

1 SEC. 15. This act being deemed of immediate importance shall
 2 be in full force and effect after its passage and publication in the
 3 Dyersville Commercial, a newspaper published at Dyersville, Iowa,
 4 and in the Daily Tribune, a newspaper published at Dubuque, Iowa.

Senate File 320. Approved May 4, 1935.

I hereby certify that the foregoing act was published in the Dyersville Commercial,
 May 9, 1935, and the Dubuque Daily Tribune, May 7, 1935.

MRS. ALEX MILLER, *Secretary of State.*

CHAPTER 17

BASIC SCIENCES. BOARD OF EXAMINERS

S. F. 20

AN ACT to establish a board of examiners in the basic sciences; to provide for its organization, powers, duties and compensation; to provide for examination in the basic sciences; authorizing such board to issue a certificate of proficiency in the basic sciences, which certificate shall be a pre-requisite to eligibility for examination for license to practice medicine and surgery, osteopathy, osteopathy and surgery and chiropractic or any other system or method of healing that may hereafter be legalized in the state of Iowa; to define the basic sciences, the healing arts, a license and to provide penalties for the violation of this act; to provide that the provisions of this act shall be severable.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. This act shall be known as the "Iowa basic science law."

1 SEC. 2. Definitions for the purpose of this act—

2 a. The basic sciences shall mean the following subjects:

- 3 1. Anatomy.
- 4 2. Physiology.
- 5 3. Chemistry.
- 6 4. Pathology.
- 7 5. Bacteriology.
- 8 6. Hygiene.

9 b. The practice of the healing art shall mean holding one's self
 10 out as being able to diagnose, treat, operate or prescribe for any
 11 human disease, pain, injury, deformity or physical or mental condi-
 12 tion and who shall either offer or undertake, by any means or method,
 13 to diagnose, treat, operate or prescribe for any human disease, pain,
 14 injury, deformity or physical or mental condition.

15 c. A license shall mean a certificate issued to a person licensed
 16 to practice certain professions affecting the public health as provided
 17 in title eight (8) of the code of Iowa, 1931, and acts amendatory
 18 thereto.

1 SEC. 3. There is hereby established a board of examiners in the
 2 basic sciences of six members authorized and directed to conduct
 3 a written examination of all persons who shall hereafter apply for
 4 a license to practice medicine and surgery, osteopathy, osteopathy
 5 and surgery, chiropractic or any other system or method of healing
 6 that may hereafter be legalized in this state; said examination shall
 7 cover the six following basic sciences, viz:

- 8 1. Anatomy.
- 9 2. Physiology.
- 10 3. Chemistry.
- 11 4. Pathology.
- 12 5. Bacteriology.
- 13 6. Hygiene.

1 SEC. 4. No person shall hereafter be eligible for examination or
2 be permitted to take an examination for a license to practice medicine
3 and surgery, osteopathy, osteopathy and surgery, chiropractic or any
4 other system or method of healing that may be hereafter legalized in
5 this state or be granted any such license until he has presented to
6 the licensing board empowered to issue a license, a certificate of pro-
7 ficiency in the basic sciences as provided in this act. This require-
8 ment shall be in addition to all other requirements now or hereafter
9 in effect with respect to the issuance of such license or licenses.

1 SEC. 5. Nothing in this act shall be construed to apply to persons
2 holding licenses as physicians and surgeons, osteopaths, osteopaths
3 and surgeons or chiropractors at the time this act takes effect;
4 nor shall this act, at any time, be construed to apply to dentists,
5 dental hygienists, nurses, pharmacists, optometrists, embalmers, po-
6 diatrists, barbers or cosmetologists practicing within the limits of
7 their respective licenses or christian scientists. This act shall not
8 apply to students regularly registered, enrolled and in attendance
9 as of July 1, 1936, in accredited schools of medicine, osteopathy or
10 chiropractic in the state of Iowa.

1 SEC. 6. The governor shall, with the approval of two thirds of
2 the senate in executive session, appoint a board of examiners in the
3 basic sciences, hereinafter referred to as the "board", consisting of
4 six members learned respectively in the basic sciences named herein
5 from the faculties of the universities and four year colleges accred-
6 ited by the Iowa state board of educational examiners, who shall be
7 appointed two for two years, two for four years, and two for six years
8 from the dates of their respective appointments. On the expiration
9 of the term of any member the governor shall, with the approval of
10 two thirds of the senate in executive session, fill the vacancy or va-
11 cancies by appointment for a term of six years; on the death, resig-
12 nation or removal of any member the governor shall, with the approval
13 of two thirds of the senate in executive session, fill the vacancy by
14 appointment for the unexpired portion of the term. No member of
15 the board shall hold a degree in any of the healing arts. Not more
16 than one member of the board shall be appointed from the faculties
17 of any one of the universities or four year colleges described herein.

