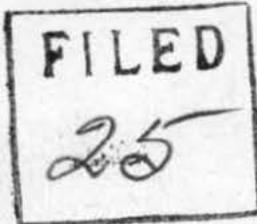


CHIROPRACTIC:  
EXAMINATION:  
LICENSE:

Applicant for examination for chiropractic license to practice chiropractic must be a graduate of an accredited chiropractic school or college.



March 1, 1952

3-4-52

Dr. S. J. Durham  
Secretary, State Board of  
Chiropractic Examiners  
204½ East High Street  
Jefferson City, Missouri

Dear Dr. Durham:

Your request for an official opinion has been assigned to me for reply. Your request is as follows:

"Does Section 331.030, RSMo 1949, require that a student must be a graduate of a chiropractic college before being eligible to take the examination for a license to practice chiropractic."

Section 331.030, RSMo 1949, paragraphs one and two are as follows:

"1. No person shall engage in the practice of chiropractic without having first secured from the board of chiropractic examiners a license as provided in this chapter. Any person desiring to procure a license authorizing him to practice chiropractic in this state shall make application therefor to the secretary of the Missouri state board of chiropractic examiners on a form prescribed therefor, giving name, sex, age, which shall not be less than twenty-one years, name of school or college of which he is a graduate, and shall furnish the board satisfactory evidence of preliminary education as required in this chapter, and of good moral character, and that he is a graduate of a chiropractic school or college teaching chiropractic in accordance with the requirements of this chapter, which shall be determined by the board, together with such other information as the board may require, and which application shall be sworn to or affirmed before some other officer authorized to administer oaths and affirmations.

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"2. Any applicant who applies for examination to procure a license to practice chiropractic, and who has matriculated in a chiropractic school or college after the passage and approval of this chapter, shall furnish satisfactory evidence of their preliminary educational qualifications, to wit: A certificate of graduation from an accredited high school or its equivalent. Their chiropractic course shall cover a period of not less than three years of nine months each, and requiring actual attendance of not less than two thousand and forty-five hours which shall be construed as the maximum requirements for qualifications to practice chiropractic under this chapter." (Underlining ours.)

We see in paragraph one above that an applicant for examination for a license shall furnish, among other things, evidence to the Board that he is a graduate of a chiropractic school or college teaching chiropractic in accordance with the requirements of this chapter. In view of this we are of the opinion therefore that the applicant must, among other things, be a graduate of a chiropractic school or college to entitle him to an examination for a license.

Paragraph two above deals with any applicant who applies for examination to procure a license, who has matriculated after the passage and approval of this chapter (same having been passed in 1927) and requires that he shall furnish satisfactory evidence of his preliminary educational qualifications in addition to those in paragraph one which additional requirements are underscored by us in paragraph two. Certain educational qualifications need also be furnished, among them the fact that the chiropractic course "shall cover a period of not less than three years of nine months each, and requiring actual attendance of not less than 2045 hours which shall be construed as the maximum requirements to practice chiropractic under this chapter." We feel that this paragraph, referring back to paragraph one, makes it mandatory that any applicant since 1927 must have these qualifications in addition to being a graduate as set out in paragraph one to enable him to take the examination. It is our opinion that the statute is poorly drawn and very ambiguous and that the only way it can be construed is under established rules of construction, that is to apply the rule that all parts of an act should be made effective, if possible. *Elas v. Montgomery Elevator Co.*, 50 S.W.(2d) 130, 330 Mo. 596; *State ex rel. Mills v. Allen*

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128 S.W.(2d) 1040, 344 Mo. 743.

It is therefore our opinion, interpreting all parts of the statute together, that the legislative intent in passing the original act and the amendments thereto was that in order to take the examination and obtain a license to practice chiropractic one must be a graduate of a school or college of chiropractic and that in addition thereto must be a graduate of an accredited high school or its equivalent and to have attended a chiropractic school or college for a period of not less than three years of nine months each, requiring actual attendance of not less than 2045 hours to graduate and that it is mandatory that the course shall cover that number of hours to so graduate, take the examination, be licensed and allowed to practice chiropractic in this state.

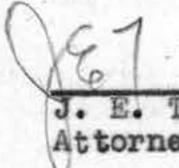
CONCLUSION

It is therefore the opinion of this department that an applicant for examination for license to practice chiropractic in this state must be a graduate of an accredited chiropractic school or college and that his course shall have consisted of three years of nine months each with actual attendance of 2045 hours to so graduate.

Respectfully submitted,

A. BERTRAM ELAM  
Assistant Attorney General

APPROVED:

  
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J. E. TAYLOR  
Attorney General

ABE:mw