



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 968 (Substitute S-2 as reported)  
Senate Bills 969 and 970 (as reported without amendment)  
Senate Bill 971 (Substitute S-1)  
Senate Bills 972 and 973 (as reported without amendment)  
Sponsor: Senator Wayne Kuipers (S.B. 968)  
          Senator Randy Richardville (S.B. 969 & 972)  
          Senator Gilda Z. Jacobs (S.B. 970)  
          Senator Roger Kahn, M.D. (S.B. 971)  
          Senator Jason E. Allen (S.B. 973)  
Committee: Economic Development and Regulatory Reform

**CONTENT**

Senate Bill 968 (S-2) would amend the Public Health Code to revise the scope of practice for chiropractors by referring to the discipline that deals with the human nervous system and the musculoskeletal system's interrelationship with other body systems, instead of the discipline that deals with the nervous system's relationship with the spinal column, and making other changes to the definition of "practice of chiropractic". The bill also would revise requirements for the promulgation of rules.

Currently, "practice of chiropractic" includes the following:

- Diagnosis, including spinal analysis, to determine the existence of subluxations or misalignments that produce nerve interference indicating the necessity for chiropractic care.
- The chiropractic adjustment of spinal subluxations or misalignments and related bones and tissues for the establishment of neural integrity using the inherent recuperative powers of the body for restoration and maintenance of health.
- The use of analytical instruments, nutritional advice, rehabilitative exercise and adjustment apparatus regulated by rules promulgated by the Michigan Board of Chiropractic, and the use of x-ray machines in the examination of patients for the purpose of locating spinal subluxations or misaligned vertebrae of the human spine.

Under the bill, instead, the term would include the following:

- The diagnosis of human conditions and human nervous system and musculoskeletal disorders related to subluxations, misalignments, and joint dysfunctions for the purpose of detecting and correcting those disorders or offering advice to seek treatment from other health professionals in order to restore and maintain health.
- The evaluation of conditions or symptoms related to subluxations, misalignments, and joint dysfunction through physical examination; the taking and reviewing of patient health information; the performance, ordering, or use of tests, as regulated by rules promulgated under Section 16423 of the Code; the performance, ordering, or use of x-ray; or the performance, ordering, or use of tests that were allowed under Section 16423 as of December 1, 2009.

- 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.
- The use of physical measures, analytical instruments, nutritional advice, rehabilitative exercise, and adjustment apparatus regulated by rules promulgated under Section 16423.

The practice of chiropractic currently does not include the performance of incisive surgical procedures, the performance of an invasive procedure requiring instrumentation, or the dispensing or prescribing of drugs or medicine. Under the bill, instead, the practice of chiropractic would not include any of the following:

- The performance of any procedure that cuts or punctures the skin.
- The dispensing or prescribing of drugs or medicine.
- Except for diagnostic purposes only, the use of x-ray.
- 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.
- The treatment of fractures.
- The performance or ordering of diagnostic imaging tests, other than x-rays, that were not allowed under Section 16423 as of December 1, 2009.

Section 16423 requires the Board of Chiropractic to promulgate rules to establish criteria for the approval of analytical instruments and adjustment apparatus to be used for the purpose of examining patients in locating spinal subluxations and misalignments of the human spine. Under the bill, instead, the Department of Community Health (DCH), in consultation with the Board, would have to 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.

In addition, under the Code, the Board may require a licensee seeking renewal of a license to give the Board satisfactory evidence that during the two years immediately preceding the renewal application the applicant has attended at least two, two-day education conferences approved by the Board, in subjects related to the practice of chiropractic and designed to further educate licensees. Under the bill, the DCH, in consultation with the Board, would have to promulgate these rules, as well as rules requiring each applicant for license renewal to complete as part of the educational conferences an appropriate number of hours or courses concerning the expanded scope or practice proposed by the bill.

Senate Bill 968 (S-2) is tie-barred to Senate Bills 969-973.

Senate Bills 969 through 973 would amend various statutes governing insurance to specify that reimbursement or coverage would not be required for chiropractic services unless those services were included in the Public Health Code's definition of "practice of chiropractic" as of January 1, 2009.

Senate Bill 969 would amend the Insurance Code and would apply to personal protection insurance benefits payable under Chapter 31 (Motor Vehicle Person and Property Protection) of the Code. Senate Bill 970 would amend the Prudent Purchaser Act and would apply to a prudent purchaser agreement with one or more health care providers. Senate Bill 971 (S-1) would amend the Nonprofit Health Care Corporation Reform Act, which governs Blue Cross Blue Shield of Michigan (BCBSM) and would apply to a BCBSM certificate. Senate Bill 972 would amend the Worker's Disability Compensation Act and would apply to an employer's responsibility to furnish reasonable medical, surgical, and hospital services and treatment to an employee who received a personal injury arising out of and in the course of employment.

Senate Bill 973 would amend the Insurance Code and would apply to insurance policies issued under Chapter 34 (Disability Insurance Policies) and Chapter 36 (Group and Blanket Disability Insurance) of the Code.

MCL 333.16401 et al. (S.B. 968)  
500.3107b (S.B. 969)  
550.53 (S.B. 970)  
550.1502 & 550.1502a (S.B. 971)  
418.315 (S.B. 972)  
500.3405 et al. (S.B. 973)

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

Senate Bill 968 (S-2) would expand the scope of chiropractic services. If enactment of the legislation led to increased use of x-ray and other imaging technology, the cost of insurance for State and local employees could increase by a nominal amount.

Senate Bills 969-973 would have no fiscal impact on State or local government.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.