

all that certain piece, tract, or parcel of land, situate partly in the Borough of Bristol and partly in the Township of Bristol, County of Bucks, and Commonwealth of Pennsylvania, containing 78.841 acres of land, more or less, containing a body of water thereon known as Silver Lake, and being the same land conveyed to the Commonwealth of Pennsylvania by deed of The Philadelphia and Trenton Railroad Company, dated October 4, 1940, and recorded January 1, 1941, in Bucks County Deed Book, Volume 692, at page 577.

Section 2. The conveyance shall be made under and subject to all easements, servitudes and rights of others, including but not confined to streets, roadways and rights of others, including but not confined to streets, roadways, and rights of any telephone, telegraph, water, electric, gas or pipe line companies, as well as under and subject to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the land, water over the land, or improvements erected thereon.

Conveyance subject to certain conditions.

Section 3. The deed of conveyance shall further contain a provision that the title shall be in the County of Bucks so long as the premises shall be, exclusively, maintained and used as a public lake, fishing and recreation area, or place, and upon the premises ceasing to be so used, the title to the premises shall, at the option of the Pennsylvania Fish Commission, or its successor in function, revert to the Commonwealth of Pennsylvania.

Condition of restrictive use with right of reversion.

Section 4. The deed of conveyance shall be approved by the Department of Justice and shall be executed, by the Executive Director of the Pennsylvania Fish Commission, in the name of the Commonwealth of Pennsylvania.

Approval and execution of deed of conveyance.

Section 5. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 31st day of May, A. D. 1957.

GEORGE M. LEADER

No. 107

AN ACT

Amending the act of March 19, 1909 (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," changing provisions relating to

qualifications and licensing of osteopathic physicians and surgeons; defining the phrase "osteopathy and surgery"; specifying the power of the State Board of Osteopathic Examiners to adopt rules and regulations with respect to interns and hospitals; and making editorial changes.

Osteopathy.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Title of act of
March 19, 1909,
P. L. 46,
amended.

Section 1. The title of the act of March 19, 1909 (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," is amended to read:

An Act

Title.

To regulate the practice of osteopathy *and surgery* in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of [osteopaths] *osteopathic physicians and surgeons* in this State; and to provide penalties for the violation of this act.

Section 7, act of
March 19, 1909,
P. L. 46,
amended Septem-
ber 29, 1951,
P. L. 1648,
further amended.

Section 2. Section 7 of the act, amended September 29, 1951 (P. L. 1648), is amended to read:

Issuance of
license to prac-
tice osteopathy.

Section 7. Every license to practice osteopathy *and surgery*, issued under the provisions of this act, shall be signed by each member of the Board of Examiners; and shall have affixed to it, by the person authorized to affix the same, the seal of the State Board of Osteopathic Examiners. Before said license shall be issued, it shall be recorded in a book to be kept by the Secretary of the Board of Examiners; and the number of the books, and the page therein containing such recorded copy, shall be noted upon the face of said license. Said records shall, under proper restrictions for their safe-keeping, be open to public inspection [: Provided further, That anyone who has been in continuous practice of osteopathy for ten years in some other State or province of the Dominion of Canada, and who graduated from a legally incorporated and reputable college of osteopathy, as provided for in this act, may be granted a license, without further examination, after complying with all the other conditions provided for in the licensing of osteopaths in practice in this State at the time of the approval of this act].

Proviso: Licen-
sure of licensees
of other States
and Canadian
licensees without
examination.

Section 3. Section 8 of the act, amended August 19, 1953 (P. L. 1064), is amended to read:

Section 8 of the act, amended August 19, 1953, P. L. 1064, further amended.

