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Definitions of Chiropractic

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Color Code:
Red & Magenta: questionable or uncertain information
Green: for emphasis

Definitions:

1910: D.D. Palmer's *The Science, Art & Philosophy of Chiropractic: the Chiropractor's Adjuster* includes (p. 223):

Chiropractic is a name I originated to designate the science and art of adjusting vertebrae. It does not relate to the study of etiology, or any branch of medicine. Chiropractic includes the science and art of adjusting vertebrae – the know how and the doing.

-(p. 539):

Chiropractic is defined as being the science of adjusting by hand any or all luxations of the 300 articular joints of the human body: more especially the 52 articulations of the spinal column, for the mission of freeing any or all impinged nerves which cause deranged functions.

1919: According to Wardwell (1992, p. 112):

The following story of how Vermont's licensing law was obtained in 1919 was told to me by William A. Gage of St. Johnsbury in an interview in 1948:

There were only twelve chiropractors in the state, but an important lawyer in the legislature was an enthusiastic chiropractic patient. He met with a committee of three chiropractors, which I was on. We sat down and copied the osteopathic law, inserting "chiropractic" wherever the word "osteopathy" appeared. That is why there is no definition of chiropractic in the law, because there was none of osteopathy. I didn't think we would get the bill through because none of the twelve chiropractors had been in the state more than three years. We didn't even tell the other chiropractors what we were doing until a week before the hearing, and then we all started sending letters in. The public health committee had more doctors on it than laymen, but instead of turning in an unfavorable report they put on nine crippling amendments and reported the bill out favorably. The would have done better not to do that. One speaker said: "This is worse than the Chinese Exclusion Act because occasionally a Chinese can get in, but if this law is passed no more chiropractors can come in and those that are here will have to get out." At one point the opposition introduced a "darkie" from Bellow's Falls as a chiropractor so as to discredit us. He bowed low and left. When someone asked why he was brought in the answer was: "So the legislators can see what a chiropractor looks like." One of the proponents of the bill said: "That darkie is the type of man we want to keep out of this state." That move lost the

medics fifty votes. The chiropractic law was enacted during that session.

undated (circa 1920): "Questions of Interest to Prospective Students of Chiropractic and Their Answers"; published by the National College of Chiropractic, 20 N. Ashland Boulevard, Chicago (pamphlet); includes:

1. What is chiropractic?

Chiropractic is the science and art of removing the cause of disease by the adjustment of displaced vertebrae thereby relieving impingement upon the nerves passing through the intervertebral foramina. The word "Chiropractic" is derived from two Greek words, "cheir," hand, and "praktikos," efficient. (For further information in answer to this question, read the "Chiropractic Catechism.")

1921: According to A. August Dye (1939, pp. 95-6):

...Another of its many activities for the perpetuation of the Chiropractic idea in the many states applying to their legislative assemblies for the right of licensure was the **organization under U.C.A. sponsorship of the presidents of the several state associations** concurring in its creation, known as the **National Board of State Presidents**. One of the objectives sought was a coordination of the defining clauses in legislation to be thereafter proposed, as well as to coordinate the preliminary educational requirements, the subjects to be examined in, and the adoption of an approved standard course of instruction to be recommended to all Chiropractic schools...

One objective sought in creation of this National Board of State Presidents under sponsorship of the U.C.A., was to coordinate future proposed legislation, so that all graduates of a standard course of training could be reasonably assured of being able to go before any state board of examiners and be granted licensure. It was also sought to make reasonably sure that a Chiropractor licensed in one state could be granted **reciprocal rights** in other states in case he desired to move to a new location. The most difficult point of discussion in the framing of a bill to be presented to the legislative assembly for passage is the **definition of Chiropractic**. The layman doubtless thinks it would not be difficult to define Chiropractic. However, in the state association Chiropractors of all the various schools of thought and practice are members. It was indeed a very rare thing for a **definition of Chiropractic** such as would have the approval of a strict Palmerite to be acceptable to all members of the association particularly where a large number of the members may not be practicing according to those tenets.

Those who were mixing were desirous that the definition be so framed as to have almost everything therapeutic under the sun included in the bill defining the practice of Chiropractic. Because of these internal differences as to what constituted the practice of Chiropractic, there were many heated discussions, often almost terminating in blows between the members. The result is that in many of the acts in the various states we have almost as many different definitions as to what constitutes the practice of Chiropractic as a system of healing by adjustment of the spine by hand only.

c1922: Universal Chiropractors' Association (UCA) offers chiropractic definition as part of its "Model Bill":

Section 5. CHIROPRACTIC DEFINED. Chiropractic is defined to be the science of palpating and adjusting the articulations of the human spinal column by hand only. This definition is inclusive and any and all other methods are hereby declared not to be Chiropractic.

1922 (Oct 6): "Report of Conference of Presidents of State Associations, held on **B.J.'s Porch**" (date illegible); meeting called to order by George Newsalt DC, president of **UCA**; reports from various states; a "**UCA Model Bill**" for creation of state boards and DC licensing is appended, which includes: "**Chiropractic is defined to be the science or palpating and adjusting the articulations of the human spinal column by hand only...**"; BJ urges rejection of mixer DCs and mixer DC organizations; policy enacted (Cleveland papers, CCC/KC)

1929 (Apr 1): *Bulletin of the ACA* [6(2)] notes:

- "Legislative Results: (pp. 5-6); includes:

Iowa in Turmoil

In the Des Moines Sunday Register of March 3rd, 1929, there appeared large "scare" headlines on the front page "Claim Quacks Thrive in Iowa." Following under this head is a lengthy article, starting under the statement, "Iowa is a Happy Hunting Ground for Quacks and Illegal Medical Practitioners." Further on it states that at present there are between six hundred and nine hundred persons in Iowa who are violating the medical practice statutes of the State, according to Vernon D. Blank, Managing Director of the State Medical Society of Iowa. Further on in the article, in quoting H.W. Grefe, Director of the Division of Examinations of the State Health Department, it states that irregularities are due to the laxity of the definitions in the State Law, and as an example it gives the definition of the practice of Chiropractic, which, in Iowa, reads: "Persons who treat ailments by the adjustment by hand of the articulations of the spine, or by other incidental adjustments." Mr. Grefe states, for example, a chiropractor could assert that almost any form of treatment could be classified under the clause, "by other incidental adjustments"; all of which might be but little cause for alarm, but there are other matters to take into consideration when considering this Iowa article...

1931 (Mar 20): CO Watkins' *Montana Chirolite* publishes his article, "Organization" (pp. 4-5), which suggests

...In the widely circulated dictionary of the *Literary Digest* the editors had published a very poor description of Chiropractic. The **NCA** immediately demanded a correction of this definition,

and was successful in securing permission to write the description of Chiropractic in all future issues...

1931 (May): *Journal of the National Chiropractic Association* [1(4)] includes:

- "With the editor: Congress defines naturopathy" (p. 9):

The following definition for Naturopathy was passed by Congress on February 7th, 1931, without a dissenting vote and the Senate advised and permitted the Commission of Licensure to allow the Naturopaths their definition, with the tremendous opposition of 35 medical doctors being present, the Board of Commissions of the Healing Art, and special representatives and attorneys of the American Medical Association and others:

"It is further enacted that 'naturopathy' as used in the aforesaid Act, approved February 27, 1929, hereafter shall comprehend, embrace, and be composed of the following acts, practices, and usages: Diagnosis and practice of physiological, mechanical, and material sciences of healing as follows: The physiological and mechanical sciences such as the mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, neurotherapy, psychotherapy, hydrotherapy, and mineral baths, electro-therapy, thermotherapy, phototherapy, chromotherapy, vibrotherapy, thalmotherapy, and dietetics, which shall include the use of foods of such biochemical tissue-building products and cell salts as are found in the normal body; and the use of vegetal oils and dehydrated and pulverized fruits, seeds, barks, herbs, roots, and vegetables un-compounded and use in their natural state.

"Passed the House of Representatives February 7, 1931.

Attest: Wm. Tyler, Page, *Clerk.*"

This takes away the limited definition of Naturopathy that was adopted by the Commission of Healing Arts that was appointed by a special act of Congress. This is the **first time that Congress and the Senate have defined any branch of the healing arts in the history of the United States.**

1931 (July): *Journal of the National Chiropractic Association* (1[5]) includes:

- Arthur T. Holmes authors "Good morning Judge! What's doing in the legal department" (pp. 25-7); includes:

JUDGE RULES CHIROPRACTORS BE CLASSED WITH
MEDICS

Attention of a chiropractor must be classed as medical treatment, Judge A.G. Zimmerman of Dane county circuit court, ruled this morning, reversing a decision of the industrial commission in the case of Henry Corsten, Green Bay fireman.

As a result of the decision, the city of Green Bay will be forced to pay a chiropractor's bill of \$150 incurred by Corsten after he had been injured in a collision between a fire truck and a street car.

The question raised by attorneys for the city and by the industrial commission was whether or not chiropractic treatments come within the provisions of the state law providing for medical, surgical and hospital treatment.

Chiropractors are licensed in this state by a board of examiners in chiropractic. Judge Zimmerman pointed out that "it appears that chiropractors are as fully authorized under the statutes to treat the sick as physicians and surgeons.

“The questions of the various distinctions, degrees, rights to practice in various way it would seem are not matters of concern so far as the industrial statutes are concerned.

“The provision for ‘medical treatment’ was not inserted for the benefit of any particular school for ‘the treatment of the sick.’

“It would seem that the whole purpose and object of the statute was merely to provide compensation for ‘treatment of the sick’ applicants, regardless as to who conducted the ‘treatment,’ insofar as there was statutory authority for practicing in ‘treatment of the sick’ and the right to exact compensation therefor under the law.

“Webster **defines chiropractic** as ‘a system of healing that treats disease by the manipulation of the spinal column.’”

CITES MASSACHUSETTS CASE

Judge Zimmerman pointed out that in Massachusetts a man was found guilty of practicing medicine without a license, although he defended himself on the ground that he was a chiropractor. The conviction by a jury was sustained.

“To hold that a chiropractor’s treatment of the sick is the practice of medicine and then to undertake to demonstrate that a chiropractor’s ‘practice of medicine’ is not ‘medical treatment’ would seem to be trying to make a distinction without a difference, in endeavoring to read into the statutes the meaning that chiropractors may ‘practice medicine’ in their special field in the ‘treatment of the sick’ in all cases where their services are desired, and to be paid therefor – except in industrial cases,” the decision concluded.

-*Wisconsin State Journal, May 27, 1931*

1933 (Aug): **The Chiropractic Journal (NCA)** [1(8)] notes:

-“News flashes: Michigan” (p. 26); includes:

MICHIGAN HAS VICTORY MEET

The long struggle for Chiropractic recognition in Michigan ended on June twenty-first, at which time the Governor signed the Chiropractic Bill creating a Board of Chiropractic Examiners consisting of three members.

