

CHAPTER 146

HEALING ARTS, REGISTRATION

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146.01 DEFINITION; PRACTICING HEALING AND PRACTICE OF HEALING. The term "practicing healing" or "practice of healing" shall mean and include any person who shall in any manner for any fee, gift, compensation, or reward, or in expectation thereof, engage in, or hold himself out to the public as being engaged in, the practice of medicine or surgery, the practice of osteopathy, the practice of chiropractic, the practice of any legalized method of healing, or the diagnosis, analysis, treatment, correction, or cure of any disease, injury, defect, deformity, infirmity, ailment, or affliction of human beings, or any condition or conditions incident to pregnancy or childbirth, or examination into the fact, condition, or cause of human health or disease, or who shall, for any fee, gift, compensation, or reward, or in expectation thereof, suggest, recommend, or prescribe any medicine or any form of treatment, correction, or cure thereof; also any person, or persons, individually or collectively, who maintains an office for the reception, examination, diagnosis, or treatment of any person for any disease, injury, defect, deformity, or infirmity of body or mind, or who attaches the title of doctor, physician, surgeon, specialist, M.D., M.B., D.O., D.C., or any other word, abbreviation, or title to his name indicating, or designed to indicate, that he is engaged in the practice of healing.

[1927 c 149 s 1; 1971 c 410 s 1; 1974 c 224 s 2] (5705-1)

146.02 [Repealed, 1974 c 224 s 6]

146.03 [Repealed, 1974 c 224 s 6]

146.04 [Repealed, 1974 c 224 s 6]

146.05 [Repealed, 1974 c 224 s 6]

146.06 [Repealed, 1974 c 224 s 6]

146.07 [Repealed, 1974 c 224 s 6]

146.08 [Repealed, 1974 c 224 s 6]

146.09 [Repealed, 1974 c 224 s 6]

146.10 [Repealed, 1974 c 224 s 6]

146.11 [Repealed, 1974 c 224 s 6]

146.12 [Repealed, 1974 c 224 s 6]

146.13 REGISTRATION FEES. Every person not hereinafter excepted from the provisions of this chapter authorized to practice healing in this state shall, in the month of January each year, register with the secretary of the particular board of examiners which examined and registered or licensed him to practice that branch or system of healing which he pursues; and shall, at that time, for the purpose of making such registration, send to such secretary in writing signed by him his name, the name of the place, and the address, at which he is engaged in the practice of healing and pay to the secretary each year a fee of not to exceed \$10, the amount to be fixed by the respective board of examiners. Any person who shall change the address or place at which he practices healing during the year shall forthwith notify such secretary in writing of such change, giving such new address or place. The secretary of each board of examiners shall keep a proper register of all such persons and to each person so registering the proper board shall issue a certificate for the current year, signed by the president and the secretary and sealed with the seal of such board, setting forth his name, the name of the place and the address at which he is engaged in the practice of healing, and the branch or system of healing by him pursued. Any person not hereinafter excepted from the provisions of this chapter lawfully entitled to engage in the practice of healing in this state after the month of January in any year, and who shall not be registered as provided in this section, shall, within 30 days after first so engaging in the practice of healing, register with the proper examining board in the manner provided in this chapter, pay to the secretary of such board the fee above required, and received from such board a certificate as above prescribed for the balance of such year. Every person receiving a certificate, as herein provided, shall display the same in a conspicuous place in the office or other corresponding

place where he pursues the practice of healing.

All fees received by the secretary of any examining board for registration required by this section shall be available to, and may be used by, such board to defray the expenses of keeping proper registers, furnishing the certificates herein provided for, employing inspectors for procuring evidence of any violation of the laws administered thereby and aiding in the enforcement of such laws, and for such other expenses as may be necessarily paid or incurred in the exercise of its powers or performance of its duties, as provided by law.