Section 8. Application to Engage in Practice.—From and after the approval of this act, any person not theretofore authorized to practice osteopathy *and surgery* in this State, and desiring to enter upon such practice, may deliver to the Secretary of the State Board of Osteopathic Examiners, upon the payment of a fee of twenty-five dollars, a written application for license, together with satisfactory proof that the applicant is more than twenty-one years of age, is of good moral character, has obtained a preliminary education as hereinafter provided, and has received a diploma conferring the degree in osteopathy from some legally incorporated, reputable osteopathic college of the United States, or some foreign country, wherein the course of instruction consists of at least three separate years of not less than nine months in each separate year. Applicants who receive their degree in osteopathy after the first day of January, Anno Domini one thousand nine hundred and twelve, must have pursued the study of osteopathy for four graded courses of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical studies, the work of each course having been successfully passed in some legally incorporated, reputable osteopathic college, or colleges, prior to the granting of said diploma or foreign license [: Provided further, That any one who is in the practice of osteopathy in some other State at the time of the approval of this act, and who is a graduate from a reputable and legally incorporated college of osteopathy, providing a course of study of at least four terms of five months each, shall be eligible for examination, upon all other terms and conditions provided for applicants for examination under the provisions of this act: And provided further, That the completion of the regular four years' course and graduation from a reputable literary college, in which four years' course two years were devoted to scientific and biological work in the college, shall be accepted by the State Board of Osteopathic Examiners as an equivalent for the first year in a recognized, reputable osteopathic college: Provided, That the examinations of the first year of the said osteopathic college have been successfully passed, and accepted by the osteopathic college as dealing adequately with chemistry, toxicology, physics, physiology, anatomy, and the biologic sciences. Such proof shall be made, if required, on affidavit]. *After the first day of July, one thousand nine hundred twenty-eight, applicants for licensure under the provisions of this act shall furnish prior to any examination by the State Board of Osteopathic Examiners satisfactory proof that he or she has had a general education of*

Application to engage in practice.

Application for license.

Eligibility requirements.

Proviso.

Further proviso.

Proviso.

Proof of education credits prior to admission to osteopathic study.

not less than a standard four years' high school course, or its equivalent, and not less than one year of college credits in chemistry, biology, and physics, all of which have been received before admission to osteopathic study. After the first day of July, one thousand nine hundred forty-one, such applicants shall have had not less than two years of college credits, including one year in each of the subjects chemistry, biology, and physics, all of which have been received before admission to osteopathic study. Upon the making of said payment and proof, the State Board of Osteopathic Examiners, if satisfied with the same, shall admit said applicant to examination as to his other qualifications for the practice of osteopathy *and surgery*; which examination shall include the subjects of anatomy, physiology, chemistry, toxicology, pathology, diagnosis, hygiene, obstetrics, and gynecology, surgery, principles and practice of osteopathy, and such other subjects as the board may require. On receiving from the committee of examiners, delegated to conduct examinations as provided for in section five of this act, official report of the examination of any applicant for license, the said State Board of Osteopathic Examiners shall issue, subject to the provisions below relating to internship, to each applicant who shall have obtained a general average of not less than seventy-five per centum, and therefore has been returned as having successfully passed said examination, and who shall have been adjudged by the said Board of Examiners to be duly qualified for the practice of osteopathy *and surgery*, a license to practice osteopathy *and surgery* in the State of Pennsylvania [, as provided for in section ten of this act]. In case of failure at any such examination, the candidate, after the expiration of six months, and within two years, shall have the privilege of a second examination. Having failed upon a second examination, as herein provided, application de novo may be made, upon complying with the standard of qualification, both as to character, preliminary and osteopathic education, in force at the time of said application, and upon the payment of a fee of twenty-five dollars.

Subjects of examination.

Issuance of license.

Second examination upon failing first.

Failing second examination.

Hospital internship.

An applicant who graduates from an approved osteopathic college after the first day of July, one thousand nine hundred fifty-four, shall not be issued a license to practice osteopathy *and surgery* until the Board of Osteopathic Examiners has received satisfactory evidence that the applicant has completed not less than one year as an intern in a hospital approved by the board [which]. *Such hospitals* shall contain at least twenty-five beds devoted to the treatment of diseases, shall have at least ten beds per intern, shall maintain a properly equipped department of roentgenology under the direction of a qualified roentgenologist, shall maintain a thoroughly

equipped laboratory proportionate to the necessities of the hospital, shall maintain a department of anesthesia consisting of one or more anesthetists, shall have a staff of not less than five properly qualified osteopathic physicians [including at least two osteopathic] and surgeons, except in hospitals operated by the Federal government, any other state government, any political subdivision in any other such state, or any out of State voluntary non-profit hospital, wherein osteopathic physicians and surgeons are permitted to practice together with other physicians and surgeons. *The State Board of Osteopathic Examiners may adopt and amend, from time to time, rules and regulations not inconsistent with the provisions of this act, to establish standards for the training and conduct of interns and for approval of hospitals in which interns may train.* Any person, a graduate of an approved college of osteopathy, while registered with the board, and actually serving as an intern under the supervision of the staff of any osteopathic hospital in Pennsylvania approved by the State Board of Osteopathic Examiners, shall be exempt from the provisions of this act during the period of internship.

Adoption of rules and regulations.

Exemption of interns from provisions of act.

