

# HOUSE BILL No. 4353

February 18, 1997, Introduced by Reps. Green, Baade, McManus, Lowe, Freeman, Kukuk, Nye, Voorhees, Scott, Walberg, Owen, Anthony, Rhead, Harder, DeHart, Leland, Schermesser, Hale, Dobb, Tesanovich and Galloway and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 16401 and 16423 (MCL 333.16401 and  
333.16423).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 16401. (1) As used in this part:  
2       (a) "Chiropractor", "chiropractic physician", "doctor of  
3 chiropractic", or "d.c." means an individual licensed under this  
4 article to engage in the practice of chiropractic.  
5       (b) "Practice of chiropractic" means that discipline within  
6 the healing arts ~~which~~ THAT deals with the nervous system and  
7 ~~its~~ THE relationship OF THE NERVOUS SYSTEM to the spinal column  
8 AND TO THE EXTREMITIES, and ~~its~~ WITH THE interrelationship OF  
9 THE NERVOUS SYSTEM AND THE SPINAL COLUMN with other body  
10 systems. Practice OF CHIROPRACTIC DOES NOT INCLUDE THE

1 PERFORMANCE OF AN INCISIVE SURGICAL PROCEDURE, THE PERFORMANCE OF  
2 AN INVASIVE SURGICAL PROCEDURE REQUIRING INSTRUMENTATION, OR THE  
3 DISPENSING OR PRESCRIBING OF DRUGS OR MEDICINE. SUBJECT TO SEC-  
4 TION 16423, PRACTICE of chiropractic includes:

5 (i) Diagnosis, including spinal analysis AND EXAMINATION, to  
6 determine the existence of spinal subluxations or misalignments  
7 that produce nerve interference OR OTHER HUMAN AILMENTS, indicat-  
8 ing the necessity for chiropractic care.

9 (ii) The adjustment of ~~spinal~~ subluxations or misalign-  
10 ments ~~and related~~ OF bones and tissues for the establishment of  
11 neural integrity utilizing the inherent recuperative powers of  
12 the body for restoration and maintenance of health.

13 (iii) The use of analytical instruments, nutritional advice,  
14 rehabilitative exercise, ~~and~~ adjustment apparatus WITH OR WITH-  
15 OUT ASSISTIVE DEVICES regulated by rules promulgated by the board  
16 pursuant to section 16423, and the use of x-ray machines, IMAGING  
17 TECHNOLOGY, AND BY REFERRAL OTHER TESTS in the examination of  
18 patients. ~~for the purpose of locating spinal subluxations or~~  
19 ~~misaligned vertebrae of the human spine. The practice of chiro-~~  
20 ~~practic does not include the performance of incisive surgical~~  
21 ~~procedures, the performance of an invasive procedure requiring~~  
22 ~~instrumentation, or the dispensing or prescribing of drugs or~~  
23 ~~medicine.~~

24 (2) In addition to the definitions in this part, article 1  
25 contains general definitions and principles of construction  
26 applicable to all articles in this code and part 161 contains  
27 definitions applicable to this part.

1       Sec. 16423. ~~-(1)~~ The board shall promulgate rules to  
2 establish criteria for the ~~approval of analytical instruments~~  
3 ~~and adjustment apparatus to be used for the purpose of examining~~  
4 ~~patients in locating spinal subluxations and misalignments of the~~  
5 ~~human spine~~ CLINICALLY APPROPRIATE USE OF THE DIAGNOSTIC, ANA-  
6 LYTICAL, AND TREATMENT PROCEDURES, INSTRUMENTS, ADVICE, EXERCISE,  
7 AND APPARATUS DESCRIBED IN SECTION 16401(1)(B)(i) TO (iii). ~~The~~  
8 ~~criteria established shall be substantially equivalent to nation-~~  
9 ~~ally recognized standards in the profession for the use and oper-~~  
10 ~~ation of the instruments. The board may approve types and makes~~  
11 ~~of analytical instruments that meet these criteria.~~

12       ~~(2) An individual shall not use analytical instruments or~~  
13 ~~adjustment apparatus which does not meet nationally recognized~~  
14 ~~standards or which is not approved by the board.~~