

CHAPTER 77

[House Bill No. 655]

PODIATRISTS--TITLE CHANGE--DEFINED--
QUALIFICATIONS

AN ACT Relating to podiatry; amending section 1, chapter 38, Laws of 1917 as last amended by section 1, chapter 149, Laws of 1955 and RCW 18.22.010; amending section 13, chapter 52, Laws of 1957 and RCW 18.22.020; amending section 18, chapter 38, Laws of 1917 and RCW 18.22.030; amending section 6, chapter 38, Laws of 1917 as last amended by section 19, chapter 292, Laws of 1971 ex. sess. and RCW 18.22.040; amending section 4, chapter 149, Laws of 1955 and RCW 18.22.050; amending section 14, chapter 52, Laws of 1957 as amended by section 1, chapter 97, Laws of 1965 and RCW 18.22.060; amending section 5, chapter 149, Laws of 1955 and RCW 18.22.070; amending section 3, chapter 97, Laws of 1965 and RCW 18.22.081; amending section 15, chapter 52, Laws of 1957 and RCW 18.22.110; amending section 6, chapter 149, Laws of 1955 as last amended by section 4, chapter 266, Laws of 1971 ex. sess. and RCW 18.22.120; amending section 5, chapter 38, Laws of 1917 and RCW 18.22.130; amending section 8, chapter 149, Laws of 1955 and RCW 18.22.140; amending section 9, chapter 149, Laws of 1955 and RCW 18.22.150; amending section 17, chapter 52, Laws of 1957 and RCW 18.22.160; amending section 11, chapter 149, Laws of 1955 and RCW 18.22.185; amending section 16, chapter 38, Laws of 1917 and RCW 18.22.200; amending section 10, chapter 38, Laws of 1917 as last amended by section 4, chapter 48, Laws of 1935 and RCW 18.22.210; amending section 14, chapter 149, Laws of 1955 and RCW 18.22.215; amending section 12, chapter 149, Laws of 1955 and RCW 18.22.230; amending section 12, chapter 30, Laws of 1971 ex. sess. and RCW 18.57A.060; amending section 6, chapter 30, Laws of 1971 ex. sess. and RCW 18.71A.060; amending section 43.74.010, chapter 8, Laws of 1965 and RCW 43.74.010; amending section 2, chapter 227, Laws of 1971 ex. sess. and RCW 43.74.037; amending section 43.74.040, chapter 8, Laws of 1965 and RCW 43.74.040; amending section 43.74.080, chapter 8, Laws of 1965 and RCW 43.74.080; amending section 1, chapter 227, Laws of 1971 ex. sess. and RCW 43.74.085; amending section 17, chapter 207, Laws of 1961 and RCW 70.98.170; adding a new section to chapter 18.22 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 1, chapter 38, Laws of 1917 as last amended by section 1, chapter 149, Laws of 1955 and RCW 18.22.010 are

each amended to read as follows:

The practice of ((chiroprady)) podiatry means the diagnosis and the medical, surgical, mechanical, manipulative, and electrical treatments of ailments of the human foot((, except)). A podiatrist is a podiatric physician and surgeon of the foot licensed to treat ailments of the foot, except for:

- (1) Amputation of the foot ((or toes)); and
- (2) The administration of ((an)) a spinal anesthetic or any anesthetic, ((other than local)) which renders the patient unconscious, or the administration and prescription of drugs including narcotics, other than required to perform the services authorized for the treatment of the feet; and
- (3) Treatment of systemic conditions ((or the results and complications thereof)).

Sec. 2. Section 13, chapter 52, Laws of 1957 and RCW 18.22.020 are each amended to read as follows:

It shall be unlawful for any person to practice ((chiroprady)) podiatry in this state unless he first has obtained a license therefor.