The board, upon receipt of a fee of twenty-five dollars, may issue a certificate granting the right to practice osteopathy and surgery in Pennsylvania to a graduate of a legally incorporated college of osteopathy, licensed to practice osteopathy or osteopathy and surgery or medicine and surgery in any state or province of Canada, while he or she is enrolled in a residency training program in an osteopathic hospital in Pennsylvania. Such residency training program shall be one that is recognized by the board as leading to specialty certification. Certificates issued under this section shall not exceed the actual period of residency training.

Issuance of certificates to practice osteopathy while in residency training.

Section 4. Section 9 of the act, amended June 1, 1915 (P. L. 687), is amended to read:

Section 9 of the act, amended June 1, 1915, P. L. 687, further amended.

Section 9. A school or college of osteopathy to be recognized as reputable under the provisions of this act must be legally incorporated, maintain a course of study consisting of the time element as provided for under the provisions of this act, and afford adequate instruction in all the branches of study in which examinations are required for licensure under the provisions of this act, subject to the approval and acceptance of a majority of the Board of Osteopathic Examiners of this Commonwealth [: Provided, That any registered osteopath who has been engaged in the practice of osteopathy in this State for eight continuous and consecutive years prior to the approval of this act, who shall exhibit his or her certificate of registration to the Secretary of the Board of Osteopathic Examiners; and shall satisfy said board that

Standard of school or college.

Approval of by the board.

Proviso:

he or she has actually attended a post-graduate course of osteopathic instruction at some college recognized as reputable by said board, said course to consist of not less than one term of nine continuous months, with not less than an average of twenty-four hours instruction a week, and that said applicant has passed the examinations of said course under the supervision of said board upon the payment by the applicant of the fee of twenty-five dollars, the said board shall forthwith issue to such applicant a license to practice osteopathy in this State, which license shall be subscribed by every member of the Board of Osteopathic Examiners, and shall have a like effect for all purposes as a license issued after examination by said board. Such licensee shall register in the office of the prothonotary of the court of common pleas of the county or counties in which he or she desires to practice, as required by section thirteen of the act hereby amended; but, after the date of the approval of this amendment no]. No person shall be registered as a practitioner of osteopathy, in this Commonwealth, except by exhibiting to the prothonotary of the county or counties in which he or she desires to practice a license duly granted to him or her by the Board of Osteopathic Examiners for the State of Pennsylvania.

Sections 10, 11 and 12 of the act, amended February 2, 1956, P. L. 997, further amended.

Requirement for issuance of licenses to licensees of other States.

Section 5. Sections 10, 11 and 12 of the act, amended February 2, 1956 (P. L. 997), are amended to read:

Section 10. [(A) Doctors of osteopathy] *Osteopathic physicians and surgeons* licensed by the appropriate licensing boards of other states, by examination, to practice osteopathy and surgery or medicine and surgery, may be granted a license to practice osteopathy and surgery without examination when:

(1) The State Board of Osteopathic Examiners is satisfied that the standards of the board which issued the original license are substantially the same as those of Pennsylvania;

(2) The applicant has presented to it satisfactory evidence of having met all the scholastic and other requirements of this act;

(3) The applicant has not previously failed an examination for licensure in this Commonwealth;

(4) The applicant has applied for licensure on forms prescribed by the board, and paid a fee of fifty dollars (\$50).

[(B) An applicant licensed in another state to practice osteopathy, including the use of drugs, but excluding major surgery, may be granted a license in the manner prescribed in subsection (A) of section ten, if he passes an examination in the principles and practice of surgery given by the State Board of Osteopathic Examiners.

(C) An applicant licensed in another state to practice osteopathy without the use of drugs or surgery may be granted a license in the manner prescribed in subsection (A) of section ten of this act, if he completes the course of post-graduate study and passes the examination prescribed in clause (2) of subsection (C) of section six of this amendatory act.

After the first day of July, one thousand nine hundred and twenty-eight, applicants for licensure under the provisions of this act shall furnish, prior to any examination by the State Board of Osteopathic Examiners, satisfactory proof that he or she has had a general education of not less than a standard four years' high school course, or its equivalent, and not less than one year of college credits in chemistry, biology, and physics, all of which have been received before admission to osteopathic study. After the first day of July, one thousand nine hundred and forty-one, such applicants shall have had not less than two years of college credits, including one year in each of the subjects, chemistry, biology, and physics, all of which have been received before admission to osteopathic study.]

Requirements of applicants for licensure after July 1, 1928.

After July 1, 1941.