[1927 c 149 s 13; 1955 c 365 s 1; 1959 c 345 s 1; 1967 c 111 s 1] (5705-13)

146.14 LISTS OF PERSONS REGISTERED. On or before the first day of March in each year, the secretaries of the several examining boards shall certify to the secretary of the state board of health, under the hand of the president and secretary and the seal of the particular examining board, a list of all persons registered with the board for the current year. The secretary of each of the several examining boards of this state shall, within 60 days after any examination conducted by his examining board, certify in writing to the secretary of the state board of health, in the manner prescribed, a list of all persons admitted or licensed by his board to practice healing in this state and whose names have not been previously so certified to the secretary of the state board of health in the then current year. Within 30 days after receiving from the secretaries of the several examining boards any of the lists of persons lawfully engaged in the practice of healing in this state, as by this section provided, the state board of health shall cause such lists to be printed and a copy thereof to be sent to each city or district health officer and each sheriff and county attorney in the state.

[1927 c 149 s 14; 1973 c 123 art 5 s 7] (5705-14)

146.15 DISCRIMINATION AGAINST SYSTEMS OF HEALING. The several boards or other officers whose duty it shall be to administer or carry into effect the provisions of this chapter shall, while exercising such authority, in no manner discriminate against any system or branch of healing.

[1927 c 149 s 15; 1974 c 224 s 3] (5705-15)

146.16 [Repealed, 1974 c 224 s 6]

NOTE: Section 146.16 is amended by Laws 1974, Chapter 62, Section 1 to read: "146.16 **Exceptions.** Nothing in this chapter shall be construed to prohibit any person from using any antiseptic, germicide, or disinfectant prescribed by the state or local boards of health of the state for the prevention of the spread of communicable diseases, nor from using antidotes or rendering gratuitous service in case of emergency, nor shall this chapter apply to nurses, midwives, dentists, optometrists, podiatrists, barbers, cosmeticians, Christian Scientists, nor to any person giving treatment or administering any cure or attempted cure, exclusively by mental or spiritual means, nor to manufacturers or distributors of orthopedic appliances, the manufacture or sale of drugs, medicines, or poisons by a registered pharmacist or a registered assistant pharmacist, so long as those who are hereby excepted from the provisions of this chapter confine their activities within the scope of their respective licenses which they, or either of them, may now or may hereafter procure, or, if not licensed, so long as they confine their activities within the ordinary scope of these occupations, respectively; nor shall this chapter apply to physicians and surgeons of the United States army or navy, or United States public health service, or other officials or employees of the United States, while acting in the performance of their duties, nor to legally qualified physicians of other states called in consultation, nor shall this chapter apply to scientific, sanitary, or teaching personnel employed by the state university, the state department of education, or by any public or private school, college, or other bona fide educational institution, or the state department of health, whose duties are entirely of a public health or educational character, while engaged in such duties."

146.17 [Repealed, 1974 c 224 s 6]

146.18 PRACTICING WITHOUT REGISTERING, OR DISPLAYING CERTIFICATE. Any person who shall practice healing or attempt to practice healing in this state without having registered with the examining board in the system or branch of healing by him pursued, as herein provided, or without displaying his certificate of annual registration with the proper board of examiners, as herein provided, shall be guilty of a misdemeanor.

[1927 c 149 s 18; 1974 c 224 s 4] (5705-18)

146.19 OTHER OFFENSES; PENALTY. Any person implicated in employing fraud or deception in registering annually under this chapter shall be guilty of a gross misdemeanor.

[1927 c 149 s 19; 1955 c 868 s 1; 1971 c 410 s 7; 1974 c 224 s 5] (5705-19)

146.20 FAILURE TO CERTIFY LISTS OF REGISTERED PERSONS; PENALTY. Any secretary of any examining board who shall fail to certify to the secretary of the state board of health the lists of persons registered with the examining board of which he is the secretary as and within the time by this chapter required, shall be guilty of a misdemeanor.

[1927 c. 149 s. 20] (5705-20)

146.21 [Repealed, 1974 c 224 s 6]

146.22 [Repealed, 1974 c 224 s 6]