

## CHAPTER 146

## HEALING ARTS, REGISTRATION

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**146.01 DEFINITION; PRACTICING HEALING AND PRACTICE OF HEALING.**

The term "practicing healing" or "practice of healing" shall mean and include any person who shall in any manner for any fee, gift, compensation, or reward, or in expectation thereof, engage in, or hold out to the public as being engaged in, the practice of medicine or surgery, the practice of osteopathy, the practice of chiropractic, the practice of any legalized method of healing, or the diagnosis, analysis, treatment, correction, or cure of any disease, injury, defect, deformity, infirmity, ailment, or affliction of human beings, or any condition or conditions incident to pregnancy or childbirth, or examination into the fact, condition, or cause of human health or disease, or who shall, for any fee, gift, compensation, or reward, or in expectation thereof, suggest, recommend, or prescribe any medicine or any form of treatment, correction, or cure thereof; also any person, or persons, individually or collectively, who maintains an office for the reception, examination, diagnosis, or treatment of any person for any disease, injury, defect, deformity, or infirmity of body or mind, or who attaches the title of doctor, physician, surgeon, specialist, M.D., M.B., D.O., D.C., or any other word, abbreviation, or title to the person's name indicating, or designed to indicate, that the person is engaged in the practice of healing.

**History:** (5705-1) 1927 c 149 s 1; 1971 c 410 s 1; 1974 c 224 s 2; 1986 c 444

146.02 [Repealed, 1974 c 224 s 6]  
 146.03 [Repealed, 1974 c 224 s 6]  
 146.04 [Repealed, 1974 c 224 s 6]  
 146.05 [Repealed, 1974 c 224 s 6]  
 146.06 [Repealed, 1974 c 224 s 6]  
 146.07 [Repealed, 1974 c 224 s 6]  
 146.08 [Repealed, 1974 c 224 s 6]  
 146.09 [Repealed, 1974 c 224 s 6]  
 146.10 [Repealed, 1974 c 224 s 6]  
 146.11 [Repealed, 1974 c 224 s 6]  
 146.12 [Repealed, 1974 c 224 s 6]

**146.13 REGISTRATION FEES.**

Every person not hereinafter excepted from the provisions of this chapter authorized to practice healing in this state shall annually register with the director of the particular board of examiners which examined and registered or licensed the person to practice that branch or system of healing pursued; and shall, at that time, for the purpose of making such registration, sign and send to such director in writing the following: name, the name of the place, and the address, at which the practice of healing is engaged in, and pay to the director each year a fee in an amount to be fixed by rule of the respective board of examiners. Any person who shall change the address or place of practice during the year shall forthwith notify such director in writing of such change, giving such new address or place. The director of each board of examiners shall keep a proper register of all such persons and to each person so registering the proper board shall issue

a certificate for the current year, signed by the president and the director and sealed with the seal of such board, setting forth name, the name of the place and the address at which the practice of healing is engaged in, and the branch or system of healing pursued. Any person not hereinafter excepted from the provisions of this chapter lawfully entitled to engage in the practice of healing in this state, and who shall not be currently registered as provided in this section, shall, within 30 days after first so engaging in the practice of healing, register with the proper examining board in the manner provided in this chapter, pay to the director of such board the fee above required, and received from such board a certificate as above prescribed for the balance of such year. Every person receiving a certificate, as herein provided, shall display the same in a conspicuous place in the office or other corresponding place where the practice of healing is pursued.

All fees received by the director of any examining board for registration required by this section shall be paid to the general fund. The expenses of keeping proper registers, furnishing the certificates herein provided for, employing inspectors for procuring evidence of any violation of the laws administered thereby and aiding in the enforcement of such laws, and for such other expenses as may be necessarily paid or incurred in the exercise of its powers or performance of its duties, shall be paid from the appropriation made to the examining board.

**History:** (5705-13) 1927 c 149 s 13; 1955 c 365 s 1; 1959 c 345 s 1; 1967 c 111 s 1; 1975 c 233 s 1; 1985 c 247 s 25; 1986 c 444; 1989 c 282 art 2 s 38

#### **146.14 LISTS OF PERSONS REGISTERED.**

On or before the first day of March in each year, the secretaries of the several examining boards shall certify to the state commissioner of health, under the hand of the president and secretary and the seal of the particular examining board, a list of all persons registered with the board for the current year. The secretary of each of the several examining boards of this state shall, within 60 days after any examination conducted by the examining board, certify in writing to the state commissioner of health, in the manner prescribed, a list of all persons admitted or licensed by the board to practice healing in this state and whose names have not been previously so certified to the state commissioner of health in the then current year. Within 30 days after receiving from the secretaries of the several examining boards any of the lists of persons lawfully engaged in the practice of healing in this state, as by this section provided, the state commissioner of health shall cause such lists to be printed and a copy thereof to be sent to each agent of a board of health as authorized under section 145A.04 and each sheriff and county attorney in the state.