Differing widely from the former policies in conducting the work of enacting a Law in Michigan, was the strong combination of keen business and properly organized political policies of the Detroit Chiropractic Society which brought the entire state forces into a single fighting unit and was responsible for pushing aside all medical legislation and successfully enacting the Chiropractic Act.

The Bill provides a course of study of not less than two thousand seven hundred fifty – forty-five minute class hours, and further provides that a licensee must present satisfactory evidence to the Board that he has attended one of the two-day educational programs of the State Society in order to renew his license each year.

For the purpose of the Act, **Chiropractic is defined** as “the locating of misaligned or displaced vertebrae of the human spine, the procedure preparatory to and the adjustment by hand of such misaligned or displaced vertebrae and surrounding bones or tissues. – Reported by O.D. Brownell, D.C., Legislative Director of the Detroit Chiropractic Society...

1934 (Apr): **CCA Bulletin** of the **California Chiropractic Association** “Member of **International Chiropractic Congress**” [2(1)] includes:

-“Steele Case Decision: What to Do About It; WARNING” (pp. 2-4); includes:

...The decision in the Steele case can have absolutely no effect upon the practice of chiropractic; therefore, it cannot affect those who practice chiropractic and upon whom there is no restriction whatsoever since they are authorized to do all necessary things incident to the care of the human body in their practice...

Naturopathy claims to be everything drugless when in fact it is nothing in particular. Naturopathy is the hydra-headed monster of the drugless field that seeks a drugless monopoly as ruthlessly as allopathy now, operates a medical monopoly. The term “naturopathy” is as absurd, unscientific and impossible of logical or specific definition as is the term “pantherapy” to which estate allopathy aspires and lays claim...

1935 (Aug): Homer G. **Beatty** DC, president of the **NCA** "Schools Council" develops standards for chiropractic colleges, and presents these at the **NCA's** convention in LA at the Roosevelt Hotel (**Crider, 1936**); includes:

...The **Council of State Boards** will not enter into a discussion of the definition of chiropractic. Suffice it to say that each type of thought is recognized and given opportunities to develop. We, therefore, have divided the schools into two groups - the Basic or Fundamental Schools (teaching only Chiropractic) and the Liberal or Physical Therapy Schools (teaching Chiropractic and Physical Therapy)...

1936 (Jan): **The Chiropractic Journal (NCA)** [5(1)] includes:

-Wayne F. Crider, D.C., president of the Council of State Chiropractic Examining Boards (COSCEB), authors “Accredited colleges: definite action on standard curricula” (pp. 10, 36, 38, 40); includes:

The Council of State Boards will not enter into a discussion of the definition of Chiropractic. Suffice it to say that each type of thought is recognized and given opportunities to develop. We, therefore, have divided the schools into two groups – the Basic or Fundamental Schools (teaching only Chiropractic) and the Liberal or Physical Therapy Schools (teaching Chiropractic and Physical Therapy).

1937 (Apr): **The Scientific Chiropractor** (2[20]) notes RC **Howe** DC of 847 S Union Ave, LA is Editor (p. 5); includes:

-G.A. Dolker, D.C., D.P. authors letter to C.O. Hunt, D.C. (p. 6):

DRUGLESS HEALTH INSTITUTE

Juneau, Alaska

March 20, 1937

Dear Dr. Hunt:

Good news from Alaska, which is manifest in the form of a real Chiropractic Bill enacted into law by the recent Territorial Legislature. As follows:

“Chiropractic” is defined as that system of adjusting with the hand or hands the articulations of the bony framework of the human body, and the employment and practice of physiotherapy, Electrotherapy and Hydrotherapy; provided, no person practicing under this act shall write prescriptions for, or dispense drugs, practice Optometry or do major surgery; provided further, this act shall not be construed so as to interfere with or prevent the practice of, or use of massage, swedish movement, physical culture, Neuropathy, Naturopathy, or other natural methods requiring the use of hand or hands. PROVIDED FURTHER, that

this act shall not be so construed as to interfere with the prescribing of diet...

1937 (Apr): **The Chiropractic Journal** (NCA) [6(4)] notes: -"News flashes: ALASKA" (p. 32):

FAVORABLE LEGISLATION IN ALASKA

Alaska is now blessed with a Chiropractic law, which sailed through the House and Senate with flying colors. In this new legislative act Chiropractic is defined as "that system of adjusting with the hand or hands the articulations of the bony framework of the human body, and the employment and practice of physiotherapy, electrotherapy, and hydrotherapy; provided, no person practicing under this act shall write prescriptions for, or dispense drugs, practice optometry, or do major surgery; provide further, this act shall not be construed so as to interfere with or prevent the practice of, or use of massage, Swedish movement, physical culture, neuropathy, naturopathy, or other natural methods requiring the use of hand or hands. Provided further, that this act shall not be so construed as to interfere with the prescribing of diet." Professional requirements are at least three years of not less than eight months each. - Reported by Dr. G.A. Doekler, Juneau, Alaska.

1938 (Jan 19): letter from **KC Robinson** DC of NYC, vice-president of **NCA**, to Cleveland College (Cleveland papers, CCC/KC):

...Gentlemen, these things point definitely, it seems to me, to the need of a standard chiropractic course in which **chiropractic is defined** and the courses uniform throughout the schools of the United States. On December 3, 1937 I mailed you a letter asking your opinion as to the length a chiropractic course should be. Out of twenty-one schools written, I have received replies from thirteen, the names of which are given in the first part of this letter. May I urge you to express yourself on this vital subject, also give me your opinion and suggestions concerning the enclosed definition of chiropractic. We want a definition that may be adopted by all schools, therefore, we want all schools to say just what definition they are willing to agree to.

May I have the courtesy of a reply from you? Yours truly,...

CHIROPRACTIC IS HEREBY DEFINED AS THE ADJUSTMENT, BY HAND, OF THE TISSUES OF THE HUMAN BODY FOR THE PURPOSE OF RELIEVING VITAL ENERGY, THEREBY RESTORING NORMAL FUNCTION AND HEALTH IN THE BODY.

Chiropractic takes the position that Physiotherapy may be used as an aid in relaxing tissues incident to adjusting, but that it is no part of chiropractic or medicine. It is a system used by the public and, therefore, may be made free use of by all healing professions.

1940 (Mar): **National College Journal of Chiropractic** [13(1)] includes:

- "Only chiropractors can define chiropractic" (p. 2):

Only Chiropractors Can Define Chiropractic

When chiropractic definitions were written into State laws, chiropractors themselves wrote those definitions. Chiropractors alone could say what was chiropractic.

Because most chiropractors then practiced only one drugless method, spinal adjustment, they defined chiropractic legally as adjustment of the spine.

The great majority of chiropractors now use other drugless methods in addition to spinal adjustment. In some states chiropractors have included these other drugless methods in the legal definition of chiropractic. They can do the same in other states. They can broaden their definition as they have broadened their practice of Chiropractic.

Neither a judge of any court, jury, legislature or layman is qualified to say what chiropractic is, except by reference to the chiropractors' own definition. Today, as always, only chiropractors can define chiropractic.

"Chiropractic is what chiropractors practice" recently wrote Dr. CO Watkins, Member, Executive Board, National Chiropractic Association. He further wrote: "Chiropractors practice what they have found to be scientifically correct and practical. They are the real chiropractors who are primarily interested in getting sick people well. Then it follows that chiropractic is today and will be tomorrow what scientific and practical-minded chiropractors practice."

1940 (Mar 11): letter to **TF Ratledge**, D.C. from **Harry L. Trubenbach**, D.C., president of **NYSC** (Ratledge papers, SFCR):

Dear Doctor:

We find it not at all difficult to agree with the views expressed in your letter of March 7th, and assure you that **we stand adamant on the subject of driving physiotherapy and such adulteration out of our chiropractic schools.**

It is our belief that the aforementioned can best be accomplished via science, that is, by the heads of better schools making it clear to all that chiropractic is not a so-called philosophy or intelligent ideal, but a hard and fast science consonant with the established sciences of physics, geometry, and the like. Such a stand will, of course, reduce our field of application to an extent, but we should be doing that now, what with **refraining from treating cancer**, and such.

A recent publication of the **National** school, dated March, 1940, says, "Only chiropractors can define chiropractic", without taking the trouble to define what constitutes a chiropractor. Thus, a person who obtains a license to practice chiropractic in a state wherein great latitude is allowed the holder of such license can make a lot of people think that all the hocus-pocus like **Basic Technic**, Calbro-Magnawave, and various forms of physiotherapy constitute chiropractic, and that one who does not indulge into such figments of racketeering is not a chiropractor.

It is clear to any thinking person that chiropractic can best be defined by the older heads of schools, or by someone who was on the job when chiropractic was first originated and developed, because **no one can better define a thing than its originator**, even though later proponents develop the thing far transcending that ideas of that originator, so long as the basic principle as laid down by the originator has been adhered to.

Therefore, it is suggested that the best definition available at present is that cited by **Willard Carver**, provided, however, that the entire definition is given. Here it is:

"Chiropractic is the science that teaches health in anatomical relation, and disease in or from anatomical disrelation. The art of

chiropractic consists in the various means of restoring anatomical relation by a system of adjusting by hand". (Carver)

Now this definition, while it is completely comprehensive to some, might be abstruse to others. It is therefore suggested that whenever the definition is given it should be backed by Carver's Biologic Law and Basic Principle of Chiropractic, which follow:

"The radiation of life force through its organized channels, the brain and nerve system, cause all animation, or life". (Carver's Biologic Law of Chiropractic).

"Any interference with the receipt, transmission or application of life force cause all functional abnormality, or disease." (Carver's Basic Principle of Chiropractic).

There, Doctor, is our idea of chiropractic properly defined. It outlaws any treatment effort other than by hand, all drugs and nostrums, physiotherapy in its entirety, but allows for surgical extirpations, and the like. Incorporated into the laws, it could refine chiropractic wherever a group of our profession wanted it properly refined.

In the event you would want to use a shorter and more succinct definition, yet comprising in substance the foregoing, here is our idea:

"Chiropractic is the science of the relation between structure and function, and the art of dynamic correction of structural disrelation by hand." This definition was submitted to the **N.C.A.** some years ago, but was turned down by the group that wanted to justify **radionics** and other adulterations.

We are sending you under separate cover a copy of **The History and Logic of Chiropractic**, and would appreciate your opinion of it.

