

1950

c 110 Drugless Practitioners Act

Ontario

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CHAPTER 110

The Drugless Practitioners Act

1. In this Act,

Interpre-
tation.

- (a) "Board" means Board of Regents appointed under this Act;
- (b) "drugless practitioner" means any person who practises or advertises or holds himself out in any way as practising the treatment of any ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or electro-therapy or by any similar method;
- (c) "regulations" means regulations made under this Act. R.S.O. 1937, c. 229, s. 1.

2.—(1) The Board of Regents heretofore established is continued, and shall continue to be composed of five persons appointed by the Lieutenant-Governor in Council. Board of Regents continued.

(2) Every member of the Board appointed shall hold office for a period of two years, but any member shall be eligible for reappointment at the expiration of his term of office. Term of office.
R.S.O. 1937, c. 229, s. 2 (1, 2), *amended*.

(3) Every vacancy on the Board caused by the death, resignation or incapacity of a member shall be filled by the appointment of a person to hold office for the remainder of the term of such member. Vacancies.

(4) The Lieutenant-Governor in Council shall designate from time to time one of the members to be chairman, one to be vice-chairman and one to be secretary-treasurer of the Board. Chairman, vice-chairman and secretary-treasurer.
R.S.O. 1937, c. 229, s. 2 (3, 4).

3. The Board, with the approval of the Lieutenant-Governor in Council, may make regulations, Regulations.

- (a) for the examination and admission of drugless practitioners to practise in Ontario and for the regis-

- tration of persons so admitted and prescribing the fees to be paid on examination and registration;
- (b) prescribing the qualifications of persons so to be admitted and the proofs to be furnished as to education, good character and experience;
 - (c) for maintaining a register of persons admitted to practise and providing for the annual renewal of registration and prescribing the fee therefor;
 - (d) prescribing the discipline and control of registered drugless practitioners;
 - (e) for classifying persons admitted to practise under this Act and for prescribing the systems of treatment which may be followed by drugless practitioners of different classes;
 - (f) for designating the manner in which any person registered under this Act may describe his qualification or occupation and prohibiting the use of any title, affix or prefix which in the opinion of the Board is calculated to mislead the public as to the qualification of any such person and for allowing the use of any affix or prefix not forbidden by section 51 of *The Medical Act* which in the opinion of the Board will correctly describe the qualification or occupation of such person;
 - (g) for the investigation of any complaint that a registered drugless practitioner has been guilty of misconduct or displayed such ignorance or incompetence as to render it desirable in the public interest that his registration should be cancelled or suspended;
 - (h) for the cancellation or suspension of the registration or any person found by the Board to be guilty of misconduct or to have been ignorant or incompetent;
 - (i) providing for the employment by the Board of such persons and services as may be required and for the payment of such persons and for such services;
 - (j) providing for the payment of a per diem allowance and an allowance for travelling and living expenses to members of the Board while engaged on business of the Board;

(k) providing for the investment of the surplus revenue of the Board;

(l) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1937, c. 299, s. 3; 1950, c. 17, s. 1.

4. Nothing in this Act or the regulations shall authorize any person not being so expressly authorized under a general or special Act of the Legislature to prescribe or administer drugs for use internally or externally or to use or direct or prescribe the use of anaesthetics for any purpose whatsoever or to practise surgery or midwifery. R.S.O. 1937, c. 229, s. 4. Act not to authorize general practice of medicine.

5. Every person who, not being registered as a drugless practitioner under this Act or who having been so registered and whose registration has been cancelled or is under suspension, practises or hold himself out as practising as a drugless practitioner within the meaning of this Act, or who advertises or uses or affixes any prefix to his name signifying that he is qualified to practise as a drugless practitioner within the meaning of this Act shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$100 and on summary conviction for a subsequent offence within a period of two years after the first conviction shall be imprisoned for a term of not more than three months. R.S.O. 1937, c. 229, ss. 5, 9. Penalty for un-authorized practice.

6.—(1) In all cases where proof of registration under this Act is required to be made, the production of a printed or other copy of the register, certified under the hand of the secretary-treasurer of the Board, shall be sufficient evidence of all persons who are registered practitioners in lieu of the production of the original register, and any certificate upon such printed or other copy of the register purported to be signed by any person in his capacity of secretary-treasurer of the Board under this Act, shall be *prima facie* evidence that such person is the secretary-treasurer without any proof of his signature or of his being in fact the secretary-treasurer. Proof of registration.

(2) The absence of the name of any person from such copy shall be *prima facie* evidence that such person is not registered under this Act. Evidence of non-registration.

(3) In the case of a person whose name does not appear in such copy, a certified copy under the hand of the secretary-treasurer of the entry of the name of such person on the register shall be evidence that such person is registered under this Act. R.S.O. 1937, c. 229, s. 6. Omission of name from copy.

Saving.

7. Nothing in this Act shall apply to or affect,

- (a) the practice of any profession or calling by any person practising the same under any general or special Act of the Legislature;
- (b) any nurse acting in the absence of, or under the prescription or direction of a legally qualified medical practitioner;
- (c) the furnishing of first aid or temporary assistance in cases of emergency;
- (d) persons treating human ailments by prayer or spiritual means as an enjoyment or exercise of religious freedom. R.S.O. 1937, c. 229, s. 7.

Compliance
with other
statutes not
affected.

Rev. Stat.,
cc. 306;
406; 412.

8. Nothing in this Act or the regulations shall be taken or deemed to relieve any person from compliance with *The Public Health Act* or *The Vaccination Act* or any amendment to either of them, or from compliance with *The Vital Statistics Act* or any amendment thereto, or from any legal duty to provide for the treatment of any person by a legally qualified medical practitioner. R.S.O. 1937, c. 229, s. 8.