Sec. 3. Section 18, chapter 38, Laws of 1917 and RCW 18.22.030 are each amended to read as follows:

Nothing in this chapter contained shall be construed as preventing any licensed physician, surgeon, osteopath, chiropractor, or other person licensed to treat the sick and afflicted, from treating the hands or feet by the methods and means permitted by his license, nor to prevent the domestic administration of family remedies, nor shall this chapter be construed to discriminate against any particular school of medicine or surgery or osteopathy and surgery, or any chiropractic school, or any licensed system or mode of treating the sick or afflicted, or to interfere in any way with the practice of religion: PROVIDED, That nothing herein shall be held to apply to or to regulate any kind of treatment by prayer.

Sec. 4. Section 6, chapter 38, Laws of 1917 as last amended by section 19, chapter 292, Laws of 1971 ex. sess. and RCW 18.22.040 are each amended to read as follows:

Before any person shall be permitted to take an examination for the issuance of a ((chiroprady)) podiatry license, he shall furnish the director of motor vehicles with satisfactory proof that:

- (1) He is eighteen years of age or over;
- (2) He is of good moral character; and
- (3) He has received a diploma or certificate of graduation from a legally incorporated, regularly established and recognized school of ((chiroprady)) podiatry having as a minimum requirement not less than four thousand ((one hundred sixty)) two hundred sixteen scholastic hours given over a period of four years with personal

attendance.

"Recognized" means official recognition by the Council of Education of the ((National Association of Chiropractors)) American podiatry association: PROVIDED, That each applicant, prior to the beginning of his course in ((chiropractic)) podiatry or registration or matriculation in a recognized school of ((chiropractic)) podiatry, must have as a minimum requirement, a four years' course in a high school or its equivalent and the successful completion of a two years' residence course of work of college grade leading toward the degree of bachelor of science.

Sec. 5. Section 4, chapter 149, Laws of 1955 and RCW 18.22.050 are each amended to read as follows:

Applicants for a certificate to practice ((chiropractic)) podiatry shall file satisfactory evidence of having pursued in any recognized legally chartered school of ((chiropractic)) podiatry, a course of instruction covering a total of at least four thousand ((one hundred sixty)) two hundred sixteen scholastic hours, including ((the following subjects: Anatomy, histology, physiology, pathology, bacteriology, pharmacy, materia medica, chemistry, dermatology, neurology, chiropractic medicine, preventive chiropractic medicine, surgery, chiropractic, foot orthopedics, shoe therapy, physio-therapy, roentgenology, hygiene and sanitation, ethics)) those subjects that appear on the examinations administered by the national board of podiatry examiners.

Sec. 6. Section 14, chapter 52, Laws of 1957 as amended by section 1, chapter 97, Laws of 1965 and RCW 18.22.060 are each amended to read as follows:

Every applicant for a license to practice ((chiropractic)) podiatry shall pay to the state treasurer a fee of fifty dollars.

An applicant who fails to pass an examination satisfactorily after the expiration of six months from the date of the examination at which he failed, is entitled to a reexamination at a meeting called for the examination of applicants, upon the payment of a fee of twenty-five dollars for each reexamination.

Sec. 7. Section 5, chapter 149, Laws of 1955 and RCW 18.22.070 are each amended to read as follows:

Examinations shall be conducted by an examining committee and shall be written and clinical. ((A minimum of ten questions on each subject shall be given. The examination shall embrace the subjects of: Surgery, dermatology, anatomy, physiology, chemistry, bacteriology, pathology, clinical chiropractic, and ten questions on diagnosis, chiropractic medicine, materia medica, and therapeutics as one subject.))

The minimum requirement for licensing of applicants under this chapter shall be based upon a general average of seventy-five percent

of all the subjects involved, taken collectively, and not less than ((sixty)) seventy percent in any one subject.

Sec. 8. Section 3, chapter 97, Laws of 1965 and RCW 18.22.081 are each amended to read as follows:

Any applicant who has been examined and licensed under the laws of another state, which through a reciprocity provision in its laws, similarly accredits the holders of certificates from the proper authorities of this state to the full privileges of practice within its borders or an applicant who has satisfactorily passed examinations given by the national ((Podiatry)) board of podiatry examiners, may, in the discretion of the examining committee be granted a license without examination on the payment of a fee of fifty dollars to the state treasurer: PROVIDED, That he has not previously failed to pass an examination held in this state. If the applicant was licensed in another state, he must file with the director of licenses a copy of his license certified by the proper authorities of the issuing state to be a full and true copy thereof, and must show that the standards, eligibility requirements and examinations of that state are at least equal in all respects to those of this state.

