

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1121

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.

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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 [OR A HEALTH PROFESSION SPECIALTY FIELD LICENSE],
without first having obtained a spe-
6 cialty certification [OR A HEALTH PROFESSION SPECIALTY FIELD LICENSE.]

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, CHIROPRACTIC MANIPULATION, OR OTHER CHIROPRACTIC
10 SERVICES OR CHIROPRACTIC OPINION, UNLESS THE INDIVIDUAL IS A CHI-
11 ROPRACTOR LICENSED UNDER THIS ARTICLE.

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

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

16 (b) "Practice of chiropractic" means that discipline within
17 the healing arts which deals with the HUMAN nervous system and
18 its relationship to the spinal column and its interrelationship
19 with other body systems. Practice of chiropractic includes THE
20 FOLLOWING:

21 (i) Diagnosis, including spinal analysis, to determine the
22 existence of spinal subluxations or misalignments that produce
23 nerve interference, indicating the necessity for chiropractic
24 care.

25 (ii) ~~The~~ A CHIROPRACTIC adjustment of spinal subluxations
26 or misalignments and related bones and tissues for the
27 establishment of neural integrity utilizing the inherent

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1 recuperative powers of the body for restoration and maintenance
2 of health.

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

12 (2) In addition to the definitions in this part, article 1
13 contains general definitions and principles of construction
14 applicable to all articles in this code and part 161 contains
15 definitions applicable to this part.

16 [Sec. 16411. (1) ~~A person~~ AN INDIVIDUAL shall not engage in the
17 practice of chiropractic, INCLUDING, BUT NOT LIMITED TO, PERFORMING A
18 CHIROPRACTIC ADJUSTMENT, CHIROPRACTIC MANIPULATION, OR OTHER CHIROPRACTIC
19 SERVICES OR CHIROPRACTIC OPINION, unless licensed, or otherwise
20 authorized by A CHIROPRACTOR, UNDER this article.

21 (2) THE 2002 AMENDATORY ACT THAT ADDED THIS SUBSECTION IS INTENDED
22 TO CODIFY EXISTING LAW AND TO CLARIFY AND CURE ANY MISINTERPRETATION OF
23 THE OPERATION OF SECTIONS 16261, 16401, AND 16411 SINCE THE EFFECTIVE
24 DATE OF THEIR ENACTMENT.

25 (3) THE 2002 AMENDATORY ACT THAT ADDED THIS SUBSECTION IS NOT
26 INTENDED TO AFFECT THE AUTHORITY OF A VETERINARIAN TO DELEGATE CERTAIN
27 FUNCTIONS AS PROVIDED BY LAW.

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1 (4) THE 2002 AMENDATORY ACT THAT ADDED THIS SUBSECTION DOES NOT
2 AFFECT THE SCOPE OF PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND
3 SURGERY PROVIDED FOR IN PARTS 170 AND 175. THE 2002 AMENDATORY ACT THAT
4 ADDED THIS SUBSECTION DOES NOT AMEND THE SCOPE OF PRACTICE OF PHYSICAL
THERAPY PROVIDED FOR IN PART 178.]