

1982 WL 189181 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 22, 1982

\*1 Edwin E. Bowen, Jr.  
Executive Director  
S.C. Board of Chiropractic Examiners  
1001 Assembly Street  
Columbia, South Carolina 29201

Dear Mr. Bowen:

You have requested an opinion from this office concerning the legality of chiropractors referring to themselves as Chiropractic Physicians in advertisements concerning their services. For the reasons that follow, it is the opinion of this office that this practice is not prohibited by law.

The South Carolina Supreme Court has, held both before and after passage of the Chiropractic Act of 1932, that chiropractic is a field of medicine and that chiropractors are practitioners of medicine, albeit in a narrow field. [State v. Barnes](#), 119 S.C. 213, 112 S.E. 62 (1922); [Williams v. Capital Life & Health Insurance Co.](#), 209 S.C. 512, 518, 41 S.E.2d 208 (1947). See also [Bauer v. State](#), 267 S.C. 224, 231, 227 S.E.2d 195 (1976) and [Daniels v. Bernard](#), 270 S.C. 51, 57, 240 S.E.2d 518 (1978), where [Barnes](#) and [Williams](#) were reaffirmed. In [Williams](#), the Court refused to make any distinction between 'practitioners of medicine' and 'physicians', asserting that to do otherwise would be 'straining at a gnat.' 209 S.C. 518. Thus, our Court held in [Williams](#) that a duly licensed practitioner of a recognized branch of medicine—including chiropractic—is a physician, at least to the extent that he limits his activities to the scope of his profession. *Id.* See also [Daniels v. Bernard, supra](#), 270 S.C. 57.

In view of these authorities, it is the opinion of this office that a duly licensed doctor of chiropractic may lawfully refer to himself as a Chiropractic Physician.

In answer to your second question concerning whether [§ 40-47-40, Code of Laws of South Carolina](#), 1976, 'might possibly' give Chiropractors the right to refer to themselves as Physicians, the answer is negative. While chiropractors may lawfully refer to themselves as Chiropractic Physicians, they may not, in the opinion of this office refer to themselves as Physicians. Nothing in [§ 40-47-40](#) supports a contrary opinion. The Supreme Court's opinions in [Williams](#) and [Daniels v. Bernard](#), both *supra*, are clear that a duly licensed chiropractor is a physician only to the extent that he confines his practice to chiropractic. The designation by a chiropractor of himself as a Physician without qualifying the word 'Physician', therefore, might well constitute 'dishonorable, unethical or unprofessional conduct that is likely to deceive or harm the public', in violating of [§ 40-9-90\(7\), Code of Laws of South Carolina](#), 1976 (Cum.Supp.1980), by implying that the chiropractor's qualifications as a physician were not limited to the narrow field of chiropractic.

For the foregoing reason, the answer to your second question concerning whether chiropractors may refer to themselves without qualification as 'physicians' is negative.

Sincerely,

Vance J. Bettis

\*2 Assistant Attorney General

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