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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1976**



**ENROLLED**

**SENATE BILL NO. 327**

(By Mr. Saville & 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  
2 to practice chiropractic within this state, may organize  
3 and become a shareholder or shareholders of a chiro-  
4 practic corporation. Individuals who may be practicing  
5 chiropractic as an organization created otherwise than  
6 pursuant to the provisions of this section may incor-  
7 porate under and pursuant to this section. This section  
8 is not intended to amend the statutory or common law  
9 as it relates to associations or partnerships, except to  
10 allow partnerships of chiropractors to organize as a chiro-  
11 practic corporation.

12 A chiropractic corporation may render professional ser-  
13 vice only through officers, employees and agents who  
14 are themselves duly licensed to render chiropractic  
15 service within this state. The term "employee" or

16 "agent" as used in this section, does not include secre-  
17 taries, clerks, typists, paraprofessional personnel or other  
18 individuals who are not usually and ordinarily con-  
19 sidered by custom and practice to be rendering chiro-  
20 practic services for which a license is required.

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

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

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

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

50 Upon notification by the West Virginia board of chiro-  
51 practic examiners of its approval, the secretary of state,  
52 upon compliance by the incorporators with this section  
53 and the applicable provisions of chapter thirty-one of  
54 this code, may issue to the incorporators a certificate  
55 of incorporation for the chiropractic corporation which

56 then may engage in practice through duly licensed or  
57 otherwise legally authorized stockholders, employees and  
58 agents.

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

76 The corporate name of a chiropractic corporation shall  
77 contain the last name or names of one or more of its  
78 shareholders: *Provided*, That if the rules or regulations  
79 of the board so permit the corporate name may contain  
80 or include the name or names of former shareholders  
81 or of persons who were associated with a predecessor  
82 partnership. The corporate name shall also contain the  
83 words "chiropractic corporation" or the abbreviation  
84 "C.C." The use of the word "company," "corporation"  
85 or "incorporated" or any other words or abbreviations  
86 in the name of a corporation organized under this article  
87 which indicates that such corporation is a corporation,  
88 other than the words "chiropractic corporation" or the  
89 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

*Clarence C. Christensen Jr*  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*J. C. Dillinger*  
Clerk of the Senate

*C. Blankenship*  
Clerk of the House of Delegates

*H. B. B. B. B.*  
President of the Senate

*Lewis T. McManus*  
Speaker House of Delegates

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

*Aruba. Chase J.*  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/9/76

Time 4:15 p.m.