

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 968

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16401 (MCL 333.16401), as amended by 2002 PA
734.

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) "DISLOCATION" MEANS COMPLETE DISRUPTION IN THE NORMAL**
6 **RELATIONSHIP OF 2 BONES FORMING A JOINT RESULTING IN NO CONTACT OF**
7 **THE ARTICULAR SURFACES. A DISLOCATION DOES NOT INCLUDE A**
8 **SUBLUXATION.**

9 (C) "JOINT DYSFUNCTION" MEANS A JOINT THAT IS IMPAIRED SO THAT

1 IT DOES NOT FUNCTION PROPERLY.

2 (D) "MUSCULOSKELETAL SYSTEM" MEANS THE SYSTEM OF MUSCLES,
3 TENDONS, LIGAMENTS, BONES, JOINTS, AND ASSOCIATED TISSUES THAT
4 MOVES THE BODY AND MAINTAINS ITS FORM.

5 (E) ~~(b)~~-"Practice of chiropractic" means that discipline
6 within the healing arts ~~which~~**THAT** deals with the human nervous
7 system and ~~its relationship to the spinal column and its~~**THE**
8 **MUSCULOSKELETAL SYSTEM AND THEIR** interrelationship with other body
9 systems. Practice of chiropractic includes the following:

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

13 **THE DIAGNOSIS OF HUMAN CONDITIONS AND DISORDERS OF THE HUMAN**
14 **MUSCULOSKELETAL AND NERVOUS SYSTEMS AS THEY RELATE TO SUBLUXATIONS,**
15 **MISALIGNMENTS, AND JOINT DYSFUNCTIONS. THESE DIAGNOSES SHALL BE FOR**
16 **THE PURPOSE OF DETECTING AND CORRECTING THOSE CONDITIONS AND**
17 **DISORDERS OR OFFERING ADVICE TO SEEK TREATMENT FROM OTHER HEALTH**
18 **PROFESSIONALS IN ORDER TO RESTORE AND MAINTAIN HEALTH.**

19 (ii) **THE EVALUATION OF CONDITIONS OR SYMPTOMS RELATED TO**
20 **SUBLUXATIONS, MISALIGNMENTS, AND JOINT DYSFUNCTION THROUGH ANY OF**
21 **THE FOLLOWING:**

22 (A) **PHYSICAL EXAMINATION.**

23 (B) **THE TAKING AND REVIEWING OF PATIENT HEALTH INFORMATION.**

24 (C) **THE PERFORMANCE, ORDERING, OR USE OF TESTS. THE**
25 **PERFORMANCE, ORDERING, OR USE OF TESTS IN THE PRACTICE OF**
26 **CHIROPRACTIC IS REGULATED BY RULES PROMULGATED UNDER SECTION 16423.**

27 (D) **THE PERFORMANCE, ORDERING, OR USE OF X-RAY.**

1 (E) THE PERFORMANCE, ORDERING, OR USE OF TESTS THAT WERE
2 ALLOWED UNDER SECTION 16423 AS OF DECEMBER 1, 2009.

3 (iii) ~~(ii)~~ A ~~THE~~ chiropractic adjustment of ~~spinal~~ subluxations,
4 ~~or~~ misalignments, and **JOINT DYSFUNCTION AND THE TREATMENT OF**
5 related bones and tissues for the establishment of neural integrity
6 ~~utilizing the inherent recuperative powers of the body for~~
7 ~~restoration and maintenance of health~~ **AND STRUCTURAL STABILITY.**

8 (iv) ~~(iii)~~ The use of **PHYSICAL MEASURES**, analytical instruments,
9 nutritional advice, rehabilitative exercise, and adjustment
10 apparatus regulated by rules promulgated by ~~the board pursuant to~~
11 **UNDER** section 16423. ~~and the use of x ray machines in the~~
12 ~~examination of patients for the purpose of locating spinal~~
13 ~~subluxations or misaligned vertebrae of the human spine.~~

14 (2) The practice of chiropractic does not include ~~the~~ **ANY OF**
15 **THE FOLLOWING:**

16 (A) ~~THE~~ performance of ~~incisive surgical procedures, the~~
17 ~~performance of an invasive procedure requiring instrumentation, or~~
18 ~~the~~ **ANY PROCEDURE THAT CUTS OR PUNCTURES THE SKIN.**

19 (B) ~~THE~~ dispensing or prescribing of drugs or medicine.

20 (C) **EXCEPT FOR DIAGNOSTIC PURPOSES ONLY, THE USE OF X-RAY.**

21 (D) ~~THE~~ PERFORMANCE OF AN INVASIVE PROCEDURE INVOLVING A BODY
22 ORIFICE OR CAVITY UNLESS ALLOWED BY RULES PROMULGATED UNDER SECTION
23 16423 AND LIMITED TO EXAMINATIONS INVOLVING THE EARS, NOSE, AND
24 THROAT.

25 (E) THE TREATMENT OF FRACTURES OR DISLOCATIONS.

26 (F) THE PERFORMANCE OR ORDERING OF NON-X-RAY DIAGNOSTIC
27 IMAGING TESTS THAT WERE NOT ALLOWED UNDER SECTION 16423 AS OF

1 **DECEMBER 1, 2009.**

2 (3) ~~(2)~~—In addition to the definitions in this part, article 1
3 contains general definitions and principles of construction
4 applicable to all articles in this ~~code~~**ACT** and part 161 contains
5 definitions applicable to this part.

6 Enacting section 1. This amendatory act does not take effect
7 unless all of the following bills of the 95th Legislature are
8 enacted into law:

- 9 (a) Senate Bill No. 970.
10 (b) Senate Bill No. 971.
11 (c) Senate Bill No. 972.
12 (d) Senate Bill No. 973.
13 (e) House Bill No. 5091.
14 (f) House Bill No. 5105.