

What Osteopaths Stand for in Legislation

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Unquestionably it is a duty of the state to safeguard public health. To this end the state perfectly rightly, sets standards of efficiency and provides for boards to pass on the qualifications of those who hold themselves out to treat the sick. However, it is one thing to establish standards of qualification for this class and quite another thing to give a monopoly to a limited number of this class and proscribe and limit the means and measures that the public may have access to in seeking relief from sickness and pain.

While the state or nation has not intended to discriminate, the predominance in members of one school of medicine and its activity in legislation has nevertheless brought about a condition approaching state medicine as the object of this paper will be to show. As an example, the laws of practically all of the states permit of an absolute monopoly of treatment to the allopathic school in the state institutions and great city hospitals. If you should be so unfortunate as to make it necessary to be taken to one of these institutions you could not mistake that we are dangerously near state medicine, for neither you nor your friends would be allowed a choice in the treatment you would receive, in spite of the fact that by previous experience you might have learned that the treatment you were receiving was hurtful, and that another system met the requirements of your case. Time without number have the families and friends of patients in these institutions begged for osteopathic, eclectic or homeopathic treatment; but no! because the allopathic school was in charge, and the law gave them the right, or they construed it to give them the right, to enforce their ideas of treatment. And mark you, this request for

the particular treatment did not mean an increase of cost to the city or state, but less, for the patient would pay for the special treatment. And so it comes about, that citizens and tax payers who support and make possible these institutions, if they find it necessary to enter them as patients, or if they be licensed physicians but not believers and practitioners in the dominant school, are discriminated against and denied common rights.

Nor is this all nor the worst. In some states, at least, the laws either grant the right, or they are construed to grant the right, to permit of the inmates of the children's hospitals and foundling asylums to be used as "subjects" for all kinds of experimentation, much as mice and rabbits are used in private laboratories. In one institution within the past year it is reported and not denied so far as we have found out, that more than 160 children were "appropriated" for these purposes and a large number of them died. Within a few months, at one of the great State Fairs, an "exhibit" was made of very young infants in incubators and after several of them had died, an inquest was held by the city authorities and the managers of the exhibit stated that the children were "obtained" from a hospital in a well known city. Evidently human life is held cheap in some of our state and city hospitals, protected as the management is with no fear of accounting.

These incidents are not given to make the impression that all such institutions thus lightly regard human life, but as examples of the power and control that has been granted by law. It is not that those in charge of these hospitals are worse than others, or that physicians of one school are different from those of other schools; it is the effect of granting

a monopoly which, giving security, breeds contempt for individual rights.

Within the past twelve years the osteopathic profession has appealed to the legislatures of almost all of the states of this union. With what success, a glance at the map printed with this article will tell. Yet, no-where has it asked for measures granting its practitioners special privileges or favors. The profession has within a short time built up colleges which do work of a high order as is evidenced by the fact that graduates from its schools meet in state board examinations the graduates of the best of the old school colleges, and a greater per cent. of the osteopathic graduates creditably pass these examinations. Thus the osteopathic profession is meeting the educational standards of the states, and having done this, asks that it be not discriminated against. The profession does not ask that it be hedged about with any special privileges or protection; it asks only a fair chance to meet the calls the public makes for its services, and to be permitted to protect its good name from impostors and incompetents.

To this end the osteopathic practice asks laws granting it a board of its own practitioners as examiners instead of accepting one place on a board with a half dozen or more antagonistic medical men. The profession feels that only when it has this board of practitioners can the examination be made practical and test the applicant's knowledge of osteopathic practice, and only then can it be able to vouch for and guarantee those who may practice under its name. When the profession has met the requirements of the state for the education of its practitioners, both as to technical training and preliminary preparation, it feels justified in asking the state for this regulation for practice and the resulting protection for the public.

In making this appeal, which seems to it perfectly just, it is met every where with the opposition of the old school

medical men. These always say: "All we want is competency; if *you people* will only study as we do, take the same course we take, and the same examinations, then we are willing that you should practice what you please." Undoubtedly! If we took the same course they take, study the *same* things they study, we should very likely practice about as they do. What right have they to ask that all study as they do? or what right has the state to require it? As long as they can dictate the general lines of the course of study for practitioners of the healing arts, so long will the practice of medicine be more and more unprogressive. No reasonable person will attempt to maintain that any one school of practice should be allowed to dictate to all the people just how all physicians should be educated, nor that the individual citizen should be forced to employ only such physicians as the dominant school of medicine may direct. Yet as shown above, this is the trend and effect of medical legislation enacted by the allopathic school. Their representatives appear before every state legislature, and they alone, to oppose measures which in no sense lower the standards of practice of the healing art, but which grant greater liberties and greater protection to the public in enjoying these rights. While usually protecting themselves under some other excuse, the real intent and purpose of these physicians is not to prevent the enactment of special privilege laws as they allege, but to protect themselves in special privileges, that of treating the sick, a veritable monopoly, they have for generations enjoyed.

Contrast this with the law's enacted by the osteopathic profession. Nowhere has it asked for anything for itself, nowhere has it opposed the recognition of any other qualified practitioners, nowhere has it sought to make a berth for itself by eliminating competition. As a profession we submit that the work of the physician being with the sick and unfortunate, that

provisions should be made to safeguard them from impostors and from all the ill qualified, but the utmost freedom of choice must be provided for. We submit that it is not the right of the state, and much less is it fitting for the physician, to strive to crush out that which is new because it comes from an un-

orthodox source, nor may the state judge the *value* of the remedies and systems. This is the right of each individual citizen and the function of the state begins and ends with assuring its citizens of the qualifications and competency of those licensed to treat them.

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Editor's note

The pages appearing in this "Special reprints" section have been electronically scanned from the original journals in which they appeared. Consequently, the scanning process at a density to enhance readability has picked up such artifacts as "bleed-through" type from reverse pages and other "blemishes" that existed in the original paper on which the text was printed. Even the yellowing of the original pages has caused some darkening

of the margins. *JAOA* regrets these anomalies and hopes that readers will overlook them and concentrate on the content of these works published in the osteopathic medical profession's early history.

For interest sake, concluding pages of articles may contain "newsy" items of the original date.

Gilbert E. D'Alonzo, DO, December 2000

JAOA to continue special reprints series

In 2001, *JAOA* will be continuing this series of special reprints from past issues to commemorate 100 years of continuous publication, beginning in September 1901, as the osteopathic medical profession's archival journal. The *JAOA* editors and staff hope that the articles selected will provide practitioners, osteopathic physicians-in-training, and students greater understanding and a firmer foundation in the history and evolution of the philosophy and practice of osteopathic medicine.

The topics to be represented by the arti-

cles selected by Associate Editor Michael M. Patterson, PhD, and Albert F. Kelso, PhD, for this series will include:

- Principles of osteopathy—transition years
- Research—beginning the modern era
- Functional thinking in osteopathic medicine
- Student figures/demographics
- Government recognition of DOs
- The California issue
- Osteopathy in other areas
- Education
- Perceptions of the profession—its future