

# AN ACT to establish a Board of Registration in Medicine.

*Be it enacted, etc., as follows:*

SECTION 1. The governor, with the advice and consent of the council, shall appoint seven persons, residents in this Commonwealth, who shall be graduates of a legally chartered medical college or university having the power to confer degrees in medicine, and who shall have been actively employed in the practice of their profession for a period of ten years, who shall constitute a Board of Registration in Medicine. Such persons shall be appointed and hold office for terms of one, two, three, four, five, six and seven years, respectively, beginning with the first day of July in the present year, and until their respective successors are appointed, and thereafter the governor, with the advice and consent of the council, shall appoint, before the first day of July in each year, one person qualified as aforesaid, to hold office for seven years from the first day of July next ensuing. No member of said board shall belong to the faculty of any medical college or university. Vacancies in said board shall be filled in accordance with the provisions of this act for the establishment of the original board, and the person appointed to fill a vacancy shall hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office for cause by the governor, with the advice and consent of the executive council, and not more than three members of said board shall at one time be members of any one chartered state medical society.

SECTION 2. The members of said board shall meet on the second Tuesday of July next, at such time and place as they may determine, and shall immediately proceed to organize by electing a chairman and secretary, who shall hold their respective offices for the term of one year. The secretary shall give to the treasurer and receiver general of the Commonwealth a bond in the penal sum of five thousand dollars, with sufficient sureties to be approved by the governor and council, for the faithful discharge of the duties of his office. The said board shall hold three regular meetings in each year, one on the second Tuesday of March, one on the second Tuesday of July and one on the second Tuesday of November, and such additional meetings at such times and places as it may determine.

SECTION 3. It shall be the duty of said board immediately upon its organization to notify all persons practising medicine in this Commonwealth of the provisions of this act, by publication in one or more newspapers in each county, and every such person who is a graduate of a legally chartered medical college or university having power to confer degrees in medicine, and every person who has been a practitioner of medicine in this Commonwealth continuously for a period of three years next prior to the passage hereof, shall upon the payment of a fee of one dollar be entitled to registration, and said board shall issue to him a certificate thereof signed by the chairman and secretary.

SECTION 4. Any person not entitled to registration as aforesaid shall, upon payment of a fee of ten dollars, be entitled to examination, and if found qualified by four or more members of said board shall be registered as a qualified physician, and shall receive a certificate thereof as provided in section three. Any person refused registration may be re-examined at any regular meeting of said board, within two years of the time of such refusal, without additional fee, and thereafter he may be examined as often as he may desire, upon the payment of the fee of ten dollars for each examination. Said board after a conviction before a proper court, for crime in the course of professional business has been shown, and after hearing, may by unanimous vote revoke any certificate issued by them and cancel the registration of the person to whom the same was issued. All fees received by the board under this act shall be paid by the secretary thereof into the treasury of the Commonwealth once in each month.

SECTION 5. The compensation, incidental and travelling expenses of the board shall be paid from the treasury of the Commonwealth. The compensation of members of the board shall be ten dollars each for every day actually spent in the discharge of their duties, and three cents per mile each way for necessary travelling expenses in attending the meetings of the board, but in no case shall any more be paid than was actually expended. Such compensation and the incidental and travelling expenses shall be approved by the board and sent to the auditor of the Commonwealth, who shall certify to the governor and council the amounts due as in case of other bills and accounts approved by him under the provisions of law: *provided*, that the amounts



so paid shall not exceed the amount received by the treasurer and receiver general of the Commonwealth from the board in fees as herein specified, and so much of said receipts as may be necessary is hereby appropriated for the compensation and expenses of the board as aforesaid.

SECTION 6. The board shall keep a record of the names of all persons registered hereunder, and a record of all moneys received and disbursed by said board, and said records or duplicates thereof shall always be open to inspection in the office of the secretary of the Commonwealth. Said board shall annually report to the governor, on or before the first day of January in each year, the condition of medicine and surgery in this Commonwealth, which report shall contain a full and complete record of all its official acts during the year, and shall also contain a statement of the receipts and disbursements of the board.

SECTION 7. It shall be the duty of the board to investigate all complaints of disregard, non-compliance or violation of the provisions of this act, and to bring all such cases to the notice of the proper prosecuting officers.

SECTION 8. On and after the first day of January in the year eighteen hundred and ninety-five the board shall examine all applicants for registration as licensed physicians or surgeons. Applicants must give satisfactory proof of being twenty-one years of age and of good moral character; and every applicant who is a graduate of and has received a degree of Doctor of Medicine from a legally chartered medical college or university having power to confer degrees in medicine in this Commonwealth, shall be entitled prima facie to be registered under this act, upon the payment of the fees herein provided.

SECTION 9. Examinations shall be, in whole or in part, in writing, and shall be of an elementary and practical character. They shall embrace the general subjects of surgery, physiology, pathology, obstetrics and practice of medicine, and shall be sufficiently strict to test the qualifications of the candidate as a practitioner of medicine.

SECTION 10. Whoever not being registered as aforesaid shall advertise or hold himself out to the public as a physician or surgeon in this Commonwealth, by appending to his name the letters "M.D.," or using the title of doctor, meaning thereby a doctor of medicine, shall be punished by a fine of not less than one hundred nor more than five hundred dollars for each offence, or by imprisonment in jail for three months, or both.

SECTION 11. This act shall not apply to commissioned officers of the United States army, navy or marine hospital service, or to a physician or surgeon who is called from another state to treat a particular case, and who does not otherwise practise in this state, or to prohibit gratuitous services; nor to clairvoyants, or to persons practising hypnotism, magnetic healing, mind cure, massage methods, christian science, cosmopathic or any other method of healing: *provided*, such persons do not violate any of the provisions of section ten of this act.

SECTION 12. For the purposes of the appointment of said board, and of registration of persons by it hereunder, this act shall take effect upon its passage, and shall take full effect on the first day of January in the year eighteen hundred and ninety-five. [*Approved June 7, 1894.*]

Section 10. The Commission shall have the power to receive and accept gifts from individuals or corporations for the purpose of carrying out its functions.

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