

March 26, 1949

Dr. E. Larson,
Arizona Chiropractic Examining Board
1705 West Jefferson Street
Phoenix, Arizona

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ARIZONA ATTORNEY GENERAL

Dear Dr. Larson:

In answer to your letter of January 31, 1949, wherein
you ask:

"Would you please render me an opinion on the
following:

The Arizona Basic Science Act states that
a Chiropractic license shall not be issued,
until after the applicant has received a
Basic Science certificate.

Would it be legal for the Arizona Chiro-
practic Examining Board to give a Chiropractic
examination to an applicant who has not re-
ceived his Basic Science Certificate, providing
the Chiropractic Board does not issue the Chiro-
practic license? The Chiropractic Board would,
only, issue a letter to the applicant having
passed the examination, that the letter was no
license, but because the examination had been
passed, just as soon as the applicant had received
his Basic Science Certificate, then the holder
of said letter could submit the letter and re-
ceive his Chiropractic license",

you are advised that the chiropractic statute, Article 7,
Chapter 67, A.C.A.1939, does not say anything about basic
science examination. Section 67-703 reads as follows:

"Application for license--Qualifications--Fees.
Any person desiring to practice chiropractic
in this state shall make written application
to the board upon a form and in such manner
as prescribed by the board. The applicant
shall be a graduate of a chiropractic school
or college teaching a resident course of
three (3) years, of not less than six (6)
months each; state his qualifications in
his application; be of good character and
reputation, * * *"

This statute does not provide for basic science
examination, but when we read the Basic Science law, Section

67-206:

"Application for examination--Fees--School attended--Disclosure not required.-- Any person not hereinafter excepted from the provisions of this act desiring to practice healing in this state shall apply to the secretary of the state board of examiners in the basic sciences, on blank forms prepared and furnished by said board, to be examined in the basic sciences at the next examination therein following the making of such application and for a certificate of registration in the basic sciences, accompanying such application with a fee of twenty dollars (\$20.00) and sufficient and satisfactory proof that the applicant is twenty-one (21) years of age or over, is of good moral character and possesses an education equivalent to graduation from an accredited high school of this state; provided, that no applicant shall be required nor requested to disclose in such application the professional college or university he may have attended nor the branch or system of healing which he intends to pursue",

we find that the qualifications required by this statute do not include any special training in any special branch of healing but specifically say that the applicant for a basic science examination shall not be required to disclose the school that he has obtained training in or the branch of healing he intends to pursue. However, pursuing the basic science statute further, we have three paragraphs which provide for penalties; one for an individual practicing any of the healing arts without a basic science certificate; another for fraudulently obtaining a license; and another for obtaining a license or attempting to obtain a license to practice the basic science arts without a basic science certificate.

It is our opinion that you may give the chiropractic examination to an individual who has not passed his basic science examination with the understanding that his license will not be issued until he has passed his basic science examination. Such a clause could be inserted in your application form.

Very truly yours,

FRED O. WILSON, Attorney General

CHAS. ROGERS,
Assistant Attorney General

49-67