

A BILL

FOR AN ACT REGULATING THE PRACTICE OF MEDICINE AND SURGERY.

SECTION 1. *Be it Enacted by the General Assembly of the State of Iowa,* That it shall be
2 unlawful for any person to practice medicine or surgery in this state, who shall not have first re-
3 ceived the degree of doctor of medicine from some medical college or university duly established
4 under and by virtue of the laws of the state or county in which the same is situated.

SEC. 2. Every person hereafter wishing to commence the practice of medicine or surgery in
2 this state shall file a copy of his or her diploma in the office of the county clerk in which he or she
3 resides, which copy shall be sworn to and subscribed by the party filing the same; and thereupon
4 the clerk shall enter the name of such party, the date of filing the same, the date of his or her di-
5 ploma, and name or location of the school or university granting the same, in a book kept by him
6 for that purpose—to be called “the roll of physicians and surgeons”—for which he shall re-
7 ceive the sum of one dollar, the same to be paid by the applicant.

SEC. 3. All persons now practicing medicine or surgery in the state of Iowa without a di-
2 ploma, who have practiced for the term of ten years, consecutively, shall file in the office of the
3 county clerk in which he or she resides a sworn statement to the effect that he or she has practiced
4 medicine or surgery for the term of ten years, said statement to be corroborated by the sworn state-
5 ments of three disinterested witnesses that to their certain knowledge he or she has practiced medi-
6 cine or surgery for such and such a length of time in the county or counties in which they (the
7 witnesses) reside, beginning on the —— day of the month of ——, A. D., ——, and ending
8 on the —— day of the month of ——, A. D., ——, said oath to be certified to by the county
9 clerk of the county in which they (the witnesses) reside. Any person or persons swearing falsely
10 and such being proved, shall be guilty of perjury, and subject to the penalty affixed by the
11 law of the state in which he or she resides.

12 Upon the party filing such sworn statement (as to the time of practice) the county clerk of the
13 county in which he or she resides shall enter the name of the party on the roll of physicians and
14 surgeons, together with the names of the sworn witnesses, and the county or counties in which
15 they reside; the clerk to receive fees as in section 2.

SEC. 4. Every person who shall practice or attempt to practice medicine or surgery in this
2 state, without first having complied with the provisions of this act, shall be deemed guilty of a mis-

3 demeanor, and upon conviction shall be fined not less than one hundred nor more than five hundred
4 dollars ; and the fact that any person has not filed such copy of his or her diploma, or complied
5 with the conditions of section three, as herein required, shall be sufficient defense to any action
6 brought by him (or her) for his or her services rendered or medicine furnished, as a physician or
7 surgeon, during the time he or she may have failed to comply with the provisions of this act.

SEC. 5. Certified copies from the roll of physicians and surgeons in any county, certified un-
2 der the hand of the county clerk, and the seal of said clerk, as well as duly certified copies of any
3 diploma, filed under the provisions of this act, shall be received in evidence in all the counties of
4 this state in all cases arising under the provisions of this act.

SEC. 6. This act shall not be construed to prohibit any woman from practicing midwifery, and
2 receiving pay therefor, without filing a copy of diploma or sworn statement (of section 3).

SEC. 7. Nothing in this act shall be construed to prevent medical students that have attended
2 one full regular course of lectures in a medical college of good standing, established under and by
3 virtue of the laws of this state, and who shall only be permitted to practice medicine and surgery
4 with and under the instructions of their preceptor.

SEC. 8. This act being deemed of immediate importance, shall take effect and be in force
2 from and after its publication in the *Iowa State Register* and *Iowa State Leader*, newspapers
3 published in Des Moines, Iowa.

Mr. McAllister, from the Committee on Medicine and Surgery, submitted the following report :

MR. SPEAKER :—Your Committee on Medicine and Surgery, to whom was referred House Files Nos. 38, 47, 134 and 320, bills for an act regulating the practice of medicine, surgery and obstetrics, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the substitute that the committee have adopted do pass.

McALLISTER, *Chairman.*

SUBSTITUTE FOR HOUSE FILES NOS. 38, 47, 134 AND 320.]