Section 11. Every license to practice [as an osteopathic physician] *osteopathy and surgery*, issued by the State Board of Osteopathic Examiners, shall authorize the holder thereof to practice osteopathy in all its branches, including operative surgery, obstetrics, and the use of drugs without restriction. The [word "osteopathy"] *phrase "osteopathy and surgery"* as used in this act means a complete school of the healing art applicable to all types and conditions of diseases and disorders, and practiced as authorized herein by physicians and surgeons possessing the degree of doctor of osteopathy. [The board shall, every two years, publish a list of all persons licensed to practice osteopathy in the State, and forward a copy of the list to every person licensed under this act, and shall have copies available for public purposes.]

Issuance of license.

Osteopathy and surgery defined.

Section 12. Osteopathic physicians and surgeons shall observe and be subject to all State and municipal regulations relating to the control of contagious diseases, the reporting and certifying of births and deaths, and all matters pertaining to public health, the same as physicians of other schools, and all such reports and certificates, when made or issued by osteopathic physicians and surgeons licensed under the laws of the Commonwealth, shall be accepted by the persons, partnerships, corporations, or by the officers, boards, bureaus or departments of the State, or of any of its political subdivisions to whom the same are made, with the same force and effect as reports or certificates issued by physicians of other

Subject to State control of contagious diseases, vital statistics and public health matters.

schools; and such osteopathic physicians *and surgeons* shall be entitled to the same fees and compensation as is provided by law for physicians of any other school.

Section 13 of the act, amended April 6, 1927, P. L. 124, and January 14, 1952, P. L. 2014, further amended.

Section 6. Section 13 of the act, amended April 6, 1927 (P. L. 124), and January 14, 1952 (P. L. 2014), is amended to read:

Compliance with provisions of this act a prerequisite to practice osteopathy in this State.

Section 13. From and after the approval of this act, no person shall enter upon or continue the practice of osteopathy *or osteopathy and surgery* in the State of Pennsylvania unless he or she has complied with the provisions of this act. It shall be the duty of all persons now qualified and engaged in the practice of osteopathy *or osteopathy and surgery*, or who shall hereafter be licensed by the State Board of Osteopathic Examiners to engage in such practice in this Commonwealth, to register with the said State Board of Osteopathic Examiners as practitioners, on or before the first day of January, one thousand nine hundred and twenty-six, and thereafter to register with said board in like manner annually on or before the thirty-first day of October of each succeeding year. The form and method of such registration shall be provided for by such board in such manner as will enable it to carry into effect the purposes of this act. The said State Board of Osteopathic Examiners shall be entitled to demand for each annual registration a fee of five dollars, or such other sum as shall be fixed by the Department of Public Instruction under authority of law. The fee shall, in all cases, accompany the application for such registration. All fees received hereunder shall, unless otherwise provided by law, be used by the said board in carrying out the provisions of this act.

Registration.

Failure to register.

Any person licensed and engaged in the practice of osteopathy *or osteopathy and surgery* who shall fail, neglect, or refuse to annually register with the State Board of Osteopathic Examiners as above provided shall be subject to a penalty for the first offense not to exceed twenty-five dollars, and for any second or subsequent offense to a penalty not exceeding fifty dollars, such penalties to be fixed by the Board of Osteopathic Examiners in its rules and regulations.

Penalty.

Collection of penalties.

The board shall notify any person so failing to register by registered mail of any penalty so imposed, and if the same is not paid within thirty days after receipt of said notice it may be collected by suit in the same manner as debts of like amount are now by law collectible. All fines so imposed and collected shall be paid to the board and shall by it be paid into the State Treasury. The Board of Osteopathic Examiners may also revoke the license to engage in the practice of osteopathy *or osteopathy and surgery* of any person who shall fail or refuse to register

Disposition of fines.

Revocation of license.

annually after notice of the imposition of a penalty as above provided.

Any person who shall practice or attempt to practice osteopathy or osteopathy and surgery, as defined in this act, in treating diseases or any ailment whatsoever of the human body, or who shall use any of the terms or letters,—osteopath, osteopathists, osteopathy, doctor of osteopathy, diplomat in osteopathy, or D. O., or any other titles or letters, under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of osteopathy or osteopathy and surgery, without having first obtained the license herein provided for, or contrary to the provisions of this act; or who shall, under any other term or name, practice or attempt to practice osteopathy or osteopathy and surgery as defined in this act; or who, for the purpose of obtaining such license, shall falsely represent himself or herself to be the holder of a diploma as herein provided,—shall be deemed guilty of a misdemeanor, and, upon conviction thereof in the court of quarter sessions of the county wherein the offense shall have been committed, shall pay a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, for each offense, either or both, at the discretion of the court: Provided, however, That nothing contained in this act shall be construed as affecting the so-called practice of medicine.

Violation of provisions of this act.

Misdemeanor.

Penalty.

Proviso.