Sec. 9. Section 15, chapter 52, Laws of 1957 and RCW 18.22.110 are each amended to read as follows:

Every holder of a ((chiroprody)) podiatry license shall keep his license on exhibition in a conspicuous place in his office or place of business.

Sec. 10. Section 6, chapter 149, Laws of 1955 as last amended by section 4, chapter 266, Laws of 1971 ex. sess. and RCW 18.22.120 are each amended to read as follows:

Every person practicing ((chiroprody)) podiatry must renew his license each year and pay a renewal fee of not more than twenty-five dollars to be determined by the director as provided in RCW 43.24.085.

Any ((chiroprody)) podiatry license that has been allowed to lapse may be renewed by presentation of a new character certificate as required for examination, together with the payment of the annual license fee.

Sec. 11. Section 5, chapter 38, Laws of 1917 and RCW 18.22.130 are each amended to read as follows:

The director shall keep in a book kept for that purpose, a record showing the name, age, place of residence, the time spent in the study and practice of ((chiroprody)) podiatry, the time spent in schools of ((chiroprody)) podiatry, and the date of graduation therefrom and the degree if any, and the date and number of the license issued to such applicant, and whether the same was issued upon or without examination; and the copy of such record certified by

the director shall be prima facie evidence of the facts therein stated in all courts and all actions and proceedings where proof of such facts is competent.

Sec. 12. Section 8, chapter 149, Laws of 1955 and RCW 18.22.140 are each amended to read as follows:

It shall be unlawful for any person holding a license to practice (~~chiroprody~~) podiatry to:

(1) Practice (~~chiroprody~~) podiatry under any name, except his own, which shall be that used in his license issued by the director; or

(2) Conduct an office for the practice of (~~chiroprody~~) podiatry in his name or use his name in connection with any office for the practice of (~~chiroprody~~) podiatry, unless he is personally present therein operating as a (~~chiroprodist~~) podiatrist or personally overseeing the operations performed in any office during most of the time that that office is being operated; or

(3) (~~offer the rendition of chiroprodial services at a stipulated price or at any variation of such price or as being free;~~ or) Employ a solicitor or solicitors to obtain business; or

(4) (~~Employ a solicitor or solicitors to obtain business;~~ or) Prepare, cause to be prepared, use, or participate in the use of, any form of public communication that contains professionally self-laudatory statements calculated to attract patients; as used herein, "public communications" includes, but is not limited to, communications by means of television, radio, motion picture, newspaper, magazine, or book; or

(5) Hold out to treat successfully or cure all ailments of the foot or leg or any which are manifestly incurable; or

(6) Advertise in newspapers, periodicals, or in bold face type or in any printed matter or by the use of any form of display sign or by means of hand bills, posters, circulars, stereoptican slide, motion pictures, radio, television or any printed publication or medium: PROVIDED, HOWEVER, That he may be listed in any directory in a manner uniform as to type, size and color with others listed therein, may display a dignified sign at the entrance to his office or on the windows thereof, containing (~~not more than~~) his name, degree, the designation (~~chiroprodist and treatment of the foot~~) podiatrist and/or podiatric medicine and surgery and/or podiatric medicine and/or treatment of the foot, and, if he is practicing podiatry through a professional corporation, an appropriate indication of the fact (on his office door and business card, as well), and may use dignified business cards containing his name, title, degree, office and residence address and telephone numbers and his office hours; or

(7) Obtain any fee by fraud or misrepresentation; or

(8) Wilfully betray professional secrets; or

(9) Directly or indirectly employ any person unlicensed as a ((chiropractist)) podiatrist to perform operations of any kind, except dressing following an operation; or

(10) Adopt any means tending to deceive the public or to be habitually intemperate or grossly immoral, or to commit any offense involving moral turpitude, in which case the record of conviction thereof shall be conclusive evidence; or

(11) Obtain by fraud or deceit a license to practice ((chiropracty)) podiatry; or

(12) Use or prescribe for use narcotics in any other way than for therapeutic purposes; or

(13) Offer, undertake or agree to cure any disease or pathological condition of the foot by a secret method, procedure, treatment, or medicine, or to treat, operate, or prescribe for any such condition by a method, means or procedure which the license holder refuses to divulge upon demand of the director of licenses; or

(14) Be guilty of unprofessional conduct as defined in any other act relating to the practice of ((chiropracty)) podiatry.