A BILL

FOR AN ACT REGULATING THE PRACTICE OF MEDICINE, SURGERY AND OBSTETRICS.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be
2 unlawful for any person to practice medicine, surgery or obstetrics in this state, who shall not
3 have first received the degree of doctor of medicine from some medical college or university duly
4 established under and by virtue of the laws of the state or county in which the same is situated.

SEC. 2. Every person hereafter wishing to commence the practice of medicine, surgery or ob-
2 stetrics in this state, shall file a copy of his or her diploma in the office of the county clerk in
3 which he or she resides, which copy shall be sworn to and subscribed by the party filing the same;
4 and thereupon the clerk shall enter the name of such party, the date of filing the same, the date
5 of his or her diploma, and name or location of the school or university granting the same, in a
6 book kept by him for that purpose, to be called "the roll of physicians and surgeons," for which
7 he shall receive the sum of one dollar, to be paid by the applicant.

SEC. 3. All persons now practicing medicine, surgery or obstetrics, in the state of Iowa, with-
2 out a diploma, who have practiced for the term of five years, consecutively, shall file in the office
3 of the county clerk in which he or she resides, a sworn statement to the effect that he or she has
4 practiced medicine, surgery or obstetrics for the term of five years, said statement to be corrob-
5 orated by the sworn statements of three disinterested witnesses, that to their certain knowledge he
6 or she has practiced medicine, surgery or obstetrics for such and such a length of time, in the
7 county or counties in which they (the witnesses) reside, beginning on the day of the month of
8, A. D.,, and ending on the day of the month of, A. D., ;
9 said oath to be certified to by the county clerk of the county in which they (the witnesses) reside.
10 Any person or persons swearing falsely, and such being proved, shall be guilty of perjury, and
11 subject to the penalty affixed by the law of the state in which he or she resides. Upon the party

12 filing such sworn statement, (as to the time of practice,) the county clerk of the county in which he
 13 he or she resides shall enter the name of the party on the roll of physicians and surgeons, together
 14 with the names of the sworn witnesses, and the county or counties in which they reside ; the clerk
 15 to receive fees as in section 2.

SEC. 4. Every person who shall practice, or attempt to practice medicine, surgery or obstetrics in
 2 this state, without first having complied with the provisions of this act, shall be deemed guilty of a
 3 misdemeanor, and upon conviction shall be punished by imprisonment in the county jail not less than
 4 thirty days, or by fine not exceeding five hundred dollars, or both ; and the fact that any person
 5 has not filed such copy of his or her diploma, or complied with the conditions of section 3, as herein
 6 required, shall be sufficient defense to any action brought by him (or her) for his or her services
 7 rendered or medicines furnished as a physician or surgeon, during the time he or she may have
 8 failed to comply with the provisions of this act.

SEC. 5. Certified copies from the roll of physicians and surgeons in any county, certified under
 2 the hand of the county clerk, and the seal of said clerk, as well as duly certified copies of any
 3 diplomas filed under the provisions of this act, shall be received in evidence in all the counties of
 4 this state, in all cases arising under the provisions of this act.

SEC. 6. Any person traveling within the limits of this state as an itinerant physician or sur-
 2 geon, will be required to strictly conform to all the provisions of this act, and in addition thereto
 3 must pay one hundred dollars per month as a license, (for the benefit of the temporary school
 4 fund,) into the county treasury of the county in which said advertised itinerant physician or sur-
 5 geon proposes to practice the profession within the meaning of this act. Failing to comply with the
 6 provisions of this section, the offender will upon conviction of each offense receive the highest pen-
 7 alty of fine and imprisonment as set forth in section 4 of this act.

SEC. 7. Nothing in this act shall be construed to prohibit medical students from practicing
 2 medicine, surgery or obstetrics, who have attended one full regular course of lectures in a med-
 3 ical college of good standing, established under and by virtue of the laws of this state ; *provided,*
 4 only they shall be permitted to practice medicine, surgery and obstetrics with and under the in-
 5 struction of their preceptor.

SEC. 8. This act being deemed of immediate importance, shall take effect and be in force from
 2 and after its publication in the *Iowa State Register* and *Iowa State Leader*, newspapers published
 3 in Des Moines, Iowa.