

Subd. 2. The issuance of seals to any manufacturer convicted of a violation of this act may be suspended by the commissioner, and no further seals shall be issued to any such manufacturer except upon proof satisfactory to the commissioner that the conditions which brought about the violation have been remedied.

Subd. 3. Seals remain the property of the department of administration and may be removed by the commissioner from any mobile home which is in violation of the code.

Approved May 20, 1971.

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### CHAPTER 410—S.F.No.910

*An act relating to the basic sciences, changing the subject matter included in this term; changing the times when examinations shall be given; increasing the compensation to members of the state board of examiners in the basic sciences; changing the examination requirements prerequisite to achieving a certificate of registration in the basic sciences; raising the fee for registration without examination; changing the scope of reciprocity; raising the fee for registration by reciprocity; changing the fee for reinstatement; amending Minnesota Statutes 1969, Sections 146.01; 146.05; 146.06, Subdivision 1; 146.07; 146.08; 146.09; and 146.19.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 146.01, is amended to read:

**146.01 HEALTH; BASIC SCIENCES; PRACTICING HEALING AND PRACTICE OF HEALING; FEES.** Wherever the term "basic sciences" is used in this chapter, and not otherwise specifically defined, the same shall be understood and construed to mean and include all matters pertaining to anatomy, physiology, pathology, bacteriology, ~~hygiene~~, and chemistry, so far as the same relate to the human system or mind as generally treated in each or all of these subjects. Wherever the term "practicing healing" or "practice of healing" is used in this chapter, unless otherwise specifically defined, the same shall be understood and construed to mean and include any person not hereinafter excepted from the provisions of this chapter, who shall in any manner for any fee, gift, compensation, or reward, or in expectation thereof, engage in, or hold himself out to the public as

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being engaged in, the practice of medicine or surgery, the practice of osteopathy, the practice of chiropractic, the practice of any legalized method of healing, or the diagnosis, analysis, treatment, correction, or cure of any disease, injury, defect, deformity, infirmity, ailment, or affliction of human beings, or any condition or conditions incident to pregnancy or childbirth, or examination into the fact, condition, or cause of human health or disease, or who shall, for any fee, gift, compensation, or reward, or in expectation thereof, suggest, recommend, or prescribe any medicine or any form of treatment, correction, or cure thereof; also any person, or persons, not hereinafter excepted from the provisions of this chapter, individually or collectively, who maintains an office for the reception, examination, diagnosis, or treatment of any person for any disease, injury, defect, deformity, or infirmity of body or mind, or who attaches the title of doctor, physician, surgeon, specialist, M.D., M.B., D.O., D.C., or any other word, abbreviation, or title to his name indicating, or designed to indicate, that he is engaged in the practice of healing.

Sec. 2. Minnesota Statutes 1969, Section 146.05, is amended to read:

**146.05 ORGANIZATION.** The state board of examiners in the basic sciences shall elect from its members a president, vice president, and secretary-treasurer, who shall each serve for one year, or until his successor is elected and has qualified; and have authority to prescribe such reasonable rules and regulations relative to the examination of applicants in the basic sciences as may be found necessary for the performance of its duties. As to any matters coming under its jurisdiction, the board in session may take such testimony as it may deem necessary in the exercise of its powers and the performance of its duties under the provisions of this chapter and any member shall have the power to administer oaths in the taking of such testimony. Three members of the board shall constitute a quorum for the transaction of business. The board shall have a common seal, which shall be kept by the secretary, whose duty it shall be to keep a record of all proceedings of the board, including the register of all applicants for examination therein, preserving the names, addresses, ages, educational qualifications, and the result of their examination, which shall at all times be available for inspection by any parties in interest. The board shall meet at the University of Minnesota and there conduct examinations in the basic sciences ~~four~~ two or more times each year, respectively, ~~on the first Tuesday in January, April, June, and October and may hold other meetings~~ at such times and places as the board shall determine. The board may appoint and fix the salaries of an assistant secretary and other employees and shall have power to employ such expert assistants as it may deem necessary to carry out the purposes of this chapter. Such employees shall hold their positions at the pleasure of the board. The compensation of each member of the board shall be ~~\$35~~ \$50 for each day actually spent

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in the performance of his duties, together with actual necessary expenses, payable out of the funds of the board pursuant to the laws and rules governing such expenses for state employees.

Sec. 3. Minnesota Statutes 1969, Section 146.06, Subdivision 1, is amended to read:

**146.06 EXAMINATIONS.** Subdivision 1. Any person not hereinafter excepted from the provisions of this chapter 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 it, 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 ~~\$25~~ \$40 and sufficient and satisfactory proof that the applicant is 21 years of age or over, is of good moral character ~~and~~, has an education equivalent to graduation from an accredited high school of this state, and successful completion of two full years of study leading to a baccalaureate degree in an institution accredited to the University of Minnesota; provided, that no applicant shall be required or 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. Examinations shall be in the basic sciences only and ~~may~~ shall be ~~both either~~ written and or by demonstration or other practical test, including consideration by the board of performance on examinations which require a background in the basic sciences, or practical experience which demonstrates competence in the basic sciences, as the board may determine.

