

No. 438, A.]

[Published June 25, 1949.

CHAPTER 318.

AN ACT to repeal 147.23 (6) and to create 147.24, 147.25 and 147.26 of the statutes, relating to regulations governing the practice of chiropractic.

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

SECTION 1. 147.23 (6) of the statutes is repealed.

SECTION 2. 147.24 of the statutes is created to read:

147.24 LICENSE REVOCATION OR SUSPENSION. The board of examiners in chiropractic, by order, may deny, suspend or revoke any license or certificate of registration if the licensee or registrant:

- (1) Obtained the license or certificate through error or fraud;
- (2) Is habitually drunk or addicted to the use of habit-forming drugs;
- (3) Is hereafter convicted in a court of competent jurisdiction, either within or without this state, or in federal court, of any violation of any law governing the practice of chiropractic or of any felony, a certified copy of the record of conviction to be conclusive evidence of such conviction;
- (4) Has obtained or sought to obtain anything of value by fraudulent representation in the practice of chiropractic;
- (5) Is guilty of immoral or unprofessional conduct;
- (6) Has continued practice, knowingly having an infectious or contagious disease; or
- (7) If the applicant or registrant maintains a professional connection or association with any other person continuing to violate the provisions of this chapter after 10 days' notice in writing by the board.

SECTION 3. 147.25 of the statutes is created to read:

147.25 UNPROFESSIONAL CONDUCT. Unprofessional conduct shall include, without limitation because of enumeration:

- (1) Any conduct of a character likely to deceive or defraud the public;
- (2) Loaning of a chiropractic license or certificate to anyone;
- (3) Employment of "cappers" or "steerers" to obtain chiropractic business, or any public solicitation of chiropractic patronage;
- (4) Splitting or dividing any fee for chiropractic service with any person except an associated licensed chiropractor.
- (5) Use of unprofessional advertising which shall include without limitation because of enumeration:
 - (a) Any advertising statement of a character tending to deceive or mislead the public;
 - (b) Advertising professional superiority or performance of professional services in a superior manner;
 - (c) Advertising fixed prices for variable services;
 - (d) Using advertising solicitors or press agents;
 - (e) Use of office signs which contain wording other than the names of duly licensed chiropractors practicing therein, office hours and purely educational matter not in conflict with law.
 - (f) Use of printed advertisements which contain wording of other than names of duly licensed chiropractors, office hours, location, telephone numbers and educational matter not in conflict with law.

SECTION 4. 147.26 of the statutes is created to read:

147.26 PROCEDURE FOR HEARINGS. (1) The board may make investigations and conduct hearings in regard to the conduct of any licensed chiropractor who, it has reason to believe, is acting or has acted in violation of sections 147.24 or 147.25. The chairman or secretary of the board may administer oaths and issue subpoenas for attendance of witnesses and take testimony under oath. The person complained against shall have notice in writing of the charges, specifying a date not less than 10 days after service thereof for a hearing and shall have opportunity to confront witnesses and produce testimony. A stenographic record of the proceedings shall be taken and a transcript made for the board's files. The person complained against may within 60 days after notice in writing to the board's action mailed to his last-known address, by registered mail, proceed to review any action of the board as provided in chapter 227.

(2) Upon application and satisfactory proof that the cause of such revocation or suspension no longer exists, the board, in its discretion, may reinstate any license or registration by it suspended or revoked.

Approved June 22, 1949.
