

OSTEOPATHS:  
ADVERTISEMENTS:

An osteopathic physician can ethically and legally use a sign, by first placing his name and the letters D.O. behind it on one line, and underneath the words "physician and surgeon", and it is not necessary that he include the word osteopathic before the word physician.

October 12, 1955

Honorable Max Oliver  
Prosecuting Attorney  
Montgomery County  
Montgomery City, Missouri

Dear Sir:

Your request for an opinion reads as follows:

"I am writing concerning the legality of a sign which advertises an osteopathic doctor and reads as follows:

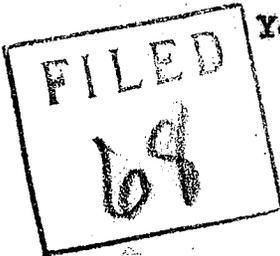
Name of Osteopath D. O.

Physician and Surgeon

"Should said sign read Osteopathic physician and surgeon in addition to the identification by the side of the name of the doctor?"

There are no provisions in the statutes of Missouri pertaining to the legality or illegality of a sign used by an osteopath, nor is there any statute pertaining to signs used by osteopaths. The only statute found which may have some bearing on your question is Section 337.070, RSMo 1949, pertaining to the revocation of an osteopath's license. Said section reads as follows:

"It shall be the duty of the state board of osteopathic examination and registration to carefully investigate all charges of immoral or illegal action of anyone to whom a certificate to practice osteopathy in this state has been issued, and after due notice of time and place being set and the accused given a chance to answer charges, and investigation having been made, and it has been proven beyond a reasonable doubt to at least four members of the board that the accused is guilty as charged of unethical conduct, and it shall



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be deemed unethical conduct to fail to designate himself or herself as an osteopathic physician or osteopathic surgeon or osteopathic physician and surgeon or any gross immorality or shielding anyone in any illegal practice, or is guilty of any criminal or illegal action, or is convicted of any felony, then said board shall revoke or suspend said certificate."

Thus, said section makes it unethical conduct on the part of an osteopath if he fails to designate himself as an osteopathic physician or osteopathic surgeon or osteopathic physician and surgeon. The question then presents itself whether the use of the letters D.O. behind an osteopath's name and the words physician and surgeon underneath his name on a sign is sufficient to designate him or her as an osteopathic physician and surgeon. Section 564.290, RSMo 1949, reads as follows:

"No person now or hereafter licensed in this state to practice medicine, surgery, dentistry, optometry, osteopathy, chiropractic, chiropody, or veterinary surgery, or any two or more of such professions, and no persons specifically permitted by law to practice the curing, healing or remedying of ailments, defects or diseases of body or mind with or without a license, shall use the prefix Doctor, or Dr. in connection with his name in any letter, business card, advertisement, prescription blank, sign or public listing or display of any nature whatsoever, without affixing thereto suitable words or letters clearly designating the degree held by such person or the particular type of practice in which such person is engaged which designation shall represent the profession such person is authorized to practice by license or privilege under the laws of this state."

(Emphasis supplied.)

This statute states that suitable letters clearly designating the degree held by an osteopath shall represent the profession such person is authorized to practice by a license or privilege of the laws of this state. Thus, this statute seems to mean that the letters D.O. behind a person's name would designate such person as a doctor of osteopathy, or an osteopath, and coupling therewith the words physician and surgeon in a sign, either after or under such name, would designate such person as an osteopathic physician and surgeon. Thus an osteopath can ethically and legally use a sign by

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having his name and the letters D.O. appear on the first line thereof and the words physician and surgeon below such and it is not necessary that the name, the letters, and the words osteopathic physician and surgeon be used on such sign.

CONCLUSION

An osteopathic physician can ethically and legally use a sign, by first placing his name and the letters D.O. behind it on one line and underneath the words "physician and surgeon" and it is not necessary that he include the word osteopathic before the word physician.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Harold L. Volkmer.

Yours very truly,

JOHN M. DALTON  
Attorney General

HLV:vlw/bi