Sec. 4. Minnesota Statutes 1969, Section 146.07, is amended to read:

**146.07 CERTIFICATE OF REGISTRATION.** If in such examination the applicant attains ~~an average grade of 75 percent in each subject, with no individual grade in any one subject lower than 70 percent,~~ he shall receive a certificate of registration in the basic sciences, signed by the president and secretary and sealed with the seal of the board. If he fails in one or two subjects subject only, he may be re-examined in the subjects subject in which he failed at any examination within one year without further application or examination fee and, upon attaining a grade of 75 70 percent therein or better, which together with his passing grades from his previous examination will give an average grade for all subjects of 75 percent, he shall receive his certificate of registration in the basic sciences. If he fails in three or more of the subjects an applicant who has failed only one subject is not re-examined in that subject within one year, or if an applicant fails in two or more of the five subjects, he may make a new application for examination in all subjects and again pay the secretary-treasurer of the board the examination fee of \$25 \$40.

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Sec. 5. Minnesota Statutes 1969, Section 146.08, is amended to read:

**146.08 REGISTRATION WITHOUT EXAMINATION.** Any person not hereinafter excepted from the provisions of this chapter who was lawfully authorized to practice healing in this state on May 1, 1927, and who was on that date regularly licensed or registered in the manner then by law provided, shall, upon application, as herein provided, receive from the state board of examiners in the basic sciences a certificate of registration in the basic sciences without examination therein; provided, that on or before October 1, 1927, every such person shall apply to the secretary of the board for such certificate of registration, accompanying such application with sufficient and satisfactory evidence that he was, on the date of the passage of this chapter, lawfully authorized to practice healing or regularly licensed or registered according to law in the particular branch or system of healing by him pursued, and specifying in the application the branch or system of healing pursued by the applicant, the school from which he was graduated, if any, and the date of graduation from the school, together with a fee of \$3. Such certificate of registration shall recite that registration is made solely as a person lawfully authorized to practice healing or licensed or registered according to law on May 1, 1927, and that same was issued without examination in the basic sciences. Any person entitled to a certificate of registration in the basic sciences without examination therein pursuant to the provisions of this section, who fails to apply for same in the manner herein provided, shall not receive such certificate of registration except upon an application for examination and actual examination in the basic sciences, as hereinbefore provided. The state board of examiners in the basic sciences may, after the first day of October, 1927, in its discretion, upon payment to it of a fee of ~~\$25~~ \$40, issue a certificate of registration in the basic sciences without examination to any person who would have been entitled thereto pursuant to the provisions of this section upon applying therefor on or before the first day of October, 1927, and who makes application therefor in the manner herein provided and shows good cause why the application was not made on or before the first day of October, 1927.

Sec. 6. Minnesota Statutes 1969, Section 146.09, is amended to read:

**146.09 PRACTITIONERS FROM OTHER STATES.** The state board of examiners in the basic sciences may issue a certificate of registration in the basic sciences without examination therein to an applicant who presents sufficient and satisfactory evidence of having passed examinations in the basic sciences before the national board of medical examiners, the national board of osteopathic examiners, the national board of chiropractic examiners, or a legal examining board or officer of another state or of a foreign country, if the standards of

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such other state or foreign country or of any of the above examining boards are determined by the board to be as high as those of this state, ~~and if such other state or foreign country shall be then according a like privilege to persons licensed to practice healing under the authority of the laws of this state and who has successfully completed two full years of study leading to a baccalaureate degree in an institution accredited to the University of Minnesota , and who presents sufficient and satisfactory proof that he is 21 years of age or over and of good moral character, accompanying the application with a fee of \$50 \$60 to the secretary-treasurer of the board.~~

Sec. 7. Minnesota Statutes 1969, Section 146.19, is amended to read:

**146.19 OTHER OFFENSES; PENALTY.** Any person implicated in employing fraud or deception in applying for or securing a certificate of registration in the basic sciences, or in passing any examination therefor, or in registering annually under this chapter, shall be guilty of a gross misdemeanor. It shall be the duty of the clerk of the court wherein any conviction is had under this section to file a certified copy thereof with the proper board, and thereupon the secretary of such board shall cancel such certificate upon the records of his office and forthwith notify the respective clerks of the courts wherein such certificate is recorded, of such cancelation; and such clerks shall immediately note such cancelation on their respective records thereof. For filing a certified copy of any conviction, as herein required, the clerk of the court shall charge a fee of \$1.

Any practitioner of healing whose certificate of registration in the basic sciences has been suspended or revoked for other than fraud or deception, may be reinstated, or a new certificate of registration in the basic sciences issued to him, as the case may be, without examination, upon the payment of a fee of ~~\$25 \$40~~ , when in the discretion of the board such action is warranted.

Sec. 8. **EFFECTIVE DATE.** The increase in fees provided by sections 146.06, subdivision 1; 146.07; 146.08; 146.09; and 146.19, shall be effective for all fees due and payable on or after July 1, 1971.

Approved May 20, 1971.

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CHAPTER 411—S.F.No.926

[Not Coded]

*An act authorizing the commissioner of natural resources to convey certain lands in Wabasha county.*

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