Any violation of the provisions of this section shall constitute improper, unprofessional and dishonorable conduct; it shall also constitute grounds for injunction proceedings to prevent a continuance of the same, and in addition shall constitute a gross misdemeanor.

Sec. 13. Section 9, chapter 149, Laws of 1955 and RCW 18.22.150 are each amended to read as follows:

Upon proof that the holder of a ((chiropracty)) podiatry license:

(1) Has been convicted of the violation of any of the provisions of this chapter or of any crime involving moral turpitude; or

(2) Procured his license by fraud or deceit either in the presentation of any false statement as to his qualifications or in his examination; or

(3) Is guilty of unprofessional conduct or inefficiency in the practice of his profession; the director may revoke his license or suspend it for a period not to exceed six months.

Sec. 14. Section 17, chapter 52, Laws of 1957 and RCW 18.22.160 are each amended to read as follows:

If the director refuses to grant a ((chiropracty)) podiatry license or revokes or suspends one, he shall file in the records of his office a concise statement of the grounds and reasons for his refusal, revocation or suspension. This statement, together with his decision in writing, shall remain a permanent record.

Sec. 15. Section 11, chapter 149, Laws of 1955 and RCW

18.22.185 are each amended to read as follows:

((Chiropractists)) Podiatrists may issue prescriptions valid at any pharmacy for any drug necessary in the practice of ((chiropractic)) podiatry.

Sec. 16. Section 16, chapter 38, Laws of 1917 and RCW 18.22.200 are each amended to read as follows:

It shall be unlawful for any persons licensed to practice ((chiropractic)) podiatry under the provisions of this chapter to use, advertise or display the title "doctor" or its synonyms independent of the title ((("chiropractist")) "podiatrist" or its synonyms, and it shall be unlawful for any person to exhibit as his own any license that has not been issued to him.

Sec. 17. Section 10, chapter 38, Laws of 1917 as last amended by section 4, chapter 48, Laws of 1935 and RCW 18.22.210 are each amended to read as follows:

It shall be deemed prima facie evidence of the practice of ((chiropractic)) podiatry or as holding himself out as a practitioner of ((chiropractic)) podiatry within the meaning of this chapter for any person to treat in any manner the human foot by medical, surgical or mechanical means or appliances, or to use the title ((("chiropractist")) "podiatrist" or any other words or letters which designate or tend to designate to the public that the person so treating or holding himself out to treat, is a ((chiropractist)) podiatrist: PROVIDED, HOWEVER, That nothing herein contained shall prohibit a duly licensed physician or surgeon from treating the human foot by medical, surgical or mechanical means ((of for)) or appliances.

Sec. 18. Section 14, chapter 149, Laws of 1955 and RCW 18.22.215 are each amended to read as follows:

If any person engages in the practice of ((chiropractic)) podiatry without possessing a valid license so to do, or if he violates the provisions of RCW 18.22.140, the attorney general, any prosecuting attorney, the director, or any citizen of the same county may maintain an action in the name of the state to enjoin such person from engaging in the practice of ((chiropractic)) podiatry. The injunction shall not relieve from criminal prosecution, but the remedy by injunction shall be in addition to the liability of such offender to criminal prosecution and to suspension or revocation of his license.

