

CHAPTER 153**CHIROPODY****153.01 DEFINITIONS**

A licensed chiroprapist may use narcotics for a local anaesthetic but may not prescribe narcotics by prescription for use by a patient. OAG Dec. 21, 1951 (546-D).

153.04 REGISTRATION BY EXAMINATION

The requirements for admission to registration by examination is the completion of four years work in the first grade high school course, and the board must further determine that any diploma or certificate submitted must indicate graduation from a recognized school of chiropody having a minimum requirement of a course of three years of eight months each. OAG Dec. 19, 1946 (546-G).

The board of chiropody examiners cannot refuse the right of examination to a person who qualified under section 153.04. If prior to the date of application the applicant has been practicing chiropody without a license, his act is forbidden by law and consequently he might be refused examination because of lack of good moral character. OAG June 12, 1952 (546-G).

153.07 CANCELATION BY REGISTRATION

HISTORY. 1917 c 382 s 9; 1949 c 279 s 1.

CHAPTER 154**BARBERS****154.01 REGISTRATION**

The trade of barbering, the teaching thereof, and the operation and management of a barber school, requires technical training, study and experience, in order to safeguard the public health and welfare. The regulation thereof is a proper exercise of police power. *Lee v Delmont*, 228 M 101, 36 NW 530.

154.065 BARBER SCHOOLS AND COLLEGES

The words "now teaching" as used in section 154.065, and words of similar import such as "at the time of the passage of this act," are uniformly held to mean not the time of enactment but the time when the act takes effect. *State ex rel v Streeter*, 226 M 458, 33 NW(2d) 56.

The purpose of an exception or "grandfather clause" is to exempt from the statutory regulations imposed for the first time on a trade or profession, those members thereof who are then engaged in the newly regulated field; and the general rule is that a practitioner of a trade or profession in contemplation of the grandfather clause is one who habitually holds himself out to the public as such, although the extent of the practice is not controlling, it must be sufficiently regular, according to the circumstances of the particular case, to denote a continuing occupation. *State ex rel v Streeter*, 226 M 458, 33 NW(2d) 56.

Section 154.09 imposes upon the board the duty of conducting examinations of applicants for certificates of restoration to practice as registered barbers and registered apprentices. In conducting such examination, the board of barber examiners