

OPINION
52-88

August 20, 1952 (OPINION)

OCCUPATIONS AND PROFESSIONS

RE: Surgical Chiropody

You have written this office asking whether or not existing statutes permit practitioners holding degrees of Doctor of Surgical Chiropody to perform minor foot surgery.

You state that the statute applicable to your profession were passed and approved in 1929. You add that scholastic requirements have been raised and that since the passage of the Act no amendments have been passed.

Chapter 43-05, NDRC, 1943, contains the law applicable to your profession and in reading the provisions of that chapter we notice that the Legislature has been specific as to the limitations of the profession, and that there is no indication that it was the intent of the Legislature that the profession go beyond those limitations.

The professional standard of the medical profession is high and is jealously guarded as is pointed out by the statutes that have been passed for medicine as well as other professions. The Legislature, therefore, has endeavored to provide for professional requirements upon which the public may rely and from which members of the profession may not deviate.

It is, therefore, our opinion that the present statutes do not permit a Doctor of Surgical Chiropody to perform minor foot surgery. That permission will have to come from the Legislature.

ELMO T. CHRISTIANSON

Attorney General