

**PUBLIC HEALTH CODE (EXCERPT)**

**Act 368 of 1978**

**PART 164**

**CHIROPRACTIC**

**333.16401 Definitions; scope; principles of construction.**

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) "Dislocation" means complete disruption in the normal relationship of 2 bones forming a joint resulting in no contact of the articular surfaces. A dislocation does not include a subluxation.

(c) "Joint dysfunction" means a joint that is impaired so that it does not function properly.

(d) "Musculoskeletal system" means the system of muscles, tendons, ligaments, bones, joints, and associated tissues that moves the body and maintains its form.

(e) "Practice of chiropractic" means that discipline within the healing arts that deals with the human nervous system and the musculoskeletal system and their interrelationship with other body systems. Practice of chiropractic includes the following:

(i) The diagnosis of human conditions and disorders of the human musculoskeletal and nervous systems as they relate to subluxations, misalignments, and joint dysfunctions. These diagnoses shall be for the purpose of detecting and correcting those conditions and disorders or offering advice to seek treatment from other health professionals in order to restore and maintain health.

(ii) The evaluation of conditions or symptoms related to subluxations, misalignments, and joint dysfunction through any of the following:

(A) Physical examination.

(B) The taking and reviewing of patient health information.

(C) The performance, ordering, or use of tests. The performance, ordering, or use of tests in the practice of chiropractic is regulated by rules promulgated under section 16423.

(D) The performance, ordering, or use of x-ray.

(E) The performance, ordering, or use of tests that were allowed under section 16423 as of December 1, 2009.

(iii) The chiropractic adjustment of subluxations, misalignments, and joint dysfunction and the treatment of related bones and tissues for the establishment of neural integrity and structural stability.

(iv) The use of physical measures, analytical instruments, nutritional advice, rehabilitative exercise, and adjustment apparatus regulated by rules promulgated under section 16423.

(2) The practice of chiropractic does not include any of the following:

(a) The performance of any procedure that cuts or punctures the skin.

(b) The dispensing or prescribing of drugs or medicine.

(c) Except for diagnostic purposes only, the use of x-ray.

(d) The performance of an invasive procedure involving a body orifice or cavity unless allowed by rules promulgated under section 16423 and limited to examinations involving the ears, nose, and throat.

(e) The treatment of fractures or dislocations.

(f) The performance or ordering of non-x-ray diagnostic imaging tests that were not allowed under section 16423 as of December 1, 2009.

(3) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in this act and part 161 contains definitions applicable to this part.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2002, Act 734, Imd. Eff. Dec. 30, 2002;—Am. 2009, Act 223, Imd. Eff. Jan. 5, 2010.

**Compiler's note:** For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

**Popular name:** Act 368

**333.16411 Practice of chiropractic; license or authorization required; scope and effect of act; use of words, titles, or letters.**

Sec. 16411. (1) An individual shall not engage in the practice of chiropractic, including, but not limited to, performing a chiropractic adjustment, chiropractic manipulation, or other chiropractic services or chiropractic opinion, unless licensed, or otherwise authorized by a chiropractor, under this article.

(2) 2002 PA 734 is intended to codify existing law and to clarify and cure any misinterpretation of the operation of sections 16261, 16401, and 16411 since December 30, 2002.

(3) 2002 PA 734 is not intended to affect the authority of a veterinarian to delegate certain functions as provided by law.

(4) 2002 PA 734 does not affect the scope of practice of medicine or osteopathic medicine and surgery provided for in parts 170 and 175. 2002 PA 734 does not amend the scope of practice of physical therapy provided for in part 178.

(5) The following words, titles, or letters or a combination thereof, with or without qualifying words or phrases, are restricted in use only to those persons authorized under this part to use the following terms and in a way prescribed in this part: "chiropractic", "doctor of chiropractic", "chiropractor", "d.c.", and "chiropractic physician".

