The deputies of these elected officials stand in virtually the same position as the officials themselves as far as duties and obligations are concerned. Therefore, the deputies are employed by the same governmental units as the named officers under whom they serve.

In conclusion, it is my opinion that:

1. Elected township assessors are officers of the township in which they are elected, despite the fact they are paid by the county.

2. Deputies of such elected township assessors are likewise officers of the township.

3. Township trustees who receive a portion of their salaries from the county for acting as assessors in the township remain township officers.

4. Deputies appointed by township trustees to assist in carrying out assessor's duties are officers of the township.

Since the Indiana statutes make the county liable for salaries and expenses of township assessors, as a matter of administrative convenience the employer's share of FICA taxes for such township assessors should continue to be paid by the county as part of the expenses incident to such office.

OFFICIAL OPINION NO. 28
April 28, 1958

Board of Medical Registration and Examination of Indiana
538 K. of P. Building
Indianapolis, Indiana

Gentlemen:

Your letter of April 11, 1958, has been received and reads as follows:

"The Board of Medical Registration and Examination of Indiana, in executive session on April 9, directed the writer to forward this request for an Official Opin-
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ion to clarify Chapter 42, Section 5b of the Acts of 1955.

"Chapter 42, Section 5b provides:

"Any applicant after the effective date of this act may, upon the payment of a fee of one hundred dollars, be granted a license, without an examination, providing that the applicant submits satisfactory evidence to the board that he has been licensed to practice chiropractic in another state under qualifications substantially equivalent to those specified in this act for a license to practice chiropractic.'

"Section 2a of said Act further provides:

"From and after the effective date of this act and until April 1, 1959, any person twenty-one years of age and of good moral character is eligible to be licensed to practice chiropractic in the State of Indiana provided he is a graduate of an incorporated chiropractic school or college which is incorporated for the purpose of teaching the science of chiropractic. The school or college shall meet the requirements of the Board of Medical Registration and Examination of Indiana. The requirements for graduation from such school or college shall be at least four years' and four thousand hours of resident attendance instruction in said schools or college. The board shall not discriminate against any chiropractic school or college which meets reasonable standards of qualifications.'

"In passing upon an application for chiropractic license filed with this Board under Section 5b of the above Act, where the applicant is a licensee of another State, shall the Board of Medical Registration and Examination of Indiana pass on the qualifications of said school of graduation, or shall they accept the recognition of said school by the Board which issued the original license upon which said application is based; provided said school of graduation required at least
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four years’ and four thousand hours of resident attendance instruction for graduation at the time said applicant graduated from said college?”

The chiropractic statute referred to in your question is Acts of 1955, Ch. 42, as found in Burns’ (1957 Supp.), Section 63-1326 et seq. Section 5, Cl. (b) of said act as quoted in your letter, as found in Burns’ (1957 Supp.), Section 63-1330, authorizes your Board to issue a license by reciprocity to a licensee of another state providing he furnishes your Board with evidence that the license granted him in the other state was issued “under qualifications substantially equivalent to those specified in this act.” The burden of making such a showing is, therefore, to be discharged by the applicant. The qualifications referred to are contained in Sec. 2, Cl. (a) of said act, quoted in your letter, as found in Burns’ (1957 Supp.), Section 63-1327, which among other things requires the applicant to be a graduate of an incorporated chiropractic school or college, incorporated for the purpose of teaching the science of chiropractic, the requirements for graduation from such school being at least four years’ and four thousand hours of residence attendance instruction.

Other basic requirements for licensure in Indiana under said statute are contained in Sec. 3 of said act, as found in Burns’ (1957 Supp.), Section 63-1328, which requires a written examination in the subjects specified in said section of the statute and that the person taking the examination receive a passing grade of 75% in each subject.

The foregoing are qualifications for licensure in this state. Under the language contained in Sec. 6, Cl. (b), supra, a reciprocal license is to be given without examination to one who is granted license in a foreign state under qualifications substantially similar to those required in Indiana. The record offered by the applicant for reciprocal license here in Indiana must therefore show that he is at least 21 years of age, of good moral character, has taken in the past a written examination in one of the other states in substantially the same subjects required in Indiana with a passing grade of at least 75% in each subject; at the time of such licensure he must have been a graduate of a school which at the time of his graduation
required four years' of not less than four thousand hours of resident attendance instruction.

The above statute was construed by this office on other questions in an Official Opinion found in 1955 O. A. G., page 212, No. 53, where it was held the various sections of said statute should be construed in *pari materia* with each other to determine the legislative intent, citing among others the following propositions and authorities:

"Statutes must be construed as a whole in order to determine the legislative intent.

*Snider et al. v. State ex rel. Leap et al.* (1934), 206 Ind. 474, 478, 190 N. E. 178;

*State ex rel. Milligan, Superintendent of Madison State Hospital v. Ritter's Estate* (1943), 221 Ind. 456, 469, 48 N. E. (2d) 993.

"Courts will look to the general purpose and scope of a statute to determine the legislative intent.

*City of Indianapolis v. Evans* (1940), 216 Ind. 555, 567, 24 N. E. (2d) 776;


When the above principles are applied to the foregoing statute in considering the questions here presented it is apparent the Legislature intended the Indiana Board to grant such a license by reciprocity where a Board of a sister state had issued a chiropractic license under requirements and conditions substantially similar to the Indiana requirements. This necessarily means that the examination was one given by the Board of the other state; that it had recognized such school by giving credence to its diploma. It would seem from the language used that the act did not contemplate that the Indiana Board should pass upon the questions and answers given in the examination in the other state; the circumstances under which they were given, or to require that the questions given be the same ones given by Indiana. It would only appear to be necessary that a good faith written examination was, in fact, given, in the required subjects and with the required passing grade specified in the Indiana Act. If the foregoing is correct
it would likewise be true that the recognition of the school for the purpose of such license was a function to be performed by the Board of the other state and the only matter material for this Board to check would be that the applicant is a graduate from a school having requirements for graduation equivalent to those prescribed in this statute and that the Board's requirement for licensing in the sister state are substantially equivalent to those of this act.

When the aforesaid requirements and qualifications have been furnished this Board, as shown by the application to this Board, or in material submitted therewith, I am of the opinion this Board should issue a license by reciprocity irrespective of whether or not the Indiana Board has, in fact, recognized such school as of the date of applicant's graduation therefrom.

OFFICIAL OPINION NO. 29

April 29, 1958

Mr. Arthur Campbell, Member
Board of Correction
210 State House
Indianapolis 4, Indiana

Dear Mr. Campbell:

Your letter of March 20, 1958, has been received and reads in part as follows:

"The question has arisen within our Penal and Correctional Institutions in the Department of Correction as to whether or not Chapter No. 262 of the Acts of 1957 is inclusive enough to include glasses and dentures along with other necessary medical and surgical care as set out in the Act."

Acts of 1947, Ch. 300, Sec. 5, as amended by Acts of 1957, Ch. 262, as found in Burns' (1957 Supp.), Section 52-1135(b), reads in part as follows:

"(b) The necessary costs and expenses which may be incurred upon the placing of an inmate of an institution in a hospital shall be paid by the state out of funds