Yours sincerely

NEW YORK SCHOOL OF CHIROPRACTIC

H. Trubebach, President

1941 (Feb 21): Letter to Willard Carver, LL.B., D.C. at 521 West Ninth Street, Oklahoma City, from Lyndon E. Lee, D.C. (Logan Archives; in my Carver files):

Dear Dr. Carver:

May we have your help in making a decision upon a definition of chiropractic to be included in a bill for presentation to the New York State Legislature. We have finally succeeded in persuading the Board of Regents to appoint a committee charged with the duty of working out a bill in conference with our chiropractic committee. Those delegated by the Regents were Judge Ernest Cole, who was counsel to the Regents and is now State Education Commissioner, together with Mr. Milton Loomis, Assistant Commissioner for Higher Education.

These two commissioners have proposed to us the following definition:

"The practice of chiropractic" is defined as the science of locating and the removing of nerve interference in the human body, where such interference is the result of or caused by misalignment or subluxations of the vertebral column. It excludes operative surgery, the reduction of fractures, the prescription or use of drugs or medicine, and the practice of obstetrics.

Mr. Loomis is the author of this definition. Because it arises with the Regents committee, we should prefer to accept it. However, we are most anxious to avoid a definition which might restrict unduly the practice of chiropractic as taught by you and others whose views are less restricted than are those of Dr. Palmer.

We in New York are determined to avoid the mess which has arisen in some other states through definitions which have excluded proper and legitimate chiropractic procedures. We recognize most of these as efforts to incorporate in the law some particular school or theory or type of technique.

We desire to avoid intruding upon the legitimate field of medicine and surgery, and we cannot, without amending existing law, incorporate in our work those procedures now classed in this state as physio-therapy, which are specifically: hydro-therapy, actin-therapy, electro-therapy; diet and massage.

Within the restrictions of our existing law, and with a desire for a chiropractic definition sufficiently broad to accomplish the purposes just described, can we feel that Mr. Loomis' definition, cited above, would allow your students and graduates proper latitude in their practice?

The best of good luck to you always.

Cordially yours,...

LEL:mmt

1941 (Feb 27): Letter of Carver College stationery from Willard Carver, LL.B., D.C. to Lyndon E. Lee, D.C. (Logan Archives; in my Carver files):

Dr. Lyndon E. Lee

170 Park Avenue

Mt. Vernon, New York

Dear Dr. Lee:

This is to acknowledge receipt of yours of February 21, and I herewith reply.

No, Mr. Loomis' definition would not allow students from Carver Institutions to do their work as they understand it.

I must also inform you that Mr. Loomis' definition, if you concede it to be such, would not permit Palmer people to do their work as they were taught and understand it. The fact about it is, Dr. Lee, Mr. Loomis' definition is not a definition at all, and is not even a statement of the situation.

Let us notice it just a moment. He starts out to define the practice of Chiropractic and says that the practice is a science. I am sure that you are familiar with the fact that science is one thing, and that art is another, and the practice of Chiropractic is purely and simply an art, and that palpation should be an art that stands at the very top of the arts, if Chiropractic is what we claim for it and I am very sure that you will agree that it is all that we claim for it – and perhaps a great deal more.

The next part of the definition says, "where such interference is the result of, or caused by misalignment or subluxations of the vertebral column." Now, I do not need to call it to your attention that there is no such thing in the world as "subluxations of the vertebral column." It may be subluxations of the joints, and articulations between vertebrae, but it positively is not, cannot be, subluxations of the vertebral column.

My dear Dr. Lee, it would never do to allow this phrase to go into the definition: "It excludes operative surgery." Now, you and I know, whether anybody else knows or not, that Chiropractic, properly applied, is nothing in the world but "operative surgery." I would never accept a definition that would in so many words, "exclude operative surgery." If you passed such an act in New York State, and I were the attorney general, or the person charged with such duty, I would send all of you to jail who practiced Chiropractic.

I do not like the clause, "reduction of fracture." You seem to want it in, but as a lawyer, I must tell you that it is a very dangerous proposition. Suppose a person has undergone a fracture of the femur, a proper surgeon has set the break, and when the patient gets so he can walk about, he comes to you to be adjusted. He is lame and the location of the fracture is very sore and painful. You adjust him and he gets well. You have, in a major way, reduced his fracture; that is, you have put on the finishing touches of the reduction, and, thereby, would become subject to prosecution under such definition in the Chiropractic Act.

I am very sure that you know there is no effort on my part to establish some particular school theory or type of technique. I am only putting out as intelligent an effort as I am capable of, to secure to the Chiropractic profession, as such, and in general, its full and entire privileges.

In view of the situation, I am sending you herewith three separate and distinct definitions. I have put into each one of these definitions the objectional [sic] part of the definition with regard to fractures. If I lived in New York State and had my business there, I would not consent that it should go in for reasons already stated; that is, it stands in a position to prevent the Chiropractors from having their full privilege under the law.

I suppose that Mr. Loomis thinks that he has really said something in his attempt at a definition. But the fact is, he has really said nothing, as has already been stated and definitely pointed out.

You did not ask me for a letter to the Commissioners, but I felt that since I am submitting these three definitions, I should make a careful explanation to those gentlemen. I enclose herewith copy of the letter mailed to them.

I am pretty sure that you will recognize this letter of mine to the committee as something quite diplomatic, and you will also remember that diplomacy is a cultivated art on my part, for by nature and intuition, I am brutally frank and still do not believe that much is ever gained by diplomacy.

However, I must say that in the past three years, by use of diplomacy on my part, Dr. B.J. and I have become warm and very understanding friends, and have joined shoulder to shoulder and organized a Chiropractic Educational Association, now having eleven members, for the one specific purpose of saving Chiropractic from the "dumping ground of medicine." I hope you wish us much luck.

With all good wishes,

Your sincere,...

WC:AB

1941 (Feb 27): copy of letter from Willard Carver, LL.B., D.C., attached to letter to Lyndon E. Lee, D.C. this same date (Logan Archives; in my Carver file):

Judge Earnest Cole

State Commissioner of Education

Mr. Milton Loomis

Assistant Commissioner for Higher Education

Albany, New York

Gentlemen:

Lyndon E. Lee, a Chiropractor at 170 Park Avenue, Mt. Vernon, New York, has written to me for assistance with regard to a definition of Chiropractic to be included in a bill for the regulation of the practice of Chiropractic to be introduced into the State Legislature.

Dr. Lee has informed me that the Board of Regents has appointed you two gentlemen as a committee to confer with a committee of the State Chiropractic Society of New York for the purpose of arriving at a just and true definition of Chiropractic which will neither do violence to any department of the medical profession of the State of New York, nor yet to the Chiropractic profession of that state.

Dr. Lee in his letter set out a definition, which he said you gentlemen proposed for the purpose in hand. Toward the end of his letter, he asks me if the definition set out would allow graduates of my institutions proper latitude in their practice.

I think at this junction, I should inform you gentlemen that I began in Chiropractic some years before the founder – that is, began studying the same subjects – and have been a part of the development and increasing comprehensiveness of Chiropractic from 1895 to the present hour.

Incidentally, in 1919, I founded in New York City and for many years carried on Carver Chiropractic Institute, a department of Carver Chiropractic College, of Oklahoma City, having a very large student body and a very active institution.

Returning to the definition. You gentlemen are both professional men and you understand a great deal better than most people the extreme importance of this definition to be placed in the Chiropractic Act. You are familiar with the fact that the medical profession, as such in your state desires to limit Chiropractic as much as possible. However, this spirit does not appear in your definition. You seem to show frank and open desire to be fair to Chiropractic.

I am only writing you this letter because I have been constantly engaged in Chiropractic study and work since 1895. I was a close and understanding friend of the founder of Chiropractic, Daniel David Palmer of Davenport, Iowa. I know what it was that he thought he had disclosed to the world and I have been trying as hard as a human being could since 1913, when the founder died, to write out and translate and construe his conceptions and place them before the world, because of their extreme value. In doing this service to humanity, I have well nigh impoverished myself. Of course, that is a situation you are not necessarily interested in, and I only refer to it so you will understand that such a man as myself, being seventy-five years old, cannot possibly have an "axe to grind."

I know that you gentlemen wish to have a definition inserted in this bill that will be fair to all parties concerned and reflect honor upon your committee, and I am very sure that you will understand that it requires accurate and technical knowledge to enable one to properly write a definition. It also requires another phase of advancement and that is a definite and practical knowledge of the law. Before I took up this work, I was for fifteen years an active practitioner of the law. Combining that knowledge of the law and my knowledge of Chiropractic, I wish to direct your attention to several points, which I am sure you will immediately recognize upon my suggesting them.

In the first part of your definition you define the practice of Chiropractic and you say that it is a science. Now, of course, you are familiar with the fact that science may produce an art, but an art can never produce a science.

You say a little further down in the definition, "where such interference is the result of, or caused by misalignment or subluxations of the vertebral column." It will require nothing on my part but to call it to your attention, that there could be no such

phase as subluxation of the vertebral column. Vertebrae of the column might be distorted and the joints connecting vertebrae together might be subluxated, but such injury would not constitute subluxation of the vertebral subluxation.

You say the definition “excludes operative surgery.” Well, there are certain adjustive procedures in the Art of Chiropractic that are strictly and legitimately Chiropractic, that are nevertheless “operative surgery.” Left open, as in the definition suggested, it is a dangerous proposition. I cure the danger in the suggested definitions.

I enclose herewith three distinct and specific definitions, asking that one of them be substituted for the one you gentlemen have so kindly formed. My choice of the definitions enclosed is the one marked #3. You will see that it very carefully avoids any of the defects suggested and makes a workable and comprehensive definition.

Trusting that my efforts in this behalf will be received by you gentlemen in the spirit in which they are sent, purely for constructive purposes to serve the future in Chiropractic and Medicine, I beg to subscribe myself,

Your sincere,...

WC:AB

-attached to Carver's letter are three definitions of chiropractic:

1. “Chiropractic is hereby defined to be the science that teaches the art of palpating and locating distortion of or in the human vertebral column and its inherent and basal structures, which distortion interfere with the application of Life Power through such constituent structures and the art of removing such distortion by a process of adjusting by hand. This definition excludes instrumental surgery, the reduction of fractures and the prescription or use of medicine, and the practice of obstetrics.”

2. “The practice of Chiropractic consists of the art of locating by palpation by hand the distortions and disrelationship of the human vertebral column and its inherent and basal structures, and further consists of the art of adjusting by hand such distorted constituent structures toward, or into, anatomic relationship. This definition excludes instrumental surgery, the prescription and administration of medicine and the practice of obstetrics.”

3. “The following persons are deemed to be practitioners of Chiropractic within the meaning of the Chiropractic Act of this state. Those who palpitate [sic] and locate by hand distortions of or within the human vertebral column and its inherent and basal structures, which distortion interferes with the receipt, transmission and application of Life Power through the structures mentioned, and those who, by hand, release such distortions and adjust the distorted parts into, or toward anatomic relationship. This definition definitely excludes surgery by instrumental intervention, the reduction of fractures, and the prescription or use of any drug or medicine now or hereafter included in materia medica and also obstetrics.”

