1976 WL 30655 (S.C.A.G.)

Office of the Attorney General

State of South Carolina
February 10, 1976

*1 The Honorable Eugene C. Stoddard
Member
House of Representatives
Route 3
Gray Court, South Carolina 29645

Dear Mr. Stoddard:

On behalf of the Joint Legislative Screening Committee, you have requested my opinion as to whether a podiatrist is eligible to be elected as a lay member of the Board of Trustees of the Medical University of South Carolina.

The governing act as amended in 1965 provides for the joint election by the General Assembly of members to the Board of Trustees of the Medical University 'representing the medical profession (medical doctor, dentist, registered nurse, or licensed pharmacist) and—lay members or nonmedical members.' One member of the medical profession from each congressional district and one layman or member of a nonmedical profession from each congressional district shall be elected.

It is my opinion that a podiatrist qualifies as an appropriate lay member.

The statute itself, as quoted above, defines precisely what is meant by members of the medical profession by specifying that this shall include medical doctors, dentists, registered nurses, or licensed pharmacists.

In my opinion, any person not qualifying as one of the four identified professions can be classed as a lay member. A podiatrist does not come within any of the four categories listed as members of the medical profession.

A podiatrist may be considered a 'physician' or 'doctor' in some uses of the words but in the sense in which the term is used in the Medical University act, it is my opinion that it clearly contemplates only those medical doctors who are licensed in the field of materia medica, major surgery, etc.

I advise therefore that, in my opinion, a podiatrist is not eligible to be elected to the Board of Trustees as a member of the medical profession but is eligible to be elected as a layman or member of a nonmedical profession.
 Very truly yours,

Daniel R. McLeod
Attorney General

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