

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.

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

(3) AN INDIVIDUAL SHALL NOT ANNOUNCE OR HOLD HIMSELF OR HERSELF OUT TO THE PUBLIC AS BEING ABLE TO PERFORM A CHIROPRACTIC ADJUSTMENT, CHIROPRACTIC MANIPULATION, OR OTHER CHIROPRACTIC SERVICES OR CHIROPRACTIC OPINION, UNLESS THE INDIVIDUAL IS A CHIROPRACTOR LICENSED UNDER THIS ARTICLE.

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

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

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

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

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

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. ~~A person~~ AN INDIVIDUAL shall not engage in
17 the practice of chiropractic, INCLUDING, BUT NOT LIMITED TO, PER-
18 FORMING A CHIROPRACTIC ADJUSTMENT, CHIROPRACTIC MANIPULATION, OR
19 OTHER CHIROPRACTIC SERVICES OR CHIROPRACTIC OPINION, unless
20 licensed or otherwise authorized by A CHIROPRACTOR UNDER this
21 article. THE 2002 AMENDATORY ACT THAT ADDED THIS SENTENCE DOES NOT
AFFECT THE SCOPE OF PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND
SURGERY PROVIDED FOR IN PARTS 170 AND 175.

Enacting section 1. The 2002 amendatory act that amended section
16411 is intended to codify existing law and to clarify and cure any
misinterpretation of the operation of sections 16261, 16401, and 16411 of
the public health code, 1978 PA 368, MCL 333.16261, 333.16401, and
333.16411, since the effective date of their enactment.