Section 7. Section 14 of the act, amended May 18, 1945 (P. L. 659), is amended to read:

Section 14 of the act, amended May 18, 1945, P. L. 659, further amended.

Section 14. On and after the approval of this act, the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy and surgery in this State, and is empowered to revoke a license conferring on a person the right to practice osteopathy or osteopathy and surgery, upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction, in due course of law, of said person for procuring, aiding, or abetting in producing a criminal abortion or miscarriage, by any means whatsoever. The State Board of Osteopathic Examiners, upon such evidence and proof, shall cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State. The State Board of Osteopathic Examiners may refuse, revoke or suspend the right to practice osteopathy or osteopathy and surgery in this State upon any or all of the following reasons, to wit: The conviction of a crime involving moral turpitude; habitual intemperance in the use of [ardent spirits or stimulants,] alcoholic beverages, nar-

Refusal to grant license.

Revocation.

Criminal record.

Reasons for refusing, revoking or suspending license.

otics, or any other substance which impairs [intellection] *the intellect* and judgment, to such an extent as to [incapacitate] *impair* the performance of professional duties; the violation of the practice of [the principles of the system of] *osteopathy and surgery* as defined in this act; misrepresentation; unethical conduct; or misleading, fraudulent or unethical advertising, including any form of pretense which might induce citizens to become a prey to professional exploitation: Provided, however, That the foregoing shall not prevent the use of signs containing the name of any licensee, and the words "Osteopathic Physician," or any abbreviation thereof. Any person who is a licentiate under this act, or who is an applicant for examination for licensure to practice *osteopathy and surgery* in this State, against whom any of the foregoing charges are preferred, for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure, shall be furnished by the State Board of Osteopathic Examiners with a copy of the complaint, and shall have a hearing before said board, in person or by attorney, and witnesses may be examined by said board respecting the guilt or innocence of said accused. The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit, hereinbefore specified, shall have been adjudged by the proper authorities to be cured or overcome, and said suspended licentiate deemed again capable of practicing [the healing art] *osteopathy and surgery*.

Complaint.

Hearing.

Licensure requirements.

Section 8. All persons licensed by the State Board of Osteopathic Examiners on or before February 2, 1956, shall be licensed to practice osteopathy and surgery upon application to that board within five years thereof, payment of a fee of twenty-five dollars (\$25) and compliance with the requirements set forth in this section.

Pre-professional.

(a) He shall have the following pre-professional education:

(1) If licensed on or before July 1, 1941, two years of college credits, including one year's credit in chemistry, one in biology and one in physics; or

(2) If licensed between August 1, 1928, and June 30, 1941, one year of college credit in chemistry, biology and physics, or ten years of practice.

Approved professional.

(b) An applicant shall have completed a four year course of study and training in an approved osteopathic college.

(c) An applicant shall prove that he has—

Internship.

(1) Completed, since his graduation from an approved osteopathic college, a hospital internship of one

year or the minimum requirements for internship as provided in the act of May 21, 1943 (P. L. 491 No. 217), entitled "An act reducing, for a limited period of time, the training period of internship in osteopathic hospitals, in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery, and suspending inconsistent laws," as reenacted and amended May 8, 1947 (P. L. 171), or its equivalent, as determined by the board, or in lieu thereof:

(2) Completed five hundred hours of post-graduate study given by or under the direction of a college, university or hospital approved by the State Board of Osteopathic Examiners. The post-graduate study shall include the subjects of principles and practice of surgery, pathology, biochemistry, pharmacology, materia medica and therapeutics, and public health and preventive medicine. The State Board of Osteopathic Examiners, in its discretion and upon investigation of the credentials submitted, may accept post-graduate study of the standard herein required in an approved college, university or hospital completed subsequent to 1945. The applicant shall pass a written examination in the above subjects given by the State Board of Osteopathic Examiners.

Post-graduate study.

Section 9. All persons licensed by the board to practice osteopathy during the period between February 2, 1956, and the effective date of this act, shall be issued a license to practice osteopathy and surgery without further application or payment of a fee.

Licensure from February 2, 1956, to effective date of act.

Section 10. This act shall not affect the right of any person to continue to practice osteopathy under a valid license issued prior to the effective date of this act. Such person shall have the right to practice as authorized herein including minor surgery but not major surgery. Such persons, except as herein provided, with regard to major surgery shall have the legal status of physicians and surgeons under the statutes of the Commonwealth.

Continuance of previously licensed osteopathic practice.

Section 11. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 31st day of May, A. D. 1957.

GEORGE M. LEADER

No. 108

AN ACT

Amending the act of May 2, 1945 (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities here-