



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

**PRICE DANIEL
ATTORNEY GENERAL**

April 10, 1952

Hon. Marshall Harvey, D.S.R.
Secretary-Treasurer
Texas State Board of Chiropractic Examiners
1121 19th Street
Lubbock, Texas

Opinion No. V-1434

Re: Eligibility of holders of certificates of preliminary education, issued prior to the 1951 revision of preliminary education requirements, to take future examinations to practice chiroprody.

Dear Sir:

Your request for an opinion of this office reads in part as follows:

"For the past several years this Board has had a rule that one must first obtain a Certificate of Preliminary Education prior to making application to take the Board's examination to obtain a license to practice Chiroprody in this State. These pre-education requirements are set forth in Article 4570, V.C.S., 1939.

"In revision of the same Article by the Fifty Second Legislature, 1951, the pre-education requirements were raised to include at least thirty hours from a college of Arts and Sciences in addition to high school education. The revised Article became effective immediately after the Governor's signature on May 3, 1951. At the close of the revised Article it is stated 'The provisions of this Article shall not affect students now enrolled in recognized schools or colleges of chiroprody, or for a period of one (1) year from date of this Act becoming law.'

"This Board meets each January and June to examine candidates for license and conduct other business. The next meeting dates are set for June 24-27, 1952 in Austin, Texas.

"QUESTION:

"Would those holders of Qualifying Certificates of Preliminary Education (high school only) whose certificates were issued prior to revision of Article 4570, be eligible to apply to take the examination for license at the above mentioned, or any other subsequent regular examination held by this Board?"

Article 4570, V.C.S., provides:

"All applicants for license to practice chiropody in this State, not otherwise licensed under the provisions of law, shall present satisfactory evidence to the State Board of Chiropody Examiners that such applicants have attained the age of twenty-one (21) years, are of good moral character and are free of all contagious and communicable diseases, and furnish a certified certificate of health to that effect, and are citizens of the United States of America, and who are graduates of a recognized high school with credits sufficient and acceptable to enter the state university of the state in which the high school graduation was attained, or the University of Texas, without condition toward a Bachelor's Degree, and the applicant shall have completed at least thirty (30) semester hours of college courses acceptable at the time same was completed, for credit on a Bachelor's Degree at the University of Texas, and shall present satisfactory evidence of graduation from a bona fide reputable school of chiropody in the form of a diploma which has conferred the degree of Doctor of Surgical Chiropody. Such chiropody schools may be considered reputable, within the meaning of this Act, whose course of instruction shall embrace at least four (4)

terms of at least eight (8) months each, and which meets the approval of the State Board of Chiropody Examiners. All educational attainments or credits for evaluation within the meaning of this Act, or applicable under this law, shall have been completed within the geographical boundaries of the United States, and no educational credits attained in any foreign country that are not acceptable to the University of Texas toward a Bachelor's Degree, shall be acceptable to the State Board of Chiropody Examiners. Candidates for a license to practice chiropody in Texas shall make an application, in writing, on a form prescribed by the Board, and all credits and information verified by affidavit contained in the form. The provisions of this Article shall not affect students now enrolled in recognized schools or colleges of chiropody, or for a period of one (1) year from the date of this Act becoming law. (Emphasis added.)

The underlined part of the article exempts two classes of applicants from its provisions; namely, those students who were enrolled in recognized schools or colleges of chiropody on the effective date of the act (May 3, 1951), and those who, although not in school on the effective date of the act, take the examination within a year from May 3, 1951. As to the first class, there is no time limit and those applicants who were enrolled in a recognized school or college on May 3, 1951, and who are qualified under the law as it existed prior to the amendment are eligible to apply for examination in June of 1952 or any subsequent date.

Applicants other than the students in this first class are not eligible to take the examination in June 1952, or at any subsequent date unless they meet the requirements of the present statute, even though they may have been issued Certificates of Preliminary Education prior to the effective date of the 1951 amendment, since the one year during which the second class of exempt applicants would be eligible to take the examination expires on May 3, 1952. It follows that a person holding a certificate based

on high school training only will not be eligible to take examinations given by the Board after May 3, 1952, unless he was enrolled as a student in a recognized school or college of chiropody on May 3, 1951.

SUMMARY

Applicants who were enrolled in a recognized school or college of chiropody on May 3, 1951, and who are qualified under the law as it existed on that date are eligible to take the examination given by the Texas State Board of Chiropody Examiners in June, 1952, or at any subsequent date on which the examinations are held. Applicants who were not enrolled in a recognized school or college of chiropody on May 3, 1951 are not eligible to take the examination given by the Board in June, 1952, or at any subsequent time unless they meet the requirements of the present statute, even though they hold Certificates of Preliminary Education issued prior to May 3, 1951.

Yours very truly,

PRICE DANIEL
Attorney General

APPROVED:

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