of persons providing chiro­
practic services.

A chiropractic corporation may issue its capital
stock only to persons who are duly licensed chiro­
practors.

When not inconsistent with this section, the orga­
nization and procedures of chiropractic corporations shall
conform to the requirements of article one, chapter
thirty-one of this code.

The West Virginia board of chiropractic examiners
may require that chiropractors under its licensing au­
thority must obtain its prior authorization before be­
ginning to act as a chiropractic corporation and may
require a fee of not more than fifty dollars for each
application for authorization to form a chiropractic
corporation. The board may adopt rules and regulations:
(1) To set reasonable standards for granting or refusing
prior approval, (2) to require appropriate information
therefrom a chiropractic corporation applicant, and
(3) to notify the secretary of state that certain persons
have been given authorization by the board to form a
chiropractic corporation.

Upon notification by the West Virginia board of chiro­
practic examiners of its approval, the secretary of state,
upon compliance by the incorporators with this section
and the applicable provisions of chapter thirty-one of
this code, may issue to the incorporators a certificate
of incorporation for the chiropractic corporation which
then may engage in practice through duly licensed or
otherwise legally authorized stockholders, employees and
agents.

A shareholder of a chiropractic corporation may sell
or transfer his shares of stock in such corporation only
to another individual who is duly licensed to practice
chiropractic in this state or back to the corporation. Any
chiropractic corporation shall cease to engage in the
practice of chiropractic upon being notified by the board
that any of its shareholders is no longer a duly licensed
chiropractor, or when any shares of such corporation
have been sold or disposed of to a person who is not
a duly licensed chiropractor: Provided, That the per-
sonal representative of a deceased shareholder shall have
a period, not to exceed twelve months from the date of
such shareholder's death, to dispose of such shares; but
nothing contained herein shall be construed as affecting
the existence of such corporation or its right to con-
tinue to operate for all lawful purposes other than the
practice of chiropractic.

The corporate name of a chiropractic corporation shall
contain the last name or names of one or more of its
shareholders: Provided, That if the rules or regulations
of the board so permit the corporate name may contain
or include the name or names of former shareholders
or of persons who were associated with a predecessor
partnership. The corporate name shall also contain the
words "chiropractic corporation" or the abbreviation
"C.C." The use of the word "company," "corporation"
or "incorporated" or any other words or abbreviations
in the name of a corporation organized under this article
which indicates that such corporation is a corporation,
other than the words "chiropractic corporation" or the
abbreviation "C.C.", is specifically prohibited.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

J. Fellow
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

W. E. Ballard
President of the Senate

Lewis H. Brown
Speaker House of Delegates

The within approved this the 11th day of March, 1976

Ander. Brown