1 SEC. 7. The board shall meet and organize, as soon as practicable,
2 after appointment. It shall have power to elect officers from its
3 members, to adopt a seal and to make such rules, in addition to the
4 rules hereinafter specified, as it deems expedient to carry this act
5 into effect. The board shall elect a chairman and secretary from its
6 members.

1 SEC. 8. The secretary of the board shall keep a correct record of
2 the proceedings of said board and the questions submitted in the
3 examination of the applicant, and the applicant's answers thereto,

4 and upon the granting of a certificate of proficiency in the basic
5 sciences shall, at the time of granting said certificate, certify to the
6 state department of health the application upon which such certifi-
7 cate was issued, together with the questions submitted in the exam-
8 ination of such applicant and the answers thereto and such secretary
9 shall deposit with the department of health all records not needed
10 for the current use of his examining board.

1 SEC. 9. The state department of health shall furnish the board
2 with all articles and supplies required for the public use and neces-
3 sary to enable said board to perform the duties imposed upon it by
4 law. Such articles and supplies shall be obtained by the departments
5 in the same manner in which the regular supplies are obtained and
6 the same shall be considered and accounted for as if obtained for the
7 use of the department.

1 SEC. 10. The executive council shall furnish the board with a suit-
2 able office and quarters in which to conduct the examinations held by
3 said board at the seat of government.

1 SEC. 11. Each member of the board shall, in addition to necessary
2 traveling and hotel expenses, receive ten (10) dollars per day for
3 each day actually engaged in the discharge of his duties, including
4 compensation for the time spent in traveling to and from the place
5 of conducting the examination, and for a reasonable number of days
6 for the preparation of examination questions and the reading of
7 papers, in addition to the time actually spent in conducting examina-
8 tions. The compensation and expenses of the members and other ex-
9 penses of the board shall be paid out of the fees received from appli-
10 cants.

1 SEC. 12. The fee for examination* or any re-examination by the
2 board shall be ten (10) dollars, the fee for the issuing of a certifi-
3 cate by authority of reciprocity, as provided herein, shall be ten (10)
4 dollars. All fees shall be paid to the secretary of the board by the
5 applicant at the time of filing application. The secretary shall pay
6 all money received as fees into the state treasury to be placed in a
7 special fund to the credit of the board. The state treasurer shall pay
8 out of such fund the compensation and expense of the members and
9 other expenses incurred by the board on vouchers signed by the presi-
10 dent and secretary of the board.

1 SEC. 13. No person shall be eligible for examination for a certifi-
2 cate of proficiency in the basic sciences until he shall have furnished
3 satisfactory evidence to the board that he has attained the age of
4 twenty-one years, is of good moral character and is a graduate of
5 an accredited high school or possesses the educational qualifications
6 equivalent to those required for graduation by an accredited high
7 school, to be determined by the board.

1 SEC. 14. Any person desiring to take the examination for a cer-
2 tificate of proficiency in the basic sciences shall make application to
3 the board, at least fifteen days before the examination, on a form
4 provided by the board. Such application shall be accompanied by
5 the examination fee and such affidavits as are necessary to show

6 the eligibility of the candidate to take such examination. All appli-
 7 cations shall be in accordance with the rules of the board and shall
 8 be signed and verified by the oath of the applicant. Provided, that
 9 said application shall not contain questions to be answered by said
 10 applicant which will disclose the professional school he may have
 11 attended or what system of treating the sick he intends to pursue.

1 SEC. 15. The board shall give public notice of the time and place
 2 of all examinations to be held under this act and such notice shall be
 3 given in such manner as the board may deem expedient and in ample
 4 time to allow all candidates to comply with the provisions of this title.