**History:** (5705-14) 1927 c 149 s 14; 1973 c 123 art 5 s 7; 1977 c 305 s 45; 1986 c 444; 1987 c 309 s 24

#### **146.15 DISCRIMINATION AGAINST SYSTEMS OF HEALING.**

The several boards or other officers whose duty it shall be to administer or carry into effect the provisions of this chapter shall, while exercising such authority, in no manner discriminate against any system or branch of healing.

**History:** (5705-15) 1927 c 149 s 15; 1974 c 224 s 3

**146.16** [Repealed, 1974 c 224 s 6; 1976 c 2 s 167]

**146.17** [Repealed, 1974 c 224 s 6]

#### **146.18 PRACTICING WITHOUT REGISTERING, OR DISPLAYING CERTIFICATE.**

Any person who shall practice healing or attempt to practice healing in this state without having registered with the examining board in the system or branch of healing pursued, as herein provided, or without displaying a certificate of annual registration with the proper board of examiners, as herein provided, shall be guilty of a misdemeanor.

**History:** (5705-18) 1927 c 149 s 18; 1974 c 224 s 4; 1986 c 444

**146.19 OTHER OFFENSES; PENALTY.**

Any person implicated in employing fraud or deception in registering annually under this chapter shall be guilty of a gross misdemeanor.

**History:** (5705-19) 1927 c 149 s 19; 1955 c 868 s 1; 1971 c 410 s 7; 1974 c 224 s 5

**146.20 FAILURE TO CERTIFY LISTS OF REGISTERED PERSONS; PENALTY.**

Any secretary of any examining board who shall fail to certify to the state commissioner of health the lists of persons registered with that examining board as and within the time by this chapter required, shall be guilty of a misdemeanor.

**History:** (5705-20) 1927 c 149 s 20; 1977 c 305 s 45; 1986 c 444

**146.21** [Repealed, 1974 c 224 s 6]

**146.22** [Repealed, 1974 c 224 s 6]

**146.23 MANUAL OR MECHANICAL THERAPY.**

Subdivision 1. **Therapy.** "Manual therapy" or "mechanical therapy" as used in this section means manipulation or adjusting joint articulation without anesthesia.

Subd. 2. **Training requirement.** A person regulated under this chapter who is not otherwise authorized to provide manual therapy or mechanical therapy, intending to directly treat or normalize abnormal or dysfunctional articulations of the human body must be certified by the state board which regulates the person's practice as successfully completing training in manual or mechanical therapy at a level of not less than: (1) 555 hours of training to include lecture and supervised laboratory training; (2) 315 hours in the area of radiographic interpretation; and (3) 1,155 hours of supervised work in an outpatient setting. The training must be provided by an institution which is fully accredited in the area of chiropractic, medicine, osteopathy, or physical therapy.

Subd. 3. **Diagnosis required before therapy.** Before manual therapy or mechanical therapy is provided, a person licensed by a particular board of examiners to diagnose another person for any disease, injury, defect, deformity, or infirmity of the body must determine that the person to receive therapy does not have a condition that would contraindicate the therapy. If the person making the diagnosis is not also performing the therapy, that person must give a written diagnosis report prior to the initiation of therapy to the person performing the therapy and is responsible for ensuring that the person performing the therapy has complied with the training requirements under subdivision 2.

Subd. 4. **Rules.** Any board that regulates persons affected by this section may adopt rules for the purposes of this section.

Subd. 5. **Penalty.** A person who violates this section is subject to disciplinary action by the board that regulates the person's practice.

Subd. 6. **Scope of practice.** Nothing in this section expands or limits the scope of practice of registered physical therapists or occupational therapists certified by the American Occupational Therapy Certification Board.

Subd. 7. **Exemption.** The provisions of subdivision 2 do not apply to physicians and doctors of osteopathy licensed under chapter 147.

**History:** 1993 c 293 s 1