1941 (Mar): **National Chiropractic Journal**[10(3)] includes:

-William S. Lineweaver, D.C. of Washington, D.C. authors “National legislation – its importance to the future of chiropractic” (pp. 10, 52-3) (in my Tolan file)

-Tolan bill (p. 23):

The Tolan Bill -

Re-introduced by Rep. John H. Tolan at the opening session of the 77th Congress, on January 3, 1941
77th Congress, 1st Session, H.R. 1052

IN THE HOUSE OF REPRESENTATIVES

January 3, 1941

A BILL

To Amend section 40 of the United States Employees' Compensation Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth paragraph of section 40 of the Act entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes' approved September 17, 1916, as amended (U.S.C., 1934 edition, title 5, sec. 790), is further amended to read as follows:

"The term 'physician' includes surgeons and osteopathic and Chiropractic practitioners within the scope of their practice as defined by State law.

"The term 'medical, surgical, and hospital services and supplies' includes services and supplies by osteopathic and Chiropractic practitioners and hospitals within the scope of their practice as defined by State law."

1941 (July): **National Chiropractic Journal**[10(7)] includes:

-“News flashes: Florida” (p. 39; in my Arizona file):

ARE VICTORIOUS IN LEGISLATURE

Florida chiropractors have won three victories. They have put through two bills in the recent legislative session and won favorable decision from the Attorney General on the Workmen's Compensation Act. These victories show what organized and concerted effort can do. And the men who bore the great burden in this accomplishment deserve a great deal of credit and commendation.

The first bill to pass was an Educational Bill that requires all chiropractors holding a Florida license to attend a two-day educational session or convention once each year in order to renew their license.

The second, briefly outlined, **re-defines Chiropractic** and gives us broad and liberal privileges therein. It gives us the right to adjust, manipulate and treat with physical, mechanical and electrical means, the use of light, heat, and water, the right to use foods, food concentrates and food extracts. We may, under this law, apply first aid and hygiene. In diagnosing we have the privilege of using any and all methods from instruments to X-rays, the use of state laboratories, etc. And in the final paragraph, “that no chiropractor shall advertise prices for his services.” – Reported by Dr. Wm. E. Budreau, NCA State Director, Miami, Florida.

1943 (Jan): **National Chiropractic Journal**[12(1)] includes:

-editorial by Loran M. Rogers, D.C. (p. 6) (in my Rogers file):

“Without courage there cannot be truth, and without truth there can be no other virtue.”

The Committee on Education of the National Chiropractic Association was set up to meet a definite need for standardization of education and licensure of the profession.

Twelve Chiropractic colleges have now been given provisional, accredited ratings by the committee. Several others have applied for accrediting and signified their intentions of meeting the minimum requirements set up by the committee after intensive study of the problems involved.

Definite legislative action is needed in many of the states not only to raise the requirements for licensure to four years of professional education, but also to correlate and standardize the

definitions of Chiropractic, in keeping with our professional objectives.

We quote briefly from some of the more liberal Chiropractic Acts now in force in the various states:

ARKANSAS

“Said license, when granted by said Board of Chiropractic Examiners, shall entitle the holder thereof to adjust by hand the displaced segments of the vertebral column, and any displaced tissue in any manner related thereto, for the purpose of removing any injury, deformity, or abnormality of human beings.”

CALIFORNIA

“License shall authorize the holder thereof to practice Chiropractic in the State of California as taught in Chiropractic Schools or Colleges; and, also, to use all necessary mechanical, and hygiene and sanitary measure incident to the care of the body, but shall not authorize the practice of medicine, surgery, osteopathy, dentistry or optometry, nor the use of any drug or medicine now or hereafter included in materia medica.”

FLORIDA

“Any Chiropractor who has complied with the provisions of this Act may adjust the three hundred or more articulations of the body and all structures adjacent hereto, may use the X-ray for diagnosis, but shall not prescribe or administer to any person any medicine or drug included in materia medica, perform any surgery, except as hereinafter stated, nor practice obstetrics.”

IDAHO

“Practice of Chiropractic Defined. Any licentiate under this chapter may adjust any displaced segment of the vertebral column or any displaced tissue of any kind or nature, for the purpose of removing occlusion of nerve stimulus in the bodies of human beings, and practice physiotherapy, electrotherapy, hydrotherapy, as taught in Chiropractic Schools and Colleges, but nothing herein contained shall allow any licentiate to prescribe medicine, perform surgical operations or practice obstetrics.”

KANSAS

“Any Chiropractor who has complied with the provision of this Act may adjust by hand any displaced tissue of any kind or nature, but shall not prescribe for or administer to any person any medicine or drug now or hereafter included in materia medica, perform any minor surgery, only as hereinbefore stated, nor practice obstetrics.”

MICHIGAN

“Chiropractic is defined as the locating of misaligned or displaced vertebrae of the human spine, the procedure preparatory to and the adjustment by hand of such misaligned or displaced vertebrae and surrounding bones or tissues.”

MINNESOTA

“For the purpose of this Act, Chiropractic is hereby defined as being the science of adjusting any abnormal articulations of the human body, especially those of the spinal column, for the purpose of giving freedom of action to impinged nerves that may cause pain or deranged function.”

NEW MEXICO

“Said license, when granted by said Board of Chiropractic Examiner, shall entitle the holder thereof to diagnose and treat diseases, injuries, deformities or other physical or mental conditions, by the use of any or all methods as herein provided, such as palpating, diagnosing, adjusting and treating diseases, injuries and defects of human beings by the application of manipulative manual and mechanical means, including all natural

agencies imbued with the healing act, such as food, water, heat, cold, electricity, vacuum cupping and drugless appliances, without the use of drugs or what are commonly known as medicinal preparations, or in any manner severing or penetrating any of the tissues of the human body, known as surgery.”

NORTH DAKOTA

“Any chiropractor who has complied with the provisions of this Act may adjust any displaced tissues of any kind or nature, and practice physiotherapy, electrotherapy, and hydrotherapy as taught by Chiropractic Schools and Colleges, but shall not prescribe for, or administer to any person any medicine or drug now or hereafter included in materia medica, to be taken internally, nor perform any surgery, except as herein stated, nor practice obstetrics, nor use the titles Doctor, Physician or Surgeon. But may use the title of Doctor of Chiropractic, or D.C.”

OKLAHOMA

“Chiropractic is hereby defined to be the science that teaches health in anatomic relation and disease of abnormality in anatomic disrelation, and includes hygienic and sanitary methods incident thereto.”

OREGON

“Chiropractic is defined as that system of adjusting with the hand or hands the articulations of the bony framework of the human body, and the employment and practice of physiotherapy, electrotherapy and hydrotherapy; provided, no person practicing under this Act shall write prescriptions for or dispense drugs, practice optometry, or do major surgery; provided further, this Act shall not be construed so as to interfere with or prevent the practice of, or use of massage, Swedish movement, physical culture, neuropathy, naturopathy, or other natural methods requiring the use of hand or hands.”

SOUTH DAKOTA

“The practice of Chiropractic is hereby defined to be the science of locating and removing the cause of any abnormal transmission of nerve energy including diagnostic and externally applied mechanical measures incident thereto.”

It is expected that the National Committee on State and Political Relations, in cooperation with the National Committee on Education, will be in a position to extend sound advice and constructive suggestions to those states seeking to amend laws governing educational requirements and definitions during the coming legislative sessions. Prompt cooperation of all concerned might well make 1943 a banner year of Chiropractic progress.

1944: CO Watkins DC, FICC authors *The Basic Principles of Chiropractic Government*, includes:

What is Chiropractic, Legally Speaking?

When we consider this question we find a real chiropractic problem, one which has been created largely by our own imprudent leadership...

There are a number of ironical facts regarding Chiropractic Practice Acts. First, many of our laws were written by legal counsel which specialized in chiropractic legal matters. Yet, the laws written by this specialized counsel have caused more trouble and placed greater legal restriction upon normal chiropractic progress as a science than those written by independent counsel. Second, while Chiropractic Practice Acts are of four different types as far as definition is concerned of which only one type could be considered as approaching the ideal, only the law containing a narrow specific definition has caused much

embarrassment to the profession which strives to advance the science. Third, most of the effort to shackle normal chiropractic progress as a science by means of legal barriers has come from "would-be" leaders within our own profession. Fourth, while chiropractic is a science and could be well defended as such if it were better organized, chiropractic legal talent has based their defense in the past upon chiropractic as only an art. The plea of "prior art rights" is a meaningless gesture in a science since the art is subservient to the science. Further, the science of chiropractic is a separate branch of science today, but because of lack of scientific organization the fact is not as easy to prove as in other better organized sciences. Fifth, although man-made laws have little effect upon the progress of science it should be the first responsibility of our legal counsel to draw up laws and to construct substantial argument which would defend the right of the sciences to progress unmolested without legal barriers. Sixth, the one and only method of making chiropractic readily demonstrable and defensible as a separate science; namely, the organization of the science, has in the past and even today receives scant consideration by chiropractic organization. It is an absolute necessity if chiropractic is to enjoy normal progress and be enabled to fully demonstrate its claim legally as a separate branch of science.

Many of the problems which have harassed the chiropractic profession throughout the years have been the result of the bungling of legal matters by our legal counsel. While Osteopathy is little better organized as a science than is chiropractic, its legal matters have not been bungled as have ours. The science of osteopathy has had far fewer legal restrictions placed upon it. What is needed in chiropractic today is legal counsel capable of defending the right of chiropractic scientific progress. Unless this need is met our science can progress only in the face of continued legal harassment. It is the duty of our legal counsel to keep the scientific frontiers of chiropractic free of legal barriers...

1945 (Mar 17): letter from TC Oyler at Frances Bldg, Brookfield MO, secretary of Missouri State Board of Chiropractic Examiners, to Carl Cleveland Jr.; postscript is handwritten (Cleveland papers, CCC/KC):

Dr. Carl S. Cleveland Jr.
3724 Troost Avenue
Kansas City, Mol
Dear Dr.:-

Under separate cover I am sending you a number of Applications for examination.

I wish you would prepare a little on section one and four. I have so many letters from those who have just received their licenses asking just what the scope of Chiropractic is here in Missouri. **Make clear that there is a difference between the definition of Chiropractic as taught by the school and the definition of Chiropractic as defined by our statute.** Section four is just for their general information.

