

# HOUSE BILL No. 5373

December 13, 1989, Introduced by Reps. Randall, Knight, Nye, DeMars and Gnodtke and referred to the Committee on Public Health.

A bill to amend sections 16401 and 16423 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," being sections 333.16401 and 333.16423 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 16401 and 16423 of Act No. 368 of the  
2 Public Acts of 1978, being sections 333.16401 and 333.16423 of  
3 the Michigan Compiled Laws, are amended to read as follows:

4 Sec. 16401. (1) As used in this part:

5 (a) "Chiropractor", "chiropractic physician", "doctor of  
6 chiropractic", or "d.c." means an individual licensed under this  
7 article to engage in the practice of chiropractic.

8 (b) "Practice of chiropractic" means that discipline within  
9 the healing arts which deals with the nervous system and its

1 relationship to the spinal column and its interrelationship with  
2 other body systems. THE PRACTICE OF CHIROPRACTIC DOES NOT  
3 INCLUDE THE PERFORMANCE OF INCISIVE SURGICAL PROCEDURES, THE PER-  
4 FORMANCE OF AN INVASIVE PROCEDURE REQUIRING INSTRUMENTATION, OR  
5 THE DISPENSING OR PRESCRIBING OF DRUGS OR MEDICINE. Practice of  
6 chiropractic includes:

7       (i) EXAMINATION TO DETERMINE THE NECESSITY FOR CHIROPRACTIC  
8 CARE INCLUDING, BUT NOT LIMITED TO, THE TAKING OF BLOOD PRESSURE  
9 AND PULSE AND THE USE OF AN ORAL THERMOMETER, TONGUE DEPRESSOR,  
10 AND OTOSCOPE.

11       (ii) ~~(i)~~ Diagnosis, including spinal analysis, to deter-  
12 mine the existence of spinal subluxations or misalignments that  
13 produce nerve interference, indicating the necessity for chiro-  
14 practic care.

15       (iii) ~~(ii)~~ The adjustment of spinal subluxations or mis-  
16 alignments and related bones and tissues INCLUDING THE PELVIC  
17 BONES for the establishment of neural integrity utilizing the  
18 inherent recuperative powers of the body for restoration and  
19 maintenance of health.

20       (iv) ~~(iii)~~ The use of analytical instruments, nutritional  
21 advice, rehabilitative exercise, and adjustment apparatus regu-  
22 lated by rules promulgated by the board pursuant to section  
23 16423, and the use of x-ray machines in the examination of  
24 patients for the purpose of locating spinal subluxations or misa-  
25 ligned vertebrae OR OSSEOUS ARTICULATIONS of the human spine.

26 ~~The practice of chiropractic does not include the performance of~~  
27 ~~incisive surgical procedures, the performance of an invasive~~

~~1 procedure requiring instrumentation, or the dispensing or~~  
~~2 prescribing of drugs or medicine.~~

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

7 Sec. 16423. (1) The board shall promulgate rules to estab-  
8 lish criteria for the approval of analytical instruments and  
9 adjustment apparatus to be used for ~~the purpose of examining~~  
10 ~~patients in locating~~ 1 OR MORE OF THE FOLLOWING PURPOSES:

11 (A) EXAMINING PATIENTS TO LOCATE AND ASSIST IN THE CORREC-  
12 TION OF spinal subluxations and misalignments of the human spine  
13 AND PELVIC BONES.

14 (B) EXAMINING PATIENTS TO LOCATE SPINAL SUBLUXATIONS AND  
15 MISALIGNMENTS OF THE HUMAN SPINE AND PELVIC BONES AND TO DETER-  
16 MINE THE EFFECTS OF THOSE SUBLUXATIONS AND MISALIGNMENTS ON OTHER  
17 BODY SYSTEMS.

18 (C) EXAMINING PATIENTS TO DETERMINE THE NECESSITY OF CHIRO-  
19 PRACTIC CARE.

20 (2) The criteria established UNDER SUBSECTION (1) shall be  
21 substantially equivalent to nationally recognized standards in  
22 the profession for the use and operation of the ANALYTICAL  
23 instruments AND ADJUSTMENT APPARATUS. The board may approve  
24 types and makes of analytical instruments AND ADJUSTMENT  
25 APPARATUS that meet these criteria.

26 (3) ~~(2)~~ An individual shall not use analytical instruments  
27 or adjustment apparatus ~~which~~ THAT does not meet nationally

1 recognized standards or ~~which~~ THAT is not approved by the  
2 board.