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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976



ENROLLED

SENATE BILL NO. 333

(By Mr. Hatfield & Mr. Benson)



PASSED March 9, 1976

In Effect sixty days from Passage

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FILE IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/18/76

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ENROLLED

Senate Bill No. 333

(By MR. HATFIELD and MR. BENSON)

[Passed March 9, 1976; in effect ninety days from passage.]

AN ACT to amend and reenact sections two, five, seven, nine, ten, twelve and thirteen, article sixteen, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the definition of chiropractic; creating a continuing education clause; increasing and updating the subjects for which applicants to practice chiropractic are to be examined; clarifying the title of doctor of chiropractic; updating the approved diagnostic instrument list; prohibiting use of physio-therapeutic devices unless qualified; and providing offenses and penalties.

Be it enacted by the Legislature of West Virginia:

That sections two, five, seven, nine, ten, twelve and thirteen, article sixteen, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 16. CHIROPRACTORS.

§30-16-2. Definitions.

- 1 The following words, unless the context clearly indi-
- 2 cates otherwise, shall have the meaning ascribed to them
- 3 in this section:
- 4 (a) "Board" shall mean the West Virginia board of
- 5 chiropractic examiners;
- 6 (b) "Chiropractor" shall mean a practitioner of
- 7 chiropractic;
- 8 (c) "Chiropractic" is that science and art which
- 9 utilizes the inherent recuperative powers of the body

10 and the relationship between the musculo-skeletal struc-
11 tures and functions of the body, particularly of the spinal
12 column and the nervous system, in the restoration and
13 maintenance of health.

14 The practices and procedures which may be employed
15 by doctors of chiropractic are based on the academic and
16 clinical training received in and through accredited
17 chiropractic colleges. These shall include the use of
18 diagnostic, analytical and therapeutic procedures specifi-
19 cally including the adjustment and manipulation of the
20 articulations and adjacent tissues of the human body,
21 particularly of the spinal column; included is the treat-
22 ment of intersegmental disorders for alleviation of related
23 neurological aberrations. Patient care and management
24 is conducted with due regard for environmental and
25 nutritional factors, as well as first aid, hygiene, sanita-
26 tion, rehabilitation and physiological therapeutic proce-
27 dures designed to assist in the restoration and mainte-
28 nance of neurological integrity and homeostatic balance.

§30-16-5. Examination; certificates of license.

1 The examination for a license to practice chiropractic
2 shall be written and oral and shall cover the following
3 subjects: Anatomy, physiology, chemistry, pathology,
4 bacteriology, hygiene, diagnosis, gynecology, x-ray, geri-
5 atrics, principles of chiropractic, and jurisprudence. The
6 list of subjects may be regrouped at the discretion of the
7 board.

8 The board shall issue certificates of license to all appli-
9 cants who shall successfully pass the said examination,
10 but no license shall be issued under this section until the
11 person applying therefor shall have paid to the board a
12 fee of twenty-five dollars.

13 All applicants shall be required to secure an average
14 grade of seventy-five percent in all subjects: *Provided*,
15 That sixty percent shall be the minimum grade in any
16 subject.

**§30-16-7. License; annual renewal fee; effect of failure to
renew; reinstatement.**

1 All holders of certificates of license to practice chiro-
2 practic in this state shall renew them annually on or

3 before the first day of July of each year: (1) By pay-
4 ment of a renewal fee of twenty-five dollars to the board,
5 and (2) except for those holders with forty years of
6 practice as of the effective date of this section, by pres-
7 entation to the board of evidence of attendance of at
8 least twelve classroom hours of continuing education
9 each year. The board shall notify each certificate holder
10 by mail, at least thirty days prior to the first day of July
11 of each year, of the necessity of renewing his (or her)
12 certificate. The first annual renewal fee shall be due on
13 the first day of July, one thousand nine hundred sixty-
14 five.

15 The failure to renew a certificate of license to practice
16 chiropractic shall operate as an automatic suspension of
17 the rights and privileges granted by its issuance.

18 A certificate of license suspended by a failure to make
19 an annual renewal thereof as herein provided may be
20 reinstated by the board upon presentation of evidence of
21 attendance of at least twelve classroom hours of continu-
22 ing education for each year such license has been sus-
23 pended, payment of all fees that would have been paid
24 had the certificate holder maintained his certificate in
25 good standing and the payment to the board of a rein-
26 statement fee of not to exceed fifty dollars as determined
27 by the board; but no certificate shall be reinstated after
28 a lapse of three years. After a lapse of three years,
29 license may be issued only after the former certificate
30 holder subsequent to said lapse has passed the examina-
31 tion in this article provided.

§30-16-9. Who may practice chiropractic; title of chiropractor.

1 Every chiropractor who has complied with the pro-
2 visions of this article shall thereupon be entitled to prac-
3 tice chiropractic in this state. The title of chiropractor
4 shall be doctor of chiropractic and shall be designated
5 by the letters "D.C." The titles "D.C.", doctor of chiro-
6 practic, chiropractor, chiropractic physician are inter-
7 preted as the same.

§30-16-10. Use of diagnostic instruments.

1 Any chiropractor who has complied with the provisions
2 of this article may use any instrument, or procedure, for

3 the purpose of diagnosis and analysis of disease, or
4 abnormalities, provided such instruments are used in a
5 school approved by the American chiropractic association,
6 the international chiropractic association, or their succes-
7 sors.

**§30-16-12. Chiropractor not permitted to perform certain acts;
exception.**

1 No chiropractor shall be permitted to prescribe any
2 medicine or drugs now or hereafter included in materia
3 medica, or to administer any such medicine or drugs; and
4 no chiropractor shall perform any minor or major sur-
5 gery, practice obstetrics or practice osteopathy, unless
6 duly licensed to do so by the laws of this state in addition
7 to his license to practice chiropractic; nor shall any chiro-
8 practor use any physio-therapeutic devices in his practice
9 until he has certified to the board that he has completed
10 at least ninety classroom hours in the use of these
11 procedures.

§30-16-13. Offenses; penalties.

1 Each of the following acts shall constitute a misde-
2 meanor, punishable upon conviction by a fine of not less
3 than fifty dollars nor more than three hundred dollars,
4 or by imprisonment in the county jail for not less than
5 thirty days nor more than one year, or both, in the dis-
6 cretion of the court, and each day any person shall so
7 violate any provisions of this article shall constitute a
8 separate and distinct offense:

9 (a) The obtaining of or attempt to obtain a license
10 by the use of fraud, deceit or willful misrepresentation;

11 (b) The practice, or attempting to practice, as a chiro-
12 practor without a license granted under the provisions
13 of this article, or practicing or attempting to practice
14 while said license is suspended, or after said license has
15 been revoked;

16 (c) The use of any title to induce belief that the user
17 of said title is engaged in the practice of chiropractic,
18 if the user of said title has not fully complied with the
19 provisions of this article;

- 20 (d) The buying, selling or fraudulent procurement
- 21 of any diploma of, or license to practice, chiropractic;
- 22 (e) The violation of any provision of this article regu-
- 23 lating the practice of chiropractors.

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

James L. Davis
Chairman Senate Committee

James C. Chastain
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

J. Dillon
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

W. T. Bratherton Jr.
President of the Senate

Lewis T. McMane
Speaker House of Delegates

The within *approved* this the *17th*
day of *March*, 1976

Paul A. Prange Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/11/76

Time 4:25 p.m.