With best wishes, I am, Sincerely, *TC Oyler*

1945 (Apr): **National Chiropractic Journal**[15(4)] includes: -"News Flashes: Liberalize Nevada Law" (p. 44):

The State of Nevada, which, it will be recalled, was the only state having the so-called "straight chiropractic" **Model Bill** has moved successfully at this session of the legislature to amend the chiropractic act passed in 1923. The new wording of the bill,

which was signed by Governor Carville on March 16, reads as follows: "Chiropractic is defined to be the science of palpating and adjusting the articulations of the human spinal column by hand only. This definition is inclusive, and any and all other methods are hereby declared not to be chiropractic; provided nothing herein contained shall be construed to prohibit the use by any licensed chiropractor of all necessary electrical, mechanical and hygienic and sanitary measures incident to the care of the body."

1946 (Apr): **National Chiropractic Journal**[16(4)] includes: -Benedict Lupica, D.C. of CINY authors "A study of chiropractic definitions" (p. 16)

1946 (May): **National Chiropractic Journal**[16(5)] includes: -"News Flashes: Rhode Island: Chiropractic Bills in Assembly" (pp. 42, 44):

...a five-hundred page Health Bill presented by a special committee appointed by the governor to revise the health laws of the state. In the chiropractic section, **chiropractic is defined** as: "The science and art of mechanical and material healing as follows: the employment of a system of palpating and adjusting the articulations of the human spinal column and its appendages by hand and electro-mechanical appliances including physiotherapy in all its branches and the employment of corrective orthopedics and dietetics for the elimination of the cause of the disease."

1950 (Aug): **Journal of the National Chiropractic Association** [20(8)] includes:

-"News flashes: New York" (pp. 45-6):

COURT RULES PRACTICE IS NOT ILLEGAL

The Court of Appeals in a unanimous decision rendered today in *People vs. Maybrook*, affirming a similar decision of the Appellate Division, First Department, 276 App. Div. 192, rejected the contention of the State Education Department as urged by the Attorney General of the State of New York, that the practice of chiropractic is the practice of medicine and that one not licensed as a medical doctor who in an advertisement uses the designation or title "chiropractor" advertises or implies by doing so that he [is] a practitioner of medicine and is, therefore, guilty of a criminal violation.

The ruling by the Court of Appeals resulted from an appeal taken by Menahem Stim, as counsel for the Federation of Chiropractors of New York, Inc., from a prosecution by the Attorney General of Miss Virginia M. Maybrook, a New York City chiropractor, who was charged in an indictment with the unlawful advertisement to practice medicine by reason of the use of her name in advertisements as well as in professional cards of the title "chiropractor." The Attorney General contended that **the practice of chiropractic is the practice of medicine as defined by the State Education Law**, and that the use by one who is not a licensed medical doctor of the title "chiropractor" in an advertisement or in any other manner, is in violation of the State Medical Practice Act.

By dismissing the indictment as a matter of law, the Court of Appeals in effect held that chiropractors are not violating any state law when they practice their profession or when they use the title "chiropractor." It is expected that the decision of the Court of Appeals will hasten the enactment of a statute to license and

regulate the practice of chiropractic in the State of New York. Approximately 3,000 chiropractors are practicing in the state.

1951 (Apr): **JNCA** [21(4)] includes:

-C.O. Watkins, D.C., chairman of NCA Committee on Clinical Research, authors "Modernizing the practice acts" (pp. 13-4, 66, 68, 70):

The Chiropractic Practice Act was placed on the statute books of Montana some thirty-three years ago. Chiropractic was young at that time and the future nature or needs of the profession could not be anticipated. The result was legislation which served well in some respects to advance chiropractic; in other respects it harassed the progress of the profession and made offenders of many members.

The primary purpose of every Practice Act is to provide the instrument necessary for a profession to regulate its own educational and ethical standards. That is the scope of Practice Acts regulating all other professions. When it extends beyond that and attempts to govern practice methods, it becomes a menace to public health and an obstacle to professional and scientific progress. Furthermore, to delegate to medicine the indirect control over the care of the chiropractic patient can result in creating a hazard to public health, a stifling of scientific and professional progress, and a continually strained relationship between chiropractic and medicine. For these reasons we decided this year to divorce chiropractic from medicine by removing from our act those features which made us subservient to medicine and which interfered with a free science of chiropractic, and we drew up a bill for that purpose.

The intent of this article is to set for the case we prepared so that other states may consider it, profit by it, and perhaps improve upon it. In drawing up this bill we had but one thing in mind: To divorce chiropractic entirely from medicine and thus bring about a free profession and science of chiropractic so that in the future we might set our own sails and steer our own ship.

The two sections of the Practice Act which were affected were the ones entitled, "Definition of Chiropractic" and "Rights and Limitations." Following herewith is stated the wording of the original act together with that of the amended sections, their several features being numbered to facilitate discussion.

Definition of Chiropractic (Original Act)

Chiropractic is the science that teaches that disease results from anatomic disrelation and teaches the art of restoring anatomic relation by the use of the hands. No other means of securing health shall be construed to be chiropractic except the inherent qualities at the time in the patient or appertaining to the chiropractor.

Definition of Chiropractic (Proposed Amendment)

1. Chiropractic is a science which is a separate and distinct branch of the healing arts, having its own colleges, college-accrediting agency, its own scientific organization and Practice Acts. 2. The basic principle of chiropractic is the restoration and maintenance of the structural and functional integrity of the human body. 3. The practice of chiropractic consists of all necessary means to carry out this principle.

Rights and Limitations (Original Act)

1. Chiropractors licensed under this act shall have the right to practice that science defined as chiropractic under Section 3144 of this code, in accordance with the method,

thought, and practice of chiropractors, and they shall be permitted to use the prefix Dr. or Doctor as a title, but they shall not in any way imply that they are regular physicians or surgeons. They shall not prescribe for or administer to any person any medicine or drugs, or practice medicine or surgery, or osteopathy; except, that the use of antiseptics for purpose of sanitation and hygiene to prevent infection and contagion shall be permitted.

Rights and Limitations Governing Practice (Proposed Amendment)

Chiropractors licensed under this Act shall have the right to practice that science defined as chiropractic under Section 3144 in accordance with the method, thought, and practice of chiropractors and they shall be permitted to use the prefix Dr. or Doctor as a title but shall not in any way imply that they are medical physicians or surgeons.

(The remainder of this Section was to be deleted from the Act.)

Since the purpose of a definition is but to describe accurately that which is being defined, in (1) we set forth in the definition that chiropractic is a separate school of healing with those facilities necessary to maintain itself as such. In (2) we defined the purpose of the practitioner in his practice. It is but a true statement of fact. The part (3) was ill advised, no doubt, and should not have been in the amendment. It was pointed out that technically it might legally give to chiropractic the exclusive use of all the methods it uses. Although this was doubtful, since neither the medical nor osteopathic acts in Montana prohibit the practice of chiropractic, it was not our purpose to obtain a de facto patent on certain areas of knowledge or methods, the very thing we were fighting against on the part of medicine.

Perhaps instead of (3) another paragraph, worded as follows, defining how the methods of patient care are arrived at should be used:

"The methods used in chiropractic care are determined by examination of those factors inherent in each individual patient's problem, together with the individual chiropractic physician's ability competently to apply the methods of care required in each case according to his school of practice.

"The limitations of practice and the referring of patients for specialized care is the responsibility of the individual chiropractic physician who is delegated full responsibility of the patient under the common law."

In defining chiropractic, as in defining anything else, one must make certain to describe honestly what chiropractic care actually consists of. To give an erroneous description can result only on a poor and perhaps untenable definition.

Since methods of care are not determined by statute, the definition need not necessarily describe the nature of each individual's practice but must cover all and be general in nature. Chiropractic in Montana, as elsewhere, is divided upon two principles: The cultists, whose practice methods are somewhat predetermined by the various doctrines they adhere to, and followers of the free science concept, who hold no doctrine or method in reverence but base their methods of care entirely upon inherent problems in each individual case according to the basic principles of science. While the cultist end of chiropractic in Montana is small, yet they, too, would have been free to care for their patients according to their system of practice under the proposed definition.

By far the most important part of the proposed amendment and the one which meets the greatest opposition is the removal of the clause "They shall not prescribe for or administer to any person any medicine or drug nor practice medicine or surgery" from the Section on Rights and Limitations. Chiropractic cannot be a free science so long as this clause remains in the Practice Act.

Almost every chiropractic law, as well as many osteopathic laws, have a similar clause. Its effect, as interpreted by the courts, is to medicine a de facto patent and the exclusive use of every method of patient care used by medicine. By this clause the medical profession achieves a monopoly far greater and more vicious than any conceivable trade monopoly because it gives medicine a monopoly over the use of certain areas of knowledge and methods of doing things, a situation unheard of in other fields. It puts into effect the principle of Prior Arts Rights, a principle which has never been recognized in other fields by American courts.

In many chiropractic acts a broad definition of chiropractic has been used to regain for the chiropractor the privilege of using certain specific methods such as diet, physiotherapy, etc., but in not state does he have the privilege to determine freely by himself his methods of patient care. Under a so-called straight or cultist definition he is still a slave with certain liberties. Thus, we had the choice in Montana of being slave, half slave, or entirely free of this vicious medical monopoly; we chose to write legislation to make ourselves entirely free. That is why it was imperative that we remove this clause entirely from our Practice Act.

Like the cat with its mouse, political medicine had no intention of permitting us to gain our freedom. Of course, we anticipated that they would insist that we were trying to enter the "back door of medicine" or that we wanted to practice medicine and surgery and that as a consequence we might wreck the public health; accordingly, we prepared our case to meet such arguments. Actually, we did not wish to enter medicine through any door. All we wanted was entirely to divorce ourselves from medicine and to legalize the methods we were already using. We also wanted freedom to grow as a science and to develop better methods of patient care. We did not believe that medicine has a basic right to interfere legally with our normal, natural growth as a profession of the healing arts.

The big question was: What effect would this change in the statute actually have upon the public health? The opposition pointed out that with this amendment a chiropractor could **legally** take out an appendix or a thyroid or do other major surgery. That, of course, is a true statement, but that fact alone could not make possible or even probable something that was otherwise impossible or at least highly improbable. There would be no threat to public health because the chiropractor does not represent himself to be a surgeon. The public would not go to him for surgery. Due to another medical monopoly, there is no hospital in Montana wherein a chiropractor can care for a case according to his own school of practice, let alone perform surgery.

In the medical profession a pediatrician, even though he may never have seen brain surgery done, has every legal right to perform such an operation; and political medicine would contend that that fact does not jeopardize public health. The pediatrician holds himself out as a surgeon and has every facility to perform surgery. If a danger to public health exists in our case, a far greater actual danger exists in the case of medicine because there are few, if

any, surgeons who are competent to cover the whole field of surgery today.

