pay the fees required by the Board within sixty days after the commencement of the year.

Such section likewise provides for a revocation of certificate "for good cause after hearing on notice."

The portion of said section providing for the reinstatement of the certificate is constitutional and proper. That portion, however, providing for the revocation of license for good cause is void. In *Hewitt* vs. *State Board of Medical Examiners,* 148 Cal. 590, the legislature undertook to permit the revocation of medical licensure by the Board of Medical Examiners in instances where the defendant made "grossly improper statements" in advertising a medical business. In discussing the language used in the statute, the Supreme Court of this State said:

"Taking a given advertisement by a physician, the members of one board might conclude that it contained 'grossly improper statements' while another board might reach an entirely opposite conclusion. One might conclude that the statement while 'improper' was not 'grossly' so. The advertisement of a physician which one board had determined did not come within the inhibition of the rule according to its judgment, a succeeding board might conclude it did. As the provision of the Act in question does not define what shall constitute 'grossly improper statements' but leaves it to be determined according to the opinions of the particular members of the board who happened to constitute it when the matter of revoking a physician's license therefor is before them, it is obvious, if such a provision can be sustained that it could operate disastrously not only upon individual physicians, but upon physicians of a particular school."

The case in effect holds that a license may not be revoked where the grounds of revocation are left to the whim or caprice of an examining board without any standard for their guidance. The language in said case is applicable to the proviso of revocation in this Act "for good cause." What might constitute "good cause" as to one board, might not constitute "good cause" as to another.

But this does not mean that the Act is unconstitutional because a license issued pursuant thereto may not be revoked or suspended pursuant to the Act in its present form. What has been stated hereinbefore with reference to *Bacon Service Corporation* vs. *Huss,* is applicable to the revocation language of the Act. The Act is, therefore, constitutional, but a license issued pursuant thereto may not be revoked. The advisability of an amendment to provide specific grounds for revocation is respectfully left to your discretion.

In conclusion, I particularly call to your attention the language of Section 10 of Chapter 804, which prohibits corporations and persons not possessing valid and unrevoked physician's and surgeon's certificates from practicing medicine and surgery or from furnishing the service of physicians for the practice of medicine and surgery. This language indicates a specific legislative intent to prevent persons licensed as technologists or technicians from making diagnoses. Persons so licensed may make findings as to particular bacteria, germs or chemical substances present in given specimens or samples, but may not, under the law, state that the presence thereof constitutes the presence or absence of any particular malady or disease.

Very truly yours,

U. S. WEBB, *Attorney-General.*

By Lionel Browne.

EDUCATOR DECRIES UNITED STATES SUBSIDY FOR MEDICAL PRACTICE

[*Criticism of the Plan of the "Committee of Four Hundred and Thirty"*]

Declaring their proposals would lead to socialization of medical practice and bureaucratic control of education and research, Dr. Robert Wilson, dean of the Medical College of the State of South Carolina, has issued a statement decrying recommendations of a group of physicians who have rebelled against the American Medical Association's opposition to federal subsidy and direction of their profession.

Doctor Wilson denounces the plan of the 430 medical men—a small minority of the 165,000 in the United States—as constituting "a serious danger to principles which the medical profession as a whole has regarded, and still regards, as fundamental." He envisions the proposals regarding the support out of public funds of medical education and medical research as "fraught with possible danger" and sees no safeguard in the principles as expressed against socialization of the profession and bureaucratic control.

"That each state should support medical education and, through its medical schools, should encourage and support scientific research," reads Doctor Wilson's statement, "is a thoroughly sound policy, but the control of such activities by the Federal Government should be viewed with the gravest apprehension."

"That it is the purpose to bring under federal control all of these (medical, educational, hospital, and laboratory) activities," continues Dean Wilson's statement, "seems obvious from Proposal 9, in which it is suggested 'that the adequate administration and supervision of the health functions of the Government, as implied in the above proposals, necessitates, in our opinion, a functional consolidation of all federal health and medical activities, preferably under a separate department.'

"This provision means nothing else than bureaucratic control both of medical practice and of such education and scientific research, which can attain the highest degree of usefulness only when permitted complete freedom of operation untrammeled by political domination."

Like the American Medical Association and most leading practitioners and teachers of medicine, Doctor Wilson sees federal socialization of medical practice primarily as a mortal blow to the independence of private practice and the well-being of the individual physician. However, like most other medical men, he also scents the peril of permiting bureaucratic control of medical education because of the likelihood of stifling independent thinking and regimentation not only of medical practitioners, but of the public.—*Christian Science Monitor,* January 5, 1938.

HIGHLIGHTS IN CALIFORNIA'S PUBLIC HEALTH WORK IN 1937*

Many new activities in the promotion of public health have been started in California during the past year, and many old activities have been either amplified or renewed.

Of first importance is the reëstablishment of the Bureau of Venereal Diseases in the California State Department of Public Health. This was made possible by legislative enactment and approved by Governor Frank F. Merriam. In 1917, California established the first state bureau of this sort and it functioned until 1920, when lack of funds stopped its work. The State appropriation now available for venereal disease control, augmented by Social Security funds, provides for a sound program in case finding, treatment, support for public clinics, free distribution of drugs to patients who are unable to pay, education in prevention and other attributes that provide effective measures in the prevention and control of these devastating diseases.

The extensive migration of agricultural laborers into California from other states and from Mexico has necessitated the institution of special activities to control communicable diseases among such laborers and to provide protection for residents of California. These activities have covered general camp sanitation, immunization against smallpox and diphtheria, instruction in child hygiene, maternal welfare, nutrition and facilities for the diagnosis of tuberculosis. Pediatricians, tuberculosis workers, nurses, and sanitary inspectors have worked in those districts of the San Joaquin Valley, particularly, where approximately 100,000 migratory laborers have been employed during the past season. A motor-truck equipped with x-ray apparatus and other facilities for the diagnosis of tuberculosis is moved from camp to camp, where clinics for the discovery of tuberculosis cases are conducted.

Because of the various hazards connected with many industries of the State, it has been necessary to establish active operations in preventing such hazards. Various dusts, chemicals, and air pollution are factors in the production of industrial diseases. Surveys have been undertaken in the various industries and coöperative efforts with manufacturers have been developed in order to lessen the industrial hazards and thereby prevent the production of industrial diseases. A special study of carbon-monoxid poisoning in transportation is now under way.

Through the provision of public health nurses in rural counties, a more extended health service to rural residents has been provided. The addition of six women physicians to the staff of the Bureau of Child Hygiene has enabled thousands of children, living in the rural districts, to receive physical examinations which were not available to

* A report submitted to the Council of the California Medical Association on January 15, 1938, by Dr. Walter M. Dickie, Director of the California State Board of Public Health.