Sec. 19. Section 12, chapter 149, Laws of 1955 and RCW 18.22.230 are each amended to read as follows:

The following practices, acts and operations are excepted from the operation of the provisions of this chapter:

(1) The practice of ((chiropractic)) podiatry in the discharge of official duties by ((chiropractists)) podiatrists in the United States armed forces, public health service, Veterans Bureau or Bureau of

Indian Affairs;

(2) Recognized schools of ((chiropredy)) podiatry or colleges of ((chiropredy)) podiatry, and the practice of ((chiropredy)) podiatry by students in such recognized schools or colleges, when acting under the direction and supervision of registered and licensed ((chiropredists)) podiatrists acting as instructors;

(3) The practice of ((chiropredy)) podiatry by licensed ((chiropredists)) podiatrists of other states or countries while appearing as clinicians at meetings of the Washington state ((Chiropredy)) podiatry association or component parts thereof, or at meetings sanctioned by them;

(4) The use of roentgen and other rays for making radiograms or similar records of the feet or portions thereof, under the supervision of a licensed ((chiropredist)) podiatrist or physician.

(5) The practice of podiatry by externs, interns, and residents in training programs approved by the American podiatry association.

Sec. 20. Section 12, chapter 30, Laws of 1971 ex. sess. and RCW 18.57A.060 are each amended to read as follows:

No health care services may be performed under this chapter in any of the following areas:

(1) The measurement of the powers or range of human vision, or the determination of the accommodation and refractive state of the human eye or the scope of its functions in general, or the fitting or adaptation of lenses or frames for the aid thereof.

(2) The prescribing or directing the use of, or using, any optical device in connection with ocular exercises, visual training, vision training or orthoptics.

(3) The prescribing of contact lenses for, or the fitting or adaptation of contact lenses to, the human eye.

(4) Nothing in this section shall preclude the performance of routine visual screening.

(5) The practice of dentistry or dental hygiene as defined in chapter 18.32 and 18.29 RCW respectively. The exemptions set forth in RCW 18.32.030, paragraphs (1) and (8), shall not apply to a physician's assistant.

(6) The practice of chiropractic as defined in chapter 18.25 RCW including the adjustment or manipulation of the articulations of the spine.

(7) The practice of ((chiropredy)) podiatry as defined in chapter 18.22 RCW.

Sec. 21. Section 6, chapter 30, Laws of 1971 ex. sess. and RCW 18.71A.060 are each amended to read as follows:

No health care services may be performed under this chapter in any of the following areas:

(1) The measurement of the powers or range of human vision, or the determination of the accommodation and refractive state of the human eye or the scope of its functions in general, or the fitting or adaptation of lenses or frames for the aid thereof.

(2) The prescribing or directing the use of, or using, any optical device in connection with ocular exercises, visual training, vision training or orthoptics.

(3) The prescribing of contact lenses for, or the fitting or adaptation of contact lenses to, the human eye.

(4) Nothing in this section shall preclude the performance of routine visual screening.

(5) The practice of dentistry or dental hygiene as defined in chapters 18.32 and 18.29 RCW respectively. The exemptions set forth in RCW 18.32.030, paragraphs (1) and (8), shall not apply to a physician's assistant.

(6) The practice of chiropractic as defined in chapter 18.25 RCW including the adjustment or manipulation of the articulations of the spine.

(7) The practice of ((chiroprody)) podiatry as defined in chapter 18.22 RCW.

Sec. 22. Section 43.74.010, chapter 8, Laws of 1965 and RCW 43.74.010 are each amended to read as follows:

There shall be a committee of six members learned respectively in the basic sciences to conduct and assist in conducting basic science examinations of all persons applying for licenses or certificates to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic, ((chiroprody)) podiatry, or drugless therapeutics.

The members of the committee shall be appointed from time to time by the governor from the faculty lists of the University of Washington and Washington State University, and he shall certify the names of those appointed to the director. Vacancies on the committee shall be filled by the governor within sixty days after such vacancy occurs in the same manner as the original appointment.

Sec. 23. Section 2, chapter 227, Laws of 1971 ex. sess. and RCW 43.74.037 are each amended to read as follows:

The committee shall not examine a person in the basic sciences when the board or committee examining that person for a certificate to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic, or ((chiroprody)) podiatry has waived requirements for that person to be examined in the basic sciences; and that person shall be eligible to be licensed to practice to the same extent as if he had passed the basic science examination provided for in this chapter.

