

No. 235, A.]

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CHAPTER 264.

AN ACT to regulate the practice of medicine and surgery in the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The governor shall appoint a board of medical examiners consisting of seven members, who shall hold office as hereinafter provided and until their successors are appointed, to be known as the Wisconsin Board of Medical Examiners. Such appointments shall be made from three separate lists of ten names each, presented every second year to the governor, one list by the Wisconsin State Medical Society, one by the Homeopathic Medical Society of the state of Wisconsin, and one by the Wisconsin State Eclectic Medical Society. In case any one of said societies should fail to present such list of names as herein provided, the governor may fill the vacancies by the appointment of a sufficient number of reputable practitioners of medicine who shall be graduates of a recognized medical college and representative of the different schools of medicine as hereinafter provided. The members first appointed under this act shall be divided into two classes, the first class to consist of four members, who shall hold office under the said appointment for a term of two years, and the second class to consist of three members who shall hold office under said appointment for a term of four years, and thereafter all appointments shall be for four years. No person shall be appointed to serve for more than two terms in succession, and no member of any medical school, college or university having a medical department shall be

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appointed on said board. Three of the appointees shall be regular physicians, and two of them shall be homeopathic physicians, and two of them shall be eclectic physicians, and vacancies in said board may be filled as they occur by appointment from said list, preserving the same proportion of the different schools of medicine as aforesaid.

The board to elect its officers. Duties of the board defined.

SECTION 2. Said board of medical examiners shall elect from their members a president, secretary and treasurer, and shall have a common seal. The president or secretary shall have the power to administer oaths for the purposes of this act. Said board shall hold four regular meetings each year, on the second Tuesday in January, April, July and October. One in Madison, and one in Oshkosh, and two in Milwaukee, and hold such other meetings at such other times and places as the said board may from time to time determine. Said board shall keep a record of all the proceedings thereof, and also a register of all applicants for license, together with his or her age, time spent in the study of medicine, and the name and locality of all institutions granting to such applicants, degrees or certificates of lectures in medicine, or surgery. Said register shall also show whether such applicant was rejected or licensed under this act; said books and register shall be prima facie evidence of all the matters required to be kept therein.

Persons practicing medicine must first procure a license from said board; courses of study; examinations, etc.

SECTION 3. All persons hereafter commencing the practice of medicine or surgery in any of their branches in this state, shall apply to the said board for license so to do at the time and place designated by said board, or at the regular meeting of said board, and shall submit to an examination in the various branches of medicine and surgery, or present to said board his or her diploma from a medical college, that requires after January 1, 1897, at least three courses, of no less than six months each, before graduation. And after the year 1904, at least four courses of not less than six months each be-

fore graduation, no two of said courses to be taken within one twelve month. The examination in materia medica, therapeutics and practice of medicine shall be conducted by the members of said board representing the school of medicine which the applicant claims to follow; and the proceedings of the board shall, at all reasonable times, be open to public inspection. After examination or upon presentation of a satisfactory diploma as hereinbefore provided, the said board shall, if it find the applicant qualified, grant a license to said applicant to practice medicine and surgery in the state of Wisconsin, which said license can only be granted by the consent of not less than five members of said board, and which said license shall be signed by the president and secretary of the said board, and attested by the seal thereof. The fee for such examination shall be fixed by said board but shall not exceed the sum of ten dollars. When no examination shall be required, and in case a satisfactory diploma as hereinbefore provided shall be presented, the fee shall not exceed five dollars, and such fees shall be paid by the applicant to the treasurer of said board, to be applied by the said board toward defraying the expenses thereof. And said board, after notice to the party concerned, and hearing, may, by unanimous vote, revoke the certificate of any person registered by them who has been convicted before the proper courts, of crime committed in course of professional business. The person so receiving such license, shall record the same with the county clerk in the county where he or she resides, and the said county clerk shall enter a memorandum thereof giving the date of said license, name of the person to whom the same is issued, and the date of such recording, in a book to be provided and kept for that purpose. Any person removing to any other county to practice medicine or surgery, shall record said license in like manner, in the county to which he or she removed. Any practitioner of medicine holding a certificate from any other state board

that imposes equal requirements, may, on presentation of the same, with a diploma, be admitted to practice in this state without an examination, at the discretion of the board, on the payment of the regular fee as hereinbefore provided.

Secretary of the board to act as treasurer; disposition of the funds.

SECTION 4. All money received by the board shall be kept by the secretary thereof, who shall act as treasurer thereof. Out of the funds coming into their possession from the fees mentioned in this act, the members may receive all legitimate and necessary expenses incurred in attending the meetings of such board and for their services, a sum to be determined by the board, not exceeding five dollars for each day actually spent in attendance upon the meetings of the board; the secretary shall receive a salary in payment of all services, the amount thereof to be fixed by said board, not to exceed three hundred dollars per annum. Such expenses shall be paid from the fees received by the board under this act, and no part of the expenses of said board, shall be paid out of the state treasury. The secretary shall furnish to the board, such bond as it may from time to time direct. It shall be the duty of said board to make a biennial report of all the proceedings to the governor at the end of each biennial period together with an account of all moneys received and disbursed by them pursuant to this act, and all moneys in excess of actual expenses are to be paid into the state treasury.

Act does not apply to commissioned surgeons.

SECTION 5. This act shall not apply to commissioned surgeons of the United States army, navy or marine hospital service, to physicians or surgeons in actual consultation from other states or territories, or to medical students practicing medicine under the direct supervision of a preceptor.

Licenses must be procured before July 1, 1897.

SECTION 6. Every person who shall begin the practice of medicine or surgery within this state after July 1, 1897, shall be required to have such license, and any person beginning such practice after said date, without first having obtained

the license as herein provided for, or contrary to the provisions of this act, or who not having the license aforesaid, shall advertise or hold himself out to the public as a physician or surgeon or specialist in medicine or surgery in this state, or who shall use the title of doctor or append to his or her name the letters M. D. or M. B., meaning thereby doctor of medicine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars for each such offense, or by imprisonment in the county jail for three months, or both.

SECTION 7. Every person shall be regarded as practicing medicine within the meaning of this act, who shall append the letters M. D. or M. B. to his or her name with intent to represent that he or she is a physician or surgeon, or who shall for a fee, prescribe drugs or other medical or surgical treatment for the cure or relief of any wound, fracture, bodily injury, infirmity or disease. This act shall not apply to dentists in the practice of their profession. It shall be the duty of the board to investigate all complaints, all 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. Justices of the peace and the respective municipal courts and courts of record, shall have jurisdiction over cases involving violation of this act, and it shall be the duty of the respective district attorneys to prosecute violations of this act.

SECTION 8. All acts or parts of acts so far as they conflict with the provisions of this act, are hereby repealed.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1897.

The use of appended letters M. D. or M. B. to a person's name shall be regarded as those of a practitioner.

Repealing section.