

SENATE BILL NO. 1151

May 20, 1998, Introduced by Senator BULLARD and referred to the
Committee on Health Policy and Senior Citizens.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16261, 16401, and 16411 (MCL 333.16261,
333.16401, and 333.16411).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16261. (1) ~~A person~~ AN INDIVIDUAL who is not
2 licensed or registered under this article shall not use an insig-
3 nia, title, or letter, or a word, letter, or phrase singly or in
4 combination, with or without qualifying words, letters, or
5 phrases, under a circumstance to induce the belief that the
6 person is licensed or registered in this state, is lawfully enti-
7 tled in this state to engage in the practice of a HEALTH profes-
8 sion regulated by this article, or is otherwise in compliance
9 with this article.

1 (2) An individual shall not announce or hold himself or
 2 herself out to the public as limiting his or her practice to, as
 3 being specially qualified in, or as giving particular attention
 4 to a health profession specialty field for which a board issues a
 5 specialty certification, without first having obtained a spe-
 6 cialty certification IN THAT HEALTH PROFESSION SPECIALTY FIELD.

7 (3) AN INDIVIDUAL SHALL NOT ANNOUNCE OR HOLD HIMSELF OR HER-
 8 SELF OUT TO THE PUBLIC AS BEING ABLE TO PERFORM A CHIROPRACTIC
 9 ADJUSTMENT AS THAT TERM IS DEFINED IN SECTION 16401(1)(A), UNLESS
 10 THE INDIVIDUAL IS A CHIROPRACTOR LICENSED UNDER THIS ARTICLE OR
 11 IS OTHERWISE AUTHORIZED UNDER THIS ARTICLE TO PERFORM THAT TYPE
 12 OF PROCEDURE.

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

14 (A) "CHIROPRACTIC ADJUSTMENT" MEANS AN APPLICATION OF FORCES
 15 TO THE BODY THAT IS INTENDED TO REDUCE OR CORRECT, OR BOTH, A
 16 VERTEBRAL MISALIGNMENT, A VERTEBRAL SUBLUXATION, OR A VERTEBRAL
 17 SUBLUXATION COMPLEX AND ITS ASSOCIATED IMPACT ON THE SPINE AND
 18 RELATED BONES AND TISSUES.

19 (B) ~~(a)~~ "Chiropractor", "chiropractic physician", "doctor
 20 of chiropractic", or "d.c." means an individual licensed under
 21 this article to engage in the practice of chiropractic.

22 (C) ~~(b)~~ "Practice of chiropractic" means ~~that~~ THE disci-
 23 pline within the healing arts ~~which~~ THAT deals with the nervous
 24 system and ~~its~~ THE relationship OF THE NERVOUS SYSTEM to the
 25 spinal column and ~~its~~ THE interrelationship OF THE NERVOUS
 26 SYSTEM with other body systems. Practice of chiropractic
 27 includes:

1 (i) Diagnosis, including spinal analysis, to determine the
2 existence of spinal subluxations or misalignments that produce
3 nerve interference, indicating the necessity for chiropractic
4 care.

5 (ii) The adjustment of spinal subluxations or misalignments
6 and related bones and tissues for the establishment of neural
7 integrity utilizing the inherent recuperative powers of the body
8 for restoration and maintenance of health, INCLUDING, BUT NOT
9 LIMITED TO, THE PERFORMANCE OF A CHIROPRACTIC ADJUSTMENT.

10 (iii) The use of analytical instruments, nutritional advice,
11 rehabilitative exercise and adjustment apparatus regulated by
12 rules promulgated by the board pursuant to section 16423, and the
13 use of x-ray machines in the examination of patients for the pur-
14 pose of locating spinal subluxations or misaligned vertebrae of
15 the human spine. The practice of chiropractic does not include
16 the performance of incisive surgical procedures, the performance
17 of an invasive procedure requiring instrumentation, or the dis-
18 pensing or prescribing of drugs or medicine.

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

23 Sec. 16411. ~~A person~~ AN INDIVIDUAL shall not engage in
24 the practice of chiropractic, INCLUDING, BUT NOT LIMITED TO, PER-
25 FORMING A CHIROPRACTIC ADJUSTMENT, unless licensed or otherwise
26 authorized by this article.