

SUBSTITUTE FOR  
HOUSE BILL NO. 5091

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 16423 and 16431 (MCL 333.16423 and 333.16431),  
section 16431 as amended by 1994 PA 234.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 16423. (1) The **DEPARTMENT, IN CONSULTATION WITH THE**  
2 board, shall promulgate rules to establish criteria for the  
3 **PERFORMANCE AND ORDERING OF TESTS AND THE** approval of analytical  
4 instruments and adjustment apparatus to be used for the purpose of  
5 examining **AND TREATING** patients ~~in locating spinal~~ **FOR** subluxations  
6 and misalignments ~~of the human spine~~ **THAT PRODUCE NERVE**  
7 **INTERFERENCE OR JOINT DYSFUNCTION.** The criteria established shall  
8 be substantially equivalent to nationally recognized standards in  
9 the profession for the **PERFORMANCE AND ORDERING OF TESTS AND THE**

1 use and operation of the instruments **AND APPARATUS**. The board may  
2 approve types and makes of analytical instruments **AND ADJUSTMENT**  
3 **APPARATUS** that meet these criteria.

4 (2) An individual shall not **PERFORM OR ORDER TESTS OR** use  
5 analytical instruments or adjustment apparatus ~~which does~~ **THAT DO**  
6 not meet nationally recognized standards or ~~which is~~ **THAT ARE** not  
7 approved by the board.

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

15 (2) As required under section 16204, the **DEPARTMENT, IN**  
16 **CONSULTATION WITH THE** board, shall promulgate rules requiring each  
17 applicant for license renewal to complete as part of the  
18 educational conferences required under subsection (1) an  
19 appropriate number of hours or courses in pain and symptom  
20 management.

21 (3) **THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL**  
22 **PROMULGATE RULES REQUIRING EACH APPLICANT FOR LICENSE RENEWAL TO**  
23 **COMPLETE AS PART OF THE EDUCATIONAL CONFERENCES REQUIRED UNDER**  
24 **SUBSECTION (1) AN APPROPRIATE NUMBER OF HOURS OR COURSES CONCERNING**  
25 **THE PROVISIONS OF SECTION 16401(1) THAT WERE ADDED BY THE**  
26 **AMENDATORY ACT THAT ADDED THIS SUBSECTION.**

27 Enacting section 1. This amendatory act does not take effect

1 unless all of the following bills of the 95th Legislature are  
2 enacted into law:

3 (a) Senate Bill No. 968.

4 (b) Senate Bill No. 970.

5 (c) Senate Bill No. 971.

6 (d) Senate Bill No. 972.

7 (e) Senate Bill No. 973.

8 (f) House Bill No. 5105.