

CHIROPRACTORS: EXPAND SCOPE OF PRACTICE

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House Bills 5759 and 6201

Sponsor: Rep. Kathy Angerer

Committee: Health Policy

Complete to 6-4-08

A SUMMARY OF HOUSE BILL 5759 AS INTRODUCED 2-19-08 AND HOUSE BILL 6201 AS INTRODUCED 6-4-08

House Bill 5759 would expand the scope of practice of chiropractors to include the diagnosis and treatment of subluxations, misalignments, and joint dysfunction occurring anywhere in the body; to perform differential diagnosis in determining the existence of subluxations or misalignments; and to use various imaging technologies in making a differential diagnosis.

House Bill 6201 would amend a provision that gives the Board of Chiropractic authority to promulgate rules so that the board would have rulemaking authority over the use of imaging technology by chiropractors. The bill would also require applicants for license renewal to complete, as part of the required attendance at educational conferences, an appropriate number of hours or courses in new imaging technology and extraspinal treatment.

A detailed discussion of each bill follows.

House Bill 5759

The bill would amend Part 164 of the Public Health Code (MCL 333.16401), entitled "Chiropractic," to revise the definition of "practice of chiropractic."

Proposed changes are underlined and would include the following.

- The term "practice of chiropractic" would be redefined to mean that discipline within the healing arts that deals with the human nervous system and the musculoskeletal system and their interrelationship with other body systems. Currently, the term only applies to the interrelationship between the spinal column and other body systems. (Generally speaking, a subluxation is an incomplete dislocation of a bone in a joint; spinal subluxations refer to dislocations involving the vertebrae of the spine.)
- The practice of chiropractic would include differential diagnosis to determine the existence of subluxations or misalignments that produce nerve interference or joint dysfunction, indicating the necessity for chiropractic care through examination, evaluation, x-ray and other imaging technology, and monitoring

body physiology. Currently, diagnosis is restricted to determining the existence of spinal subluxations or misalignments.

- The practice of chiropractic would include the chiropractic adjustment of spinal and extraspinal subluxations or misalignments and the treatment of related bones and tissues that produce joint dysfunction for the establishment of neural integrity and structural stability utilizing the inherent recuperative powers of the body for restoration and maintenance of health.
- The practice of chiropractic would include the use of analytical instruments, nutritional advice, rehabilitative exercise and adjustment apparatus regulated by rules promulgated under Section 16423, and the use of x-ray and other imaging technology, and the performance of physical modalities and rehabilitative services. Currently, an x-ray machine can only be used to examine patients for the purpose of locating spinal subluxations or misaligned vertebrae of the human spine. That limitation would no longer apply under the bill. Also, the bill would clarify that the current prohibition on performing an invasive procedure requiring instrumentation would apply to a procedure that cuts or punctures the skin.

House Bill 6201

The bill would amend Part 164 of the Public Health Code (MCL 333.16423 and 333.16431) to incorporate changes proposed by House Bill 5759 and to require the completion of courses in new imaging technology and extraspinal treatment by applicants for license renewal. The bill is tie-barred to House Bill 5759.

Currently, the Board of Chiropractic is required 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. Instead, House Bill 6201 would require the board to promulgate rules to establish criteria for the approval of analytical instruments, imaging technology, 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.

The criteria established must be substantially equivalent to nationally recognized standards in the profession for the use and operation of the instruments. The bill would clarify that this provision also applies to the operation of apparatus. The bill would also allow the board to approve types and makes of imaging technology that meet these criteria (in addition to analytical instruments as currently allowed) and would prohibit the use of imaging technology that does not meet nationally recognized standards or that are not approved by the board (this prohibition currently applies to analytical instruments and adjustment apparatus).

Currently, the board may require a licensee seeking renewal of a license to provide documentation that he or she attended – in the two years immediately preceding the

application for renewal – not less than two approved two-day educational conferences in subjects related to the practice of chiropractic and designed to further educate licensees.

The bill would require the board to promulgate rules requiring each applicant for license renewal to complete as part of the educational conferences an appropriate number of hours or courses in new imaging technology and extraspinal treatment.

FISCAL IMPACT:

A fiscal analysis is in progress.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.