There is far greater possibility that surgeons are injuring patients today by attempting surgery beyond their capabilities than there is that the chiropractor would attempt surgery. This is true because it is impossible for the public to determine the specific scope of an individual surgeon's capabilities, while anyone who would go to a chiropractor for surgery would certainly evidence lack of judgment. Furthermore, the whole future of the chiropractic physician depends upon his judicious care of the patient. Because of his close surveillance by political medicine, which is always trying to "get something on him" he is, perhaps, the most careful physician in the field of public health. To conclude that because he was free to care for his patients according to his own judgment he would attempt to exceed his capabilities and thus injure his patient is to conceive of him as a reckless, irresponsible individual, unworthy of assuming responsibility for a patient. If such were his nature, certainly he should not be licensed to care for the sick at all. The fact that such is not his nature is amply proven by the fine services rendered by the public by the chiropractors in Montana. Even though a great majority, if not all, offend the statute, in the thirty-three years since the enactment of Montana's Chiropractic Act we have had but three cases of malpractice for patient negligence, and two of these are still undecided by the courts.

In any event, if one were to assume that some chiropractor on some dark night by some weird means might capture a patient and attempt some major surgery, it would certainly be an individual problem and one our profession could easily cope with by make such irresponsibility grounds for revocation of license along with the use of narcotics, etc. The probability is so remote that it is not even worthy of consideration. Too, the patient has every protection from such chiropractic irresponsibility in the common law courts just as he has from medicine. Actually, this particular clause protects nothing except the monopolistic tendencies and "cat and mouse" acts of political medicine.

Furthermore, this clause, if we were to adhere to it, is a threat to public health, the individual patient, the chiropractic profession, and scientific progress. It is contrary to a long-established principle of the free use of knowledge and methods of doing things. The common law delegates the responsibility for the patient's welfare to the chiropractor but under this statute he is not free to assume it. Every time the chiropractor gives his diabetic patient a diet he is placing himself under double jeopardy. If he prescribes the diet he offends the statute; if he does not and the patient is injured, he is guilty of negligence before the common law court. One could continue almost endlessly pointing out where in this clause is not in the interest of the patient or the public health. There are a great any good reasons why this clause should be removed from Chiropractic Practice Acts and no good reason why it should be left therein.

I am certain that even the political power of organized medicine cannot prevent the repeal of this clause when its true significance is made clear to the public. Perhaps a strong enough case against this type of monopoly could be built in courts, which, if taken to the Supreme Court, might result in similar clauses in all Practice Acts being declared unconstitutional. Certainly within the next few years we must unite and build our case to free our profession from the effects of this untenable legislation either through court action or legislative appeal.

Today, when half the peoples of the world must subscribe to Marxism and have lost their freedom of self-determination, it is ironical that in our free society a situation can exist wherein the chiropractic physician assumes the full responsibility of the welfare of his patient, and yet is not legally free to provide the best possible care he is capable of for his patient.

The public is already well aware of the social arrogance of political medicine. We are not the only ones they push around. Indeed, political medicine spends more time and displays greater interest in pushing the rest of society around and providing for the maintenance of their own artificial social position than in caring for the public health.

The history of chiropractic is full of struggle against the domination of political medicine. That struggle will continue until chiropractic is a free and independent school of practice privileged to determine for itself its own destinies in our society. Only when the chiropractic profession is entirely free from subservience to political medicine will the best interest of the individual patient, the public health, and scientific progress be served, and only then can the struggle end. We, in Montana, have every intention of continuing that struggle until eventually we shall win our freedom.

1953 (June 26-30): "Minutes of the National Council on Education" held at the Statler Hotel in Los Angeles (Keating et al., 1998); includes:

...d- The situation in Ontario had become so complicated since about a year ago when an independent Board of Chiropractic Examiners had been established. Prior to this the mixed Drugless Therapy Board had granted the Doctor of Chiropractic liberal practice. The present law has a **limited chiropractic definition** and hence the Canadian Memorial Chiropractic College now issues Doctors of Drugless Therapy degrees so as to allow its graduates to get a naturopathic license from the Drugless Therapy Board...

10- Dr. Cecil Martin the chiropractic member of the New Jersey Board of Medical Examiners, was asked to present to the Council informations about the New Jersey situation. Following is a resume of the subsequent discussions.

a- Assembly Bill No. 456 was passed and signed by the Governor... The definition of chiropractic is as follows, "A licensed chiropractor shall have the right in the examination of patients to use the neurocalometer, x-ray, and other necessary instruments solely for the purpose of diagnosis and analysis. No licensed chiropractor shall use endoscopic, or cutting instruments, or prescribe, administer, or dispense drugs or medicine for the purpose whatsoever, or perform surgical operations excepting adjustment of the articulations of the spinal column".

1955 (July 4-8): "Minutes of the annual meeting of the National Council on Education" held at Hotel Claridge, Atlantic City NJ (Keating et al., 1998); includes:

Dr. Peterson then proceeded to explain the pending legislation in Connecticut, which in substance pertained to the following informations:

(1) Broadening the **definition** which if legislation is passed will read as follows: "The practice of Chiropractic shall be understood to be a system or method of diagnosing, except by methods which include drugs or surgery in any form, and treating human ailments by means of manipulation of structures of the body, by hygienic, dietary and physiotherapeutic measures as taught in chiropractic schools, but shall not include the use of

drugs, surgery or osteopathy nor the use of roentgen ray or radium for therapeutic purposes."

1955 (Nov): **ICA International Review of Chiropractic** [10(5)] includes:

-“Chiropractors are against naturopaths on state board” (p. 24); includes:

Atlanta, Ga. (ACP) – The Georgia Chiropractic Association at its annual convention here on October 7-8, went on record officially opposing the appointment to the Georgia State Board of Chiropractic Examiners of any man who holds a license to practice naturopathy.

The stand was embodied in a resolution passed unanimously by the GCA. The Association said he action was taken because:

1. Naturopathy, as defined by Georgia law, may be interpreted as invading the fields of medicine, chiropractic, and osteopathy as defined by Georgia statute.

Infringing on Medicine

2. Dual license holders of both chiropractic and naturopathy will cause the general public to believe both professions are infringing on the practice of medicine.

3. The similarity of the situation in Georgia today as compared to the situation that existed in Tennessee prior to the revoking of all naturopathic licenses in that state and due to the fact that some chiropractors held naturopathic licenses, the chiropractic profession was regulated under an oppressive, medically dominated board that has virtually barred all new doctors of chiropractic from Tennessee...

1957 (May): **ICA International Review** [11(11)] includes:

-Hugh E. Chance, ICA General Counsel, authors "Naturopathic scandals threaten chiropractic! Cub needed on bogus physicians" (pp. 6-12); details repeal and revision of naturopathic statutes in many states, including Oregon:

Portland has another claim to notoreity which didn't come out in the recent Congressional investigations - the chiropractor-abortion scandal which has been going on for several years. Oregon is another of those states which has adopted the broad scope definition:

"**Chiropractic is defined** as that system of adjusting with the hands the articulations of the bony framework of the human body, the employment and practice of physiotherapy, electrotherapy, hydrotherapy and minor surgery."

Because the law requires the Board to examine in those practice subjects which go beyond the legitimate field of chiropractic, applicants for license from most chiorpractic schools must put in an additional year of study in the Western States College at Portland. This school suspended its school of **naturopathy** only last year. In making the announcement of its closing, the president of the college said: 'Circumstances and legislative actions now indicate that this alliance is no longer necessary.'

He did not say what 'circumstances' or what 'legislative actions' were at the base of their considerations, but few expect that there will be any radical change in the curriculum at Western States. None was announced.

-“Scope of practice complaint is filed” (p. 27):

Madison, Wis. (ACP) – A complaint against a chiropractor which may result in a court ruling covering the scope of

chiropractic practice, was filed here recently by the Wisconsin State Board of Examiners.

The complaint was against Dr. Robert L. Grayson of Kenosha, who was charged with using modalities in his practice and using the term “doctor” on his stationery.

Attorney General Stewart Honeck insisted that the test case be tried in circuit court at Kenosha.

A basic issue is whether the members of the chiropractic profession should be allowed the use of X-ray and other machines, as well as use of the terms “doctor” and “doctor of chiropractic.”

Presently, chiropractic is not defined by the statutes of Wisconsin.

1957 (Nov): **ICA International Review** [12(5)] includes:
-“Court orders Wisconsin D.C. to cease use of modalities” (p. 24):

Dr. Robert Grayson has failed to block Wisconsin state action that would prevent him from using machines to treat patients.

The state attorney general Stewart Honeck, sought an injunction in circuit court at Kenosha to stop Grayson from using certain practices which, the state contends, exceed the limits of his chiropractor’s license.

Honeck said the basic issue was whether Grayson could use “modalities” (machines) in the diagnosis and treatment of disease. The state contends that chiropractors are limited to hand adjustment of the spinal column.

After Honeck’s request for an injunction, Grayson filed an objection to the state’s action. Grayson objected on the grounds that the court lacked jurisdiction because the **legislature had not specifically defined the limits of chiropractic practice** in Wisconsin statutes.

The announcement that Grayson’s objection had been overruled was made Thursday by Atty. Gen. Honeck.

Circuit Judge M. Eugene Baker, in his decision, cited previous court rulings that a chiropractor was not a physician. He also pointed out that a licensed physician was authorized to practice in any medical field, and that a chiropractor must therefore be confined to lesser activity.

1958 (Jan): **ICA International Review of Chiropractic** [12(7)] includes:

-“Wisconsin DC argues state chiropractic definition” (p. 18)

1958 (July 31): Joseph S. Hoyt, D.C., secretary of the **Council of State Chiropractic Examination Boards**, writes on COSCEB stationery (in FCLB file):

-Carl H. Peters, D.C., chairman, authors “Report of Committee on Standardization” (pp. 12-3):

Preceding this report on the Agenda are those of the Committee on Accreditation and the Committee on Legislation. Following this report is the report of the Committee on Education. The fourth standing committee of the Council is that on Examination.

To properly approach that subject there must be a clarification and standardization of the DEFINITION OF CHIROPRACTIC and the SCOPE OF PRACTICE of the same. Your chairman has not worked with two or three members in the summarizing of this report, but with the secretaries of each of the licensing bodies of this Council. A request for the definition of chiropractic and the

scope of practice as legalized in the various states and territories was made. A survey and analysis was made and the results were variable, in the expression of words, but the ultimate survival of thought remained the same in the final analysis.

If chiropractic had started in the first day of legislation with but one and the same definition of chiropractic with but one and the same scope of practice, the problem would not exist that we have today. Education varies with the school or college in which it is obtained. State laws have become, more or less, standard on the four year requirement. But as we all well know, the original intent of the practice act as it passed in the various states is chiropractic to that state. Amendments have little legal effect in changing the original intent of the law.

But in reviewing these many statutes definite chiropractic, the one premise stands out in all – that chiropractic is the practice of the release of nerve pressure for the restoration of health in the human body. Without that premise, our profession would not have received its first legal recognition, or need for existence.

