

SENATE BILL No. 305

May 7, 1991, Introduced by Senators DUNASKISS, GEAKE, CHERRY, HONIGMAN, ARTHURHUTLZ, BARCIA, KELLY, DI NELLO, WELBORN, CONROY, HART, O'BRIEN, STABENOW, MC MANUS and VAUGHN and referred to the Committee on Health Policy.

A bill to amend sections 16401 and 16423 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," being sections 333.16401 and 333.16423 of the Michigan Compiled Laws; and to add section 16403.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 16401 and 16423 of Act No. 368 of the
2 Public Acts of 1978, being sections 333.16401 and 333.16423 of
3 the Michigan Compiled Laws, are amended and section 16403 is
4 added to read as follows:

5 Sec. 16401. (1) As used in this part:

6 (a) "Chiropractor", "chiropractic physician", "doctor of
7 chiropractic", or "d.c." means an individual licensed under this
8 article to engage in the practice of chiropractic.

1 (b) "Practice of chiropractic" means that discipline within
2 the healing arts ~~which~~ THAT deals with the nervous system, THE
3 MUSCULOSKELETAL SYSTEM, and ~~its relationship to~~ the spinal
4 column and ~~its~~ THEIR interrelationship with ~~other~~ body
5 systems, HUMAN AILMENTS, AND PHYSICAL DISORDERS AND THAT UTILIZES
6 THE INHERENT RECUPERATIVE POWERS OF THE BODY FOR RESTORATION AND
7 MAINTENANCE OF HEALTH. THE PRACTICE OF CHIROPRACTIC DOES NOT
8 INCLUDE THE PERFORMANCE OF INCISIVE SURGICAL PROCEDURES OR THE
9 DISPENSING OR PRESCRIBING OF DRUGS OR MEDICINE. Practice of chi-
10 ropractic includes:

11 (i) Diagnosis ~~, including spinal~~ THROUGH UTILIZATION OF
12 analysis, EVALUATION, TESTS, MEASUREMENTS, PHYSICAL EXAMINATION,
13 AND X-RAY MACHINES AND OTHER IMAGING TECHNOLOGIES to determine
14 ~~the~~ 1 OR MORE OF THE FOLLOWING:

15 (A) THE existence of ~~spinal subluxations~~ VERTEBRAL SUBLUX-
16 ATION COMPLEXES AND THEIR COMPONENT PARTS or misalignments that
17 MAY produce nerve interference. ~~, indicating the necessity for~~
18 ~~chiropractic care.~~

19 (B) THE EXISTENCE OF DYSFUNCTIONAL OSSEOUS ARTICULATIONS OF
20 THE SKELETAL SYSTEM.

21 (C) THE EXISTENCE OF ABNORMAL INTERRELATIONSHIPS BETWEEN THE
22 NERVOUS SYSTEM, THE MUSCULOSKELETAL SYSTEM, AND THE SPINAL
23 COLUMN.

24 (D) THE NEED FOR CARE AND THE MANAGEMENT OF THAT CARE.

25 (E) THE NEED FOR AND PROVISION OF HEALTH AND DISABILITY
26 AUTHORIZATIONS AS THEY RELATE TO THE PRACTICE OF CHIROPRACTIC.

1 (ii) The adjustment of spinal ~~subluxations or misalignments~~
2 ~~and related bones and tissues~~ SUBLUXATION for the establishment
3 of neural OR BIOMECHANICAL integrity, OR BOTH; AND THE MANIPULA-
4 TION OF DYSFUNCTIONAL OSSEOUS ARTICULATIONS OF THE SKELETAL
5 SYSTEM. ~~utilizing the inherent recuperative powers of the body~~
6 ~~for restoration and maintenance of health.~~

7 (iii) The use of analytical OR DIAGNOSTIC instruments,
8 nutritional advice, rehabilitative exercise, ASSISTIVE DEVICES,
9 and adjustment apparatus regulated by rules promulgated by the
10 board ~~pursuant to~~ UNDER section 16423. ~~, and the use of x-ray~~
11 ~~machines in the examination of patients for the purpose of locat-~~
12 ~~ing spinal subluxations or misaligned vertebrae of the human~~
13 ~~spine. The practice of chiropractic does not include the per-~~
14 ~~formance of incisive surgical procedures, the performance of an~~
15 ~~invasive procedure requiring instrumentation, or the dispensing~~
16 ~~or prescribing of drugs or medicine.~~

17 (2) In addition to the definitions in this part, article 1
18 contains general definitions and principles of construction
19 applicable to all articles in this code and part 161 contains
20 definitions applicable to this part.

21 SEC. 16403. WHILE ENGAGING IN THE PRACTICE OF CHIROPRACTIC,
22 A CHIROPRACTOR MAY PERFORM, BUT IS NOT REQUIRED UNDER THIS PART
23 TO PERFORM, ANCILLARY PHYSICAL MEASURES INCLUDING MASSAGE, MOBI-
24 LIZATION, TRACTION, HEAT, COLD, AIR, LIGHT, ELECTRICITY, THERA-
25 PEUTIC ULTRASOUND, AND REHABILITATION. THE ANCILLARY PHYSICAL
26 MEASURES DESCRIBED IN THIS SECTION MAY BE USED FOR 1 OR MORE OF
27 THE FOLLOWING PURPOSES:

1 (A) TO PREPARE THE PATIENT FOR CHIROPRACTIC ADJUSTMENT OR
2 REHABILITATION.

3 (B) TO COMPLEMENT THE CHIROPRACTIC ADJUSTMENT OR
4 REHABILITATION.

5 Sec. 16423. (1) The board shall promulgate rules to estab-
6 lish criteria for the approval of analytical OR DIAGNOSTIC
7 instruments, ASSISTIVE DEVICES, and adjustment apparatus to be
8 used for the purpose of examining patients ~~in locating spinal~~
9 ~~subluxations and~~ TO LOCATE OR RULE OUT THE VERTEBRAL SUBLUXATION
10 COMPLEX AND ITS COMPONENT PARTS OR misalignments of the human
11 ~~spine~~ SKELETON. The BOARD SHALL ESTABLISH criteria
12 ~~established shall be substantially equivalent to nationally rec-~~
13 ~~ognized standards~~ in the profession for the use and operation of
14 the ANALYTICAL OR DIAGNOSTIC instruments, ASSISTIVE DEVICES, AND
15 ADJUSTMENT APPARATUS. The board may approve types and makes of
16 analytical OR DIAGNOSTIC instruments, ASSISTIVE DEVICES, AND
17 ADJUSTMENT APPARATUS that meet these criteria.

18 (2) An individual shall not use analytical instruments or
19 adjustment apparatus ~~which does not meet nationally recognized~~
20 ~~standards or which is~~ THAT ARE not approved by the board.