

1978 WL 34906 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 11, 1978

*1 Honorable W. Brantley Harvey, Jr.
Lieutenant Governor and President of the Senate
The State House
Columbia, South Carolina 29202

Honorable Rex L. Carter
Speaker of the House of Representatives
The State House
Columbia, South Carolina 29202

Gentlemen:

The Supreme Court of South Carolina, in a decision filed May 10, 1978, held unconstitutional [Section 40-9-30 of the 1976 Code](#) of Laws, which creates the Board of Chiropractic Examiners. The basis of the decision was that the statute unconstitutionally vested in the South Carolina Chiropractors' Association the authority to determine eligibility for appointment to the Board of Chiropractic Examiners.

Procedures have already been undertaken with regard to the conduct of the semiannual examinations for admission to practice chiropractic in South Carolina. These examinations are fixed to be held on May 20, 1978.

If the practice of chiropractic is to be continued in South Carolina, I urge that a validly constituted Board of Chiropractic Examiners be created forthwith. A bill is presently pending before the General Assembly relating to the practice of chiropractic and I suggest that necessary statutory enactments may be made to supplant [Section 40-9-30 of the Code](#) of Laws, 1976, without regard to the eventual parameters of chiropractic, if any, which may be adopted.

Very truly yours,

Daniel R. McLeod
Attorney General

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