Now to the scope of practice. Education on the fundamentals of chiropractic are pretty well established. The basic science subjects are a must in chiropractic education. But the scope of practice are varied and sundry. It seems, each state law has its individual state’s rights regarding the same. But through them all, there seems to be a standard even in them, as in the definition.

Our Council of State Chiropractic Examining Boards must rise in its Stature of Leadership and aid the chiropractic associations in establishing the Definition of Chiropractic and the Scope of Practice of our profession.

I give you this nucleus to accept or work from:

CHIROPRACTIC IS THE PHILOSOPHY, SCIENCE AND ART OF THE RELEASE OF NERVE PRESSURE, THEREBY PERMITTING WITHIN THE BODY A NORMAL EXPRESSION OF HEALTH.

THE SCOPE OF PRACTICE INCLUDES THOSE PRACTICES WITHIN THE PUBLIC DOMAIN OF MANKIND, EXCLUSIVE OF THE PRACTICE OF OSTEOPATHY, MATERIA MEDICA AND SURGERY.

1959 (Dec): **Journal of the National Chiropractic Association** [29(12)] includes:

-“NCA scope of accepted practice” (p. 22):

“The practice of chiropractic consists of the diagnosing of human ailments by the use of diagnostic procedures recognized by the various schools of the healing arts, the treatment of human ailments by the adjustment of the articulations and the manipulation of the adjacent tissues of the human body and the use, as indicated, of clinical nutrition, psychotherapy and physiotherapy. Such diagnostic and therapeutic procedures shall not include the use of drugs or surgery.”

1960 (Mar): **ICA International Review** [14(9)] includes:

-B.J. Palmer authors “By hand only” (p. 1):

My father, D.D. Palmer, discovered and defended pure, unadulterated, ten-fingered, by hand-only, exclusively backbone Chiropractic. His life and his principles have often been misconstrued and misconceived.

Father was a stubborn, bullish English-Canadian. His Scotch blood made him thrifty in buying and selling. His Irish enabled him to tell and appreciate good jokes. The English and German made him firm in his convictions and the last to yield to anything

except logic, reason, and facts. As a youth, one question was always uppermost in his mind. He desired to know why one person was ailing and his associate, eating at the same table, working in the same shop, at the same bench, was not. "Why?" he would ask himself. "What difference was there in two persons that cause one to have pneumonia, catarrh, typhoid, or rheumatism, while his partner, similarly situated escaped?"

Father has often been misinterpreted, misunderstood. In his book, he once wrote, "Chiropractic is defined as being the science of adjusting by hand any or all luxations of the 300 articular joints of the human body. More especially the 52 articulations of the spinal column, for the purpose of freeing any or all impinged nerves which cause deranged functions. Ninety-five per cent of these are caused by vertebral luxations which impinge nerves. The displacement of any bone may impinge, press against nerves, and thereby modify the amount of force used to propel an impulse, functions are performed in too great a degree." Father never "adjusted" or even tried to set or replace any other articulation in the body except vertebral articulations and toe joints.

In early days he adjusted vertebral subluxations and toe joint for corns and bunions. Because of fixed understanding in the mind of the public as to the meaning of "chiropractic" as pertaining to corns and bunions, and their misunderstanding and misapplication of the new word "chiropractic," they soon began to think that "chiropractic" was the same as "chiropractic" and chiropractors were soon known as "corn doctors." It was a natural confusion to apply an old word to a new one. In D.D.'s mind, **chiropractic** was important, not **chiropractic**. When he became convinced that one was submerging the other, he quit adjusting toe joints. It was about 1910 when he confined himself to vertebral subluxations. He should have made this clear in his book before he published it.

In various ways, he was inconsistent. He was extremely modest at times, very bold at others, unassuming to some, very assuming to others not pretentious on some subjects, domineering on others; inclined to be shy and retiring to some people, very bold to others. He was not a pompous character except at times which seemed unwarranted. His life was full of inconsistencies, contradictions, ups-and-downs, tragedies, heartaches, loneliness, accomplishments, failures and domestic troubles, but he did one thing that will bring his name down through history and bring him fame through the ages. No other man has ever done this – He discovered the cause of dis-ease and found a method of correcting it, **by hand only**.

1961 (July/Aug): **Digest of Chiropractic Economics** [4(1)] includes:

-“N.C.A. adopts new definition on scope of practice” (pp. 12, 33); includes photo of R.T. Leiter, D.C., NCA president, and:

“Chiropractic is a science and art of healing which emphasizes the relationship between structure and function in the human body, particularly the musculo-skeletal and nerve systems in the restoration and maintenance of health. Its practice includes the use of all recognized diagnostic methods. Its therapy is concerned principally with manipulative procedures and the use of the beneficial qualities of natural phenomena, such as heat, light, air, water and rehabilitation procedures, as indicated. Doctors of Chiropractic place great reliance on the inherent recuperative powers of the human body and their practice is conducted with

due regard to environmental, nutritional and psychological factors, as well as hygiene, sanitation, first aid, and related procedures.”

1964 (Mar/Apr): **Digest of Chiropractic Economics** [6(5)] includes:

-Paul Smallie, D.C. authors “World-Wide Reports” (p. 7); includes:

INDIANA

In a survey, the individual DC is being asked to write out his idea of the chiropractic definition to learn if all DCs have the same basic idea...

-“Special Release: ICA clarifies dual accreditation policy” (p. 46):

DAVENPORT, IOWA (ACP) – Responding to inquiries concerning the disallowance of dual accreditation of colleges by ICA and other organizations having a scope of practice inconsistent with that of ICA, Dr. John Q. Thaxton, President, stated early this month that he is hopeful dual or joint accreditation may become possible in the near future as a result of ACA’s adopting the ICA scope of practice. “Nothing in chiropractic history would go so far in solving the problems of the profession,” he said.

Dr. Thaxton pointed to the fact that Columbia Institute of Chiropractic, which is accredited by ICA, has recently made application for accreditation by ACA. If ACA should adopt the ICA scope of practice prior to acting favorably on Columbia’s application, there would be no conflict in the dual accreditation. Columbia Institute of Chiropractic is in good standing as an ICA accredited college at the present time (March 13, 1964), and is entitled to all the rights and privileges of the ICA program.

“The proposed ACA scope of practice, which is apparently being promoted by such organization at present, is unacceptable to the ICA,” Dr. Thaxton said. “It is the consensus of the ICA Board that no ICA college should lend its prestige to such organization until an acceptable chiropractic definition and scope of practice are adopted.”

1964 (July/Aug): **Digest of Chiropractic Economics** [7(1)] includes:

-Earl L. McMurray, D.C. of Stockton CA is guest editor for “World-Wide Reports” (p. 32); includes:

TEXAS

Legal Definition of “Healing Art”... The term healing art, as defined by law, includes any system, treatment, operation, diagnosis, prescription, or practice for ascertainment, cure, relief, palliative adjustment, or correction of any human disease, ailment, deformity, or injury, or unhealthy condition, and includes specifically, but nothing by way of limiting the practice of medicine and surgery – the practice of osteopathy and the practice of chiropractic, or other branches of healing (Journal of the American Medical Association – May 31, 1958).

1965 (Jan/Feb): **Digest of Chiropractic Economics** [7(4)] includes:

-Paul Smallie, D.C. authors “World-Wide Reports” (pp. 6-7); includes:

JOURNAL REVIEW

International Rev. of Chiro., June Scientific edition – Dr. R.A. Beech, “The official definition – could logically include the victims

of the hangman's rope and electric chair within the scope of this definition. When this too, is to be confined to and accomplished by, adjustment of the vertebrae by hand only, we are astonished at the task set by the Editorial Committee. Even the indomitable B.J. we think would have faltered if confronted with such a programme!"

1965 (July/Aug): **Digest of Chiropractic Economics** [8(1)] includes:

-Paul Smallie, D.C. authors "World-Wide Reports" (pp. 4-7); includes:

WASHINGTON

Attorney General J. O'Connell, has ruled that a physical therapist cannot practice spinal adjusting, even if prescribed by a licensed physician or surgeon. Washington statutes clearly define the practice of medicine, chiropractic and physical therapy. Medicine: the practice of medicine and surgery consists of the use of drugs or medicinal preparations in or upon human beings, severing or penetrating the tissues of human beings, and the use of any and all other methods in the treatment of diseases, injuries, deformities, or other physical or mental conditions, but shall not include the practice of chiropractic.

1965 (Oct 14): copy of letter from George E. Hariman, D.C. to Leonard W. Rutherford, D.C. (Berner files):

LICENSED HOSPITAL

Dr. L.W. Rutherford

741 Brady Street

Davenport, Iowa

Dear Doctor Rutherford:

I have read your telegram which was sent to the ACA convention and your address made to the ICA convention, therefore, I am asking that (since I have practiced Chiropractic for more than fifty years, and have served on state and national level all through the years) that you take a little time to consider the contents of my letter to you.

To clarify my position and the reason for this letter: I wish to cite the case of North Dakota. Since every state has had hurdles to overcome we are all similar. My contention is that the reason there are fifty definitions of chiropractic, this was the best they could do under the circumstances at the time of the enactment of their laws.

North Dakota had the first law enacted and placed in operation by virtue of an emergency stipulation. The law failed the first time, in 1913. In 1915 we had a Board of Examiners. It was a law according to D.D. Palmer's professional practice of chiropractic, and it was accepted by all powers of that time and day. In fact, North Dakota Chiropractors were the living example of the profession, since Dr. B.J. had them on platform, etc. introducing them and displaying them as "successful chiropractors of the country."

They brought tables and adjusted Legislators during the Legislative session, relieving them of their ailments to prove the efficacy of chiropractic. So, North Dakota progressed, and many students – the greater portion – were from the Palmer School, these made up the roster of the State. Then in 1931 came the **BASIC SCIENCE BILLS**. These were defeated in North Dakota in 1931, but came back in 1933. With **Basic Science** came the Naturopaths asking for licensure and stating that "only that which is permitted in our law should be practiced."

At that time there were 70 Chiropractors in the State and only 12 belonged to the State Association. The others – (75% of whom were Palmer graduates and practicing Physiotherapy) fearing loss of their physiotherapy equipment, joined with the Naturopaths in fee and substance, because our law was 'straight' at that time.

We 12 proposed two years of College in **Basic Science**, to combat **Basic Science** bills, and added Physiotherapy to our law to protect the chiropractors of the State against Naturopathy. We defeated **Basic Science** and also the Naturopaths. These two amendments were forced upon us as a protection rather than "mixture."

Where were the CHB? The International? Or even the Palmer School? Just a handful of chiropractors doing what they could to protect chiropractic for posterity.

