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BILL ANALYSIS

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House Bill 5091 (Substitute H-3 as passed by the House)
House Bill 5105 (as passed by the House)
Sponsor: Representative Kathy Angerer (H.B. 5091)
Representative Marie Donigan (H.B. 5105)
House Committee: Health Policy

CONTENT

House Bill 5091 (H-3) would amend the Public Health Code to revise rule-making and educational requirements pertaining to the practice of chiropractic. The Code 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 of practice proposed by Senate Bill 968.

House Bill 5105 would amend the Insurance Code to specify that reimbursement or coverage under personal protection insurance benefits payable under Chapter 31 (Motor Vehicle Person and Property Protection) 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.

The bills are tie-barred to each other and to Senate Bills 968 and 970 through 973. (Senate Bill 968 would amend the Public Health Code to revise the scope of practice for chiropractors. Senate Bills 970 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 Code's definition of "practice of chiropractic" as of January 1, 2009.)

MCL 333.16423 (H.B. 5091)
500.3107b (H.B. 5105)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

House Bill 5091 (H-3) 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.

House Bill 5105 would have no fiscal impact on State or local government.

Date Completed: 12-11-09

Fiscal Analyst: Steve Angelotti

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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.