

1937

c 229 Drugless Practitioners Act

Ontario

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CHAPTER 229.

The Drugless Practitioners Act.

1. In this Act,—

Interpretation.

- (a) "Board" shall mean Board of Regents appointed under this Act; "Board."
- (b) "Drugless practitioner" shall mean and include every 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; "Drugless practitioner."
- (c) "Regulations" shall mean regulations made under the authority of this Act. R.S.O. 1927, c. 200, s. 1. "Regulations."

2.—(1) There shall be established a board to be known as the Board of Regents to be composed of five persons to be appointed by the Lieutenant-Governor in Council. Board of Regents established.

(2) Of the members of the Board first appointed, two shall hold office for a period of two years and three shall hold office for a period of one year, and thereafter every member 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.

(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. R.S.O. 1927, c. 200, s. 2. Chairman, vice-chairman and secretary-treasurer.

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

- (a) for the admission of drugless practitioners to practise in Ontario and for the registration of all persons so admitted;

- (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 so admitted to practise and providing for the annual renewal of registration and prescribing the fees payable thereon;
- (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 49 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 of any person found by the Board to be guilty of misconduct or to have been ignorant or incompetent;
- (i) generally for the better carrying out of the provisions of this Act. R.S.O. 1927, c. 200, s. 3.

Rev. Stat.
c. 225.

Act not to
authorize
general
practice of
medicine.

4. Nothing in this Act or the regulations shall authorize any person not being so expressly authorized under a general or special Act of this Legislature to prescribe or administer drugs for use internally or externally or to use or direct or prescribe the use of anæsthetics for any purpose whatsoever or to practise surgery or midwifery. R.S.O. 1927, c. 200, s. 4.

Penalty
for un-
authorized
practice.

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 holds 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 shall incur a penalty, to be recoverable under *The Summary Convictions Act*, not exceeding \$100 and upon conviction for a subsequent offence within a period of two years after such first conviction shall be imprisoned for a period not exceeding three months. R.S.O. 1927, c. 200, s. 5.

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.

(2) The absence of the name of any person from such copy shall be *prima facie* evidence that such person is not registered according to the provisions of this Act.

(3) In the case of any 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 the provisions of this Act. 1932, c. 53, s. 20.

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

- (a) the practice of any profession or calling by any person practising the same under the authority of a general or special Act of this Legislature; Practising under other Acts.
- (b) any nurse acting in the absence of, or under the prescription or direction of a legally qualified medical practitioner; Nurses.
- (c) the furnishing of first aid or temporary assistance in cases of emergency; First aid.
- (d) persons treating human ailments by prayer or spiritual means as an enjoyment or exercise of religious freedom. Treating by prayer. R.S.O. 1927, c. 200, s. 6.

Compliance with other statutes not affected.

Rev. Stat. cc. 299, 300, 88.

8. Nothing in this Act or the regulations shall be taken or deemed to relieve any person from compliance with the provisions of *The Public Health Act* or *The Vaccination Act* or any amendment to either of them, or from compliance with the provisions of *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. 1927, c. 200, s. 7.

Penalties, how recoverable. Rev. Stat. c. 136.

9. Penalties imposed by or under the authority of this Act shall be recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 200, s. 8.