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2002, Act 734, Imd. Eff. Dec. 30, 2002;—Am. 2006, Act 396, Imd. Eff. Sept. 27, 2006.

**Popular name:** Act 368

### **333.16412 Limited license; qualifications; suspension; duration; nonrenewable.**

Sec. 16412. (1) An individual shall not engage in the practice of chiropractic as part of his or her chiropractic education without a limited license to practice under this part.

(2) A limited license for practice as part of chiropractic education shall require that the individual has successfully completed 2 years of education in a college of arts and sciences and 2 years, 4 semesters, or 6 quarter terms in a chiropractic college approved by the board. An individual granted a limited license may engage in the practice of chiropractic only under the supervision of a licensed chiropractor.

(3) The limited license is valid for not more than 6 months and is nonrenewable.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

### **333.16421 Michigan board of chiropractic; creation; membership; terms.**

Sec. 16421. (1) The Michigan board of chiropractic is created in the department and shall consist of the following 9 voting members who shall meet the requirements of part 161: 5 chiropractors and 4 public members.

(2) The terms of office of individual members of the board created under subsection (1), except those appointed to fill vacancies, expire 4 years after appointment on December 31 of the year in which the term will expire.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 2006, Act 396, Imd. Eff. Sept. 27, 2006.

**Popular name:** Act 368

### **333.16423 Performance and ordering of tests and approval of analytical instruments and adjustment apparatus; rules; criteria; standards.**

Sec. 16423. (1) The department, in consultation with the board, shall promulgate rules to establish criteria for the performance and ordering of tests and the approval of analytical instruments and adjustment apparatus to be used for the purpose of examining and treating patients for subluxations and misalignments that produce nerve interference or joint dysfunction. The criteria established shall be substantially equivalent to nationally recognized standards in the profession for the performance and ordering of tests and the use and operation of the instruments and apparatus. The board may approve types and makes of analytical instruments and adjustment apparatus that meet these criteria.

(2) An individual shall not perform or order tests or use analytical instruments or adjustment apparatus that do not meet nationally recognized standards or that are not approved by the board.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2009, Act 221, Imd. Eff. Jan. 5, 2010.

**Popular name:** Act 368

**Administrative rules:** R 338.2201 et seq. and R 338.12001 et seq. of the Michigan Administrative Code.

### **333.16429 Standards of practice for services involving vaginal or anal penetration; promulgation of rules.**

Sec. 16429. The department may promulgate rules that provide guidance to licensees on generally accepted standards of practice for services involving vaginal or anal penetration, including internal pelvic floor treatments. If the department promulgates rules under this section, the department shall consult with appropriate professional associations and other interested stakeholders.

**History:** Add. 2023, Act 62, Eff. Oct. 10, 2023.

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Page 2

Michigan Compiled Laws Complete Through PA 5 of 2025

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**Popular name:** Act 368

**333.16431 Renewal of license; educational conferences; completion of hours or courses in pain and symptom management; rules.**

Sec. 16431. (1) Notwithstanding the requirements of part 161, the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 2 years immediately preceding the application for renewal the applicant has attended not less than two 2-day educational conferences approved by the board, in subjects related to the practice of chiropractic and designed to further educate licensees.

(2) As required under section 16204, the department, in consultation with the board, shall promulgate rules requiring each applicant for license renewal to complete as part of the educational conferences required under subsection (1) an appropriate number of hours or courses in pain and symptom management.

(3) The department, in consultation with the board, shall promulgate rules requiring each applicant for license renewal to complete as part of the educational conferences required under subsection (1) an appropriate number of hours or courses concerning the provisions of section 16401(1) that were added by the amendatory act that added this subsection.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1986, Act 290, Imd. Eff. Dec. 22, 1986;—Am. 1994, Act 234, Imd. Eff. June 30, 1994;—Am. 2009, Act 221, Imd. Eff. Jan. 5, 2010.

**Popular name:** Act 368