Sec. 24. Section 43.74.040, chapter 8, Laws of 1965 and RCW

43.74.040 are each amended to read as follows:

Any person desiring to apply to the director for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic, (~~chiroprody~~) podiatry, or drugless therapeutics shall first present to the director his credentials required by law evidencing his qualifications to be admitted to license, or to take the examination prerequisite to securing a certificate or license, and if they are found satisfactory and the applicant is eligible to examination the director shall issue to such applicant a certificate giving the name of the applicant and certifying that he is entitled to take the preliminary examination provided for in this chapter but without specifying the branch of therapeutics for which the applicant has applied for a license, and upon presentation of such certificate to the committee, together with a receipt for an examining fee of ten dollars, the applicant shall be entitled to take the examination.

If the preliminary examination is conducted by the director as provided in RCW 43.74.020 it may be given upon the payment of the ten dollar examining fee, and without the preliminary certificate.

Sec. 25. Section 43.74.080, chapter 8, Laws of 1965 and RCW 43.74.080 are each amended to read as follows:

This chapter shall not be held to apply to or interfere in any way with the practice of religion; nor to any kind of treatment by prayer; nor to persons legally licensed prior to the effective date of this chapter (1955 c 192 effective date was June 8, 1955; 1927 c 183 effective date was June 8, 1927); nor to persons specifically permitted by law to practice without a license or certificate; nor to any person other than those pursuing the practice of medicine and surgery, osteopathy, osteopathy and surgery, chiropractic, (~~chiroprody~~) podiatry, or drugless therapeutics; nor to the healing art personnel of the public health service or the armed forces of the United States; who each practice within the limits of the privilege thus granted them.

Sec. 26. Section 1, chapter 227, Laws of 1971 ex. sess. and RCW 43.74.085 are each amended to read as follows:

Notwithstanding any provisions of this chapter to the contrary, an applicant for a license to practice medicine and surgery, osteopathy, or osteopathy and surgery, or podiatry, shall be deemed to have satisfied the requirements of the basic science law by giving proof satisfactory to the committee that he has successfully passed an examination in the basic sciences given by the national examining board for osteopathic physicians and surgeons, or by an equivalent body in the case of applicants for a license to practice medicine and surgery or podiatry.

Sec. 27. Section 17, chapter 207, Laws of 1961 and RCW 70.98.170 are each amended to read as follows:

The operation or maintenance of any x-ray, fluroscopic, or other equipment or apparatus employing roentgen rays, in the fitting of shoes or other footwear or in the viewing of bones in the feet is prohibited. This prohibition does not apply to any licensed physician, surgeon, ((chiropricist)) podiatrist, or any person practicing a licensed healing art, or any technician working under the direct and immediate supervision of such persons.

NEW SECTION. Sec. 28. There is added to chapter 18.22 RCW a new section as follows:

Nothing contained in this 1973 amendatory act shall be construed to require any person who has held a valid chiropody license of this state prior to the effective date of this 1973 amendatory act to meet any further eligibility or examination requirements for a podiatry license.

Passed the House February 19, 1973.
Passed the Senate February 28, 1973.
Approved by the Governor March 8, 1973.
Filed in Office of Secretary of State March 8, 1973.

CHAPTER 78
[House Bill No. 694]
ELECTIONS--MANDATORY POLLING HOURS

AN ACT Relating to elections; and amending section 29.13.080, chapter 9, Laws of 1965 as amended by section 13, chapter 101, Laws of 1965 ex. sess. and RCW 29.13.080 and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 29.13.080, chapter 9, Laws of 1965 as amended by section 13, chapter 101, Laws of 1965 ex. sess. and RCW 29.13.080 are each amended to read as follows:

((At every election and primary election the polls must be kept open from eight o'clock a.m. to eight o'clock p.m.: PROVIDED, That the polling hours at a state primary election and state election, general or special, shall be from seven o'clock a.m. to eight o'clock p.m.)) At all primaries and elections, general or special, in all counties the polls must be kept open from seven o'clock a.m. to eight o'clock p.m. All qualified electors who are at the polling place at eight o'clock p.m., shall be allowed to cast their votes.