

August 30th, 1937

Dr. C. J. Wilkerson
Member Arizona State Board of
Naturopathic Examiners
700 N. 7th Avenue
Tucson, Arizona

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ARIZONA ATTORNEY GENERAL

Dear Sir:

In reply to your letter dated August 26 requesting our opinion as to your right to issue license to practice Naturopathy to Dr. L. E. Polhemus of Miami, under Section 8 of the Naturopathic Law:

You state that at the time of the passage of the Naturopathic Act Dr. Polhemus was out of the State and did not return until May 28th, 1936; that during his absence he retained his property and citizenship; and that on July 10, 1936, he made application to the Board for a license, under the provisions of Section 8 of the Naturopathic Law - which application is still pending.

Section 8, Chapter 105 of the 1935 Session Laws, provides as follows:

"2561h. Certificate to present practitioners. Any person of good moral character, who has practiced naturopathy in this state, continuously for at least five years immediately prior to the passage of this act, and can prove by established records and affidavits his actual and continuous practice for that period, shall be entitled to a license to practice naturopathy; providing, however, such person shall pass a regular examination given by the board covering the subjects it may assign for such examination. Applicants for a license under this section must apply within sixty days after the date this act becomes a law, and accompany their application with the fee provided for in section 6 (2561f) of this act. Applicants for a license under this section shall furnish the board all necessary information and affidavits necessary to enable the board to determine the applicants right to a license under this section, but any one who fails to apply for same within sixty days, forfeits all claims to such license. Licenses issued under the provisions of this section must be recorded within sixty days after issuance in the manner as provided for the recording of licenses in section 11 (2561k) of this act. If not so recorded, such license shall be forfeited by the holder thereof.

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"Practitioners licensed under the provisions of this section, shall, within thirty days after said license has been properly recorded, present same together with a fee of \$3.00 to the Arizona state board of examiners in the basic sciences at the university of Arizona, at Tucson, and the said board shall issue a certificate of registration in the basic sciences without examination in the same manner as heretofore issued to other practitioners engaged in practice at the time of the enactment of session laws of Arizona, 1939, section 8, of chapter 84 (Sec. 2507h), commonly known as the basic science law. (L. '35, c. 105, Sec. 8)."

We are of the opinion that if Dr. Polhemus, even though possessed of all other necessary requirements provided by the above quoted Section, did not make application within the 60-day period required, he is not entitled to apply for a certificate under the provisions of said Section 8.

Respectfully submitted,

JOE CONWAY
Attorney General

ALBERT M. GARCIA
Assistant Attorney General

E. G. FRAZIER
Special Assistant
Attorney General