In like manner all other States have had to conform to the times and get whatever they could, but in reality, chiropractors are chiropractic minded and chiropractic practitioners.

I have guided our Chiropractic Law since 1931 and have added minor amendments but I KNOW that mainly in my state the boys are Chiropractors at heart regardless of their practice.

We regret the disunity in the profession knowing that in trying to force everyone to a standard the entire profession is damaged and weakened, and the Insurance companies find it very convenient to dis-allow claims which proves a hardship on the entire profession since it is not good for the prestige of the profession and it is now reaching the place where patients with insurance will go to the offices and hospitals where they may have help to pay their bills from such insurance.

While you and your officers are trying to enforce principles, Chiropractic is suffering and chiropractors will diminish in student enrollment and in practitioners.

It has been said that "man kills that which he loves"...are you trying to live up to that, rather than compromise and solidify?

A compromise of ideas and a UNITY of PURPOSE is the American way and will serve the profession best.

Kindest wishes.

Sincerely,...

1967 (June 28-July 1): "Minutes of the meeting of the Council on Education" of ACA held at Chase-Park Plaza Hotel in St. Louis; briefly present are: Drs. Howard Fenton & Gordon Holman of **COSCEB** and E.M. Saunders DC of **NBCE** (Keating et al., 1998):

7. **COUNCIL OF CHIROPRACTIC EXAMINING BOARDS**

Dr. Fenton presented the report including a suggestion of having the chiropractic accrediting agency sponsored by both National Associations. He also presented a copy of the **chiropractic definition** adopted by the Council.

1967 (June 25-27): "Report of 34th Annual Congress" of COSCEB at Chase Park Hotel, St. Louis MO (FCLB Archives):

Study Committee on National Definition of Chiropractic: Dr. Rex Wright reporting

The name of this committee was changed to "Committee on Statement of Purpose and Principles of Chiropractic."

A Doctor of Chiropractic is a member of the Healing Arts concerned with the health and welfare needs of the public. He give particular attention to the Anatomical Structures, especially of the

spine, relating to neurological aspects of the body in health and disease.

The purpose of his professional education is to prepare the Doctor of Chiropractic to analyze and/or diagnose, treat, or refer to other Healing Professions.

The term “chiropractic services” means those services performed by a Chiropractor consistent with the laws of the state in which he is licensed.

1968 (June): **ACA Journal of Chiropractic** [5[6]] includes: -letter from Frank W. Elliott, D.C. of Denver (p. 8):

Dear Editor:

Finally I have found time in my new capacity as the executive secretary-treasurer of our state association to read the October 1967 issue of the *Journal*. Let me congratulate you on that issue...It is the best one that has appeared in print since I graduated in 1911!

'World Chiropractic Conference Report'; 'Validity of Chiropractic Therapy Clearly Established'; and then the scholarly paper 'The Science of Chiropractic' by R.W. **Hildebrandt**, D.C.

If the schools will unite and agree to Dr. **Hildebrandt's** methodology and the **ACA** and **ICA** get behind it, there is yet hope that chiropractic can be accepted by **HEW** and if the general membership of both associations let the colleges do the job along the lines that Dr. Hildebrandt outlined, we will be doing what **D.D. Palmer** said to me in 1911 when he lived next door to me in Los Angeles. I did not take much stock in what he said then as I was prejudiced by my close connection with **B.J. and Mabel Palmer** (She was my cousin). However, since being in the field, and having taken two semesters of general semantics at Denver University, I heartily agree with Dr. **Hildebrandt** and sincerely hope that something useful will develop.

I wrote Dr. Rutherford sometime ago that he should make a move to adopt a proper scope and definition. We can afford two associations, but **we cannot afford two different 'so-called definitions and scopes of practice.'** There is now a pattern no one dares to deny as defining our position in the scientific field.

Wishing you good luck in steering our good ship Chiro through to a successful triumph.

Frank W. Elliott, D.C.
Denver, Colorado

1969 (Jan/Feb): **Digest of Chiropractic Economics** [11(4)] includes:

-Ben Bersnstein, attorney, authors “Interpretation of statutory definitions” (pp. 20-2); includes:

...How clear are the statutory definitions of Chiropractic in the various states in meeting this requirement?

Approximately one-third of the definitions state that Chiropractic is a “Science” and then continue on with the definition, omitting the phrase “Healing Art.” This description is incomplete since Chiropractic does not wish to be recognized merely as a “Science,” such as biology, chemistry or astronomy. Chiropractic must be recognized as a “Science and Healing Art.” The pertinent portions of some of the statutes defining Chiropractic merely as a “Science” follow:

1. Chiropractic is the Science of locating and removing interference with transmission of nerve energy.
2. Chiropractic is the Science of adjusting and palpating by hand.

3. Chiropractic is the Science which teaches that disease results from anatomic disrelationship.
4. Chiropractic is the Science of adjusting the cause of disease.
5. Chiropractic is the Science of palpating, analyzing and adjusting.
6. Chiropractic is the Science based on the premise that disease or abnormal function is caused by interference of nerve transmission...

About fifteen percent of the legislative definitions of Chiropractic describe it as a “Science and Art,” omitting the adjective “Healing.”...

Other definitions classify Chiropractic by referring to “classes of persons” who shall be deemed to be engaged in the practice of Chiropractic...

About ten percent of the definitions state that Chiropractic is a “system.” Since a system is defined as a “formal method of procedure,” this definition fails to refer to Chiropractic as a “Science and Healing Art.”...

Another type of definition fails to mention the word “Chiropractic” but uses instead the general term “drugless healing” and continues to state that it means “any system of healing that does not resort to drugs or surgery.”...

1970 (pre-convention issue): **ICA International Review of Chiropractic** [?(?)]:

-James D. Harrison, attorney for ICA, authors “One man’s opinion” (pp. 10-3); mentions “Chicago Definition and Scope of Practice” in 1965

1972 (Nov/Dec): **Digest of Chiropractic Economics** [15(3)] includes:

-“Palmer: an official statement of policy” (pp. 48-9); includes: “DEFINITION”

PCC has adopted the “Chicago” definition of Chiropractic as official.

“Chiropractic is that Science and Art which utilizes the inherent recuperative powers of the body, and deals with the relationship between the nervous system and the spinal column, including its immediate articulations, and the role of this relationship in the restoration and maintenance of health.”

PCC respects the traditional chiropractic definition and refers to it in the academic atmosphere as valid in principle and purpose:

“Chiropractic is the Philosophy, Science and Art of things natural. It is the system of adjusting the segments of the spinal column by hand only for the correction of the cause of disease.”

PCC recognizes the relationship of ill health and the vertebral subluxation:

“A condition wherein a vertebra has lost its juxtaposition with the one above, the one below or both to an extent less than a luxation occludes an opening, impinges nerves and interferes with the normal transmission of mental impulses from brain cell to tissue cell.”

“SCOPE”

PCC has adopted, teaches, and recognizes the validity of the “Chicago” scope of practice; it is, however, subject to interpretation.

“The practice of Chiropractic deals with the analysis of any interference with normal nerve transmission and expression, the procedure preparatory to, and complementary to the correction thereof, by an adjustment of the articulations of the vertebral

column and its immediate articulations for the restoration and maintenance of health; it includes the normal regimen and rehabilitation of the patient without the use of drugs or surgery.”

“The term ‘analysis’ is construed to include physical examination, the use of x-ray and other analytical instruments generally used in the practice of Chiropractic.”

The PCC policy statement is not intended to influence the content of the “Chicago” scope.

There is a difference between the Chiropractic scope of practice and the Chiropractor’s scope of practice...

1973 (Dec): **New England Journal of Chiropractic** [7(4)] includes:

-Leonard K. Griffin, D.C. of Fall Brook CA authors “There is a difference” (pp. 33-4); discusses definition of chiropractic science

1975 (Dec): **Mid-Atlantic Journal of Chiropractic** [2(3)], edited by William S. Rehm, D.C., includes:

-Herbert J. Vear, D.C., dean of CMCC, authors “The status of chiropractic in Canada” (pp. 68-72); includes:

In January of 1974, I received a rather impressive document, in my viewpoint, from the European Chiropractic Union which dealt at great length with a definition for the Scope of Practice for chiropractic in Europe. One statement of interest which showed European concern is the following:

“The Scope of Practice is the tool with which we can communicate with the local health authorities describing our way of working and, therefore, defining by that our rights but also our limits. This in order that no longer can chiropractic be judged as a panacea but as a scientific tool knowing its full responsibilities.”

The ECU definition finally adopted for all of Europe reads:

“Chiropractic is a discipline of the scientific healing art concerned with the pathogenesis, diagnostics, therapeutics and prophylaxis of functional disturbances, pain syndromes and other neurophysiological effects relating to static and dynamic disorders of the locomotor system, particularly of the spine and pelvis. Its therapy consists mainly of specific manual treatment and supportive measures.”

1978 (May 5): “Act regulating the practice of chiropractic with rules and regulations, Doctors of Chiropractic, issued by Board of Chiropractic Examiners 1978” for California, Garrett F. Cuneo, Executive Secretary (in my FCLB files); includes Rule 302:

302. Definitions. (1) **Practice of Chiropractic:** The basic principle of chiropractic is the maintenance of structural and functional integrity of the nervous system. A duly licensed chiropractor may only practice or attempt to practice or hold himself out as practicing a system of treatment by manipulation of the joints of the human body by manipulation of anatomical displacements, articulation of the spinal column, including its vertebrae and cord, and he may use all necessary, mechanical, hygienic and sanitary measures incident to the care of the body in connection with said system of treatment, but not for the purpose of treatment, and not including measures as would constitute the practice of medicine, surgery, osteopathy, dentistry, or optometry, and without the use of any drug or medicine included in materia medica.

A duly licensed chiropractor may make use of light, air, water, rest, heat, diet, exercise, massage and physical culture, but only in connection with and incident to the practice of chiropractic as hereinabove set forth...

1984 (Feb 9-12): minutes of “Proceedings of the 51st Annual Congress” of FCLB in Montreal; Donald Ross, D.C., president; Arnold Goldschmidt, D.C., VP; Cynthia E. Preiss, D.C., “executive director-treasurer”

-Marino Pasero, D.C. presents “Council on Chiropractic Education” (pp. 9-12); includes:

...By the January 1984 C.C.E. meeting in Reno, Nevada, an annotated outline of a curriculum of Chiropractic History was presented for initial review by the C.C.E. Board of Directors...

A recent news release was given by the C.C.E. Board of Directors and Fifteen Colleges unanimously approving and endorsing “**The Definition of Chiropractic Science**,” which is:

Chiropractic is the science which concerns itself with the relationship between structure, primarily the spine, and function, primarily the nervous systems of the human body as the relationship may affect the restoration and preservation of health.

References:

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