

Opinion No. 15-1532

May 17, 1915

BY: FRANK W. CLANCY, Attorney General

TO: Dr. Howard Crutcher, Roswell, New Mexico.

No provision of law for the revocation of license of an osteopath.

OPINION

{*117} I have today received your letter of yesterday asking me to advise you what steps are necessary to the revocation of the license of a pretended osteopath, and whether the matter rests solely with the Osteopathic Board of Examiners, or whether it may be taken before some regular judicial tribunal where the licensee has been guilty of repeated criminal acts.

I have never had occasion to consider this before, and upon examining the statute with regard to osteopathic practitioners, which is to be found in Chapter 68 of the Laws of 1905, and an amendment thereto in Chapter 27 of the Laws of 1909, I am somewhat surprised to discover that there is no provision whatever for the revocation of such licenses. You are mis-informed as to the non-existence {*118} of a statute in this state to punish criminals of the class of which you speak, as you will see by referring to Sections 5 and 6 of Chapter 36 of the Session Laws of 1907, which you can readily find and examine in the office of any member of the bar in Roswell. The same sections are to be found in the Compiled Laws of 1897, at page 342, and have been the law of New Mexico ever since the American occupation in 1846. Conviction of a felony under either of those sections would probably operate as a practical destruction of your osteopath.