1 SEC. 16. Said board shall meet at Des Moines and there conduct
 2 examinations in the basic sciences four times each year respectively,
 3 on the second Tuesday in January, April, July and October. The
 4 examination shall be conducted in writing in such manner that
 5 the applicant shall be known by number only until such examination
 6 papers are read and the proper grade determined. The examination
 7 shall be of such a nature as to constitute a reasonable test as to whether
 8 the person so examined has such knowledge of the elementary prin-
 9 ciples of the basic sciences as might be acquired after the completion
 10 of a course of study of the following subjects for the number of hours
 11 specified:

12	Subject	Hours	Subject	Hours
13	Anatomy	400	Pathology	160
14	Physiology	200	Bacteriology	100
15	Chemistry	200	Hygiene	40

16 The board shall establish rules for conducting of all examinations,
 17 grading of examinations and passing upon the technical qualifica-
 18 tions of applicants as shown by such examinations. An applicant to
 19 pass the examination must obtain a grade of not less than seventy
 20 per cent in any one subject and a total average grade of seventy-
 21 five per cent in all subjects. If an applicant fails to attain the re-
 22 quired grade in one or more subjects, he may be re-examined in the
 23 subject or subjects in which he failed, at any examination within
 24 one year without further application or examination fee. No part
 25 in the preparation of questions, the actual giving of the examina-
 26 tions or the grading of papers can in any way be delegated to any
 27 person other than a member of the board, or otherwise performed
 28 by any person not then a member of such board.

1 SEC. 17. Three members of the board shall constitute a quorum
 2 for conducting examinations.

1 SEC. 18. The board shall issue a certificate of proficiency in the
 2 basic sciences to each of the successful applicants after examination,
 3 as provided in this act.

1 SEC. 19. Each certificate of proficiency in the basic sciences shall
 2 be in the form prescribed by the board, under the name and seal of
 3 the board and signed by its chairman and secretary.

1 SEC. 20. The board may, in its discretion, waive the examination
 2 and issue a certificate of proficiency in the basic sciences provided
 3 for herein and may accept in lieu of examination proof that the appli-

4 cant has passed before a board of examiners in the basic sciences or
5 by whatsoever name it may be known or before any examining or
6 licensing board in the healing art of any state, territory or other
7 jurisdiction under the United States, or of any foreign country, an
8 examination in anatomy, physiology, chemistry, pathology, bacteri-
9 ology and hygiene as comprehensive and as exhaustive as that re-
10 quired under authority of this act.

1 SEC. 21. Upon presentation to said board of examiners of a cer-
2 tificate from any college or university accredited by the North Central
3 Association of Secondary Schools and Colleges that the person seek-
4 ing a certificate of proficiency under the provisions of this act has
5 completed a course of study in one or more of said basic sciences of
6 the number of hours provided for in section sixteen (16) of this act
7 and has attained a grade of seventy-five per cent in said subject
8 or subjects the said board of examiners shall waive examination in
9 said subject or subjects, and if said applicant shall have completed
10 a course of study in all of said basic sciences of the number of hours
11 provided for herein and has attained an average grade of seventy-five
12 per cent in each of said subjects the board of examiners shall upon
13 receipt of a certificate to that effect setting forth the grades of the
14 applicant in each of said subjects as hereinbefore provided, issue to
15 said applicant a certificate of proficiency in the basic sciences as
16 provided for under the Iowa basic science law without further ex-
17 amination.

1 SEC. 22. Any person who shall practice the healing art without
2 first having obtained a certificate of proficiency in the basic sciences
3 or violate or participate in the violation of any provisions of this act
4 shall be guilty of a misdemeanor and upon conviction thereof shall
5 be punished by a fine of not more than five hundred (500) dollars,
6 or by imprisonment in the county jail for not more than one year
7 or by both such fine and imprisonment. It shall be the duty of
8 the attorney general and of the several county attorneys to prosecute
9 violations of this act.

1 SEC. 23. No provision of this act shall be construed as repealing
2 any statutory provision in force at the time of its passage with ref-
3 erence to the requirements governing the issuing of licenses to prac-
4 tice the healing art, or any branch thereof, but any board authorized
5 to issue licenses to practice the healing art, or any branch thereof,
6 may, in its discretion, accept certificates issued by the board of ex-
7 aminers in the basic sciences in lieu of examining applicants in such
8 sciences, or may continue to examine applicants in such sciences as
9 heretofore.

1 SEC. 24. Should any section, clause, sentence or provision of this
2 act be held to be invalid for any reason, such holding or decree shall
3 not be construed as affecting the validity of any of the remaining por-
4 tions of this act, it being the intent of the legislature that this act
5 shall stand and the legislature would have adopted the remainder of
6 this act notwithstanding the invalidity of any such section, clause,
7 sentence or provision.

Senate File 20. Approved April 9, 1935.