



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Texas State Board of Medical Examiners
918 Texas State Bank Building
Dallas, Texas

Attention: Honorable J. T. Crowe

Dear Sir:

Opinion No. 5395
Re: Use of the suffix "M. D."
by graduate osteopaths,
licensed to practice in
this State, in signing
prescription orders.

This will acknowledge receipt of your letter requesting an opinion of this department. We quote from your letter:

"This office receives numerous complaints that doctors licensed in this state who are graduates of Osteopathic Colleges frequently in writing prescriptions for medicines sign their prescription orders as M. D., particularly when the druggist has furnished them with already printed pads bearing the M. D. at the end of the line for the signature of the doctor on the prescription form. Some of these doctors do this apparently intentionally, and have admitted to me that the people in the country places do not know anything about the D. O.; that they'd starve to death as D. O.'s. Others of them state that they overlooked erasure of the M. D., and just forgot to put on the D. O.

"The Board has instructed me to call this matter to your attention, and ask if such activity on the part of an Osteopathic physician is not, when intentional, culpable, as a purposive intent to deceive? Evidently some of these doctors presume that since they get a license to practice

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medicine and surgery in this state, they are also authorized to assume the use of the title M. D., which they have not earned."

We interpret your letter as requesting an opinion as to whether the use, under the circumstances described, of the abbreviation "M. D." by an osteopath violates any provision of the Civil or Criminal laws of this State.

Webster's New International Dictionary gives this definition of the word "doctor":

"An academic title, originally implying that its possessor was so well versed in a department of knowledge as to be qualified to teach; hence, one on whom this title has been conferred by a university or college, or other properly constituted authority. Among the chief doctoral degrees are: Doctor of Medicine (M. D.), . . ."

In the case of Commonwealth v. New England College of Chiropractic, 108 N. E. 895, 221 Mass. 190, the court said:

"The word 'doctor', as a prefix to a person's name, signifies an academic distinction founded upon having received a degree, and as commonly used, indicates skill in the general subject of medicine."

There is no statute, civil or criminal, expressly prohibiting the use of the abbreviation "M. D." by a person upon whom the degree "Medicinae Doctor" has not been conferred. Whether such conduct is "culpable" in the sense of subjecting the individual to "censure or blame" is not a question of law, and we are not authorized and will not undertake to express an opinion upon abstract questions of morality or professional ethics.

Very truly yours

ATTORNEY GENERAL OF TEXAS

W. R. Allen

By

W. R. Allen
Assistant

NRA:db

RECORDED 6, 1945
Gerald E. Mann

ATTORNEY GENERAL OF TEXAS

