

SUBSTITUTE FOR
HOUSE BILL NO. 5759

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) "MUSCULOSKELETAL SYSTEM" MEANS THE SYSTEM OF MUSCLES,**
6 **TENDONS, LIGAMENTS, BONES, JOINTS, AND ASSOCIATED TISSUES THAT**
7 **MOVES THE BODY AND MAINTAINS ITS FORM.**

8 **(C)** ~~(b)~~—"Practice of chiropractic" means that discipline
9 within the healing arts ~~which~~ **THAT** deals with the human nervous

1 system and ~~its relationship to the spinal column and its~~ **THE**
 2 **MUSCULOSKELETAL SYSTEM AND THEIR** interrelationship with other body
 3 systems. Practice of chiropractic includes the following:

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

7 **THE DIAGNOSIS OF HUMAN CONDITIONS AND NEUROMUSCULAR AND SKELETAL**
 8 **DISORDERS RELATED TO SUBLUXATIONS, MISALIGNMENTS, AND JOINT**
 9 **DYSFUNCTIONS FOR THE PURPOSE OF DETECTING AND CORRECTING THOSE**
 10 **DISORDERS OR OFFERING ADVICE TO SEEK TREATMENT FROM OTHER HEALTH**
 11 **PROFESSIONALS IN ORDER TO RESTORE AND MAINTAIN HEALTH.**

12 (ii) **THE EVALUATION OF CONDITIONS OR SYMPTOMS RELATED TO**
 13 **MISALIGNMENTS, SUBLUXATIONS, AND JOINT DYSFUNCTION THROUGH PHYSICAL**
 14 **EXAMINATION, THE TAKING AND REVIEWING OF PATIENT HEALTH**
 15 **INFORMATION, THE PERFORMANCE OR ORDERING OF TESTS, AND THE USE OF**
 16 **X-RAY OR OTHER IMAGING TECHNOLOGY. THE PERFORMANCE OR ORDERING OF**
 17 **TESTS AND THE USE OF X-RAY OR OTHER IMAGING TECHNOLOGY IN THE**
 18 **PRACTICE OF CHIROPRACTIC IS REGULATED BY RULES PROMULGATED UNDER**
 19 **SECTION 16423.**

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

25 (iv) ~~(iii)~~ The use of **PHYSICAL MEASURES**, analytical instruments,
 26 nutritional advice, rehabilitative exercise, and adjustment
 27 apparatus regulated by rules promulgated ~~by the board pursuant to~~

House Bill No. 5759 (H-3) as amended December 3, 2008

~~UNDER section 16423. , and the use of x ray machines in the examination of patients for the purpose of locating spinal subluxations or misaligned vertebrae of the human spine.~~

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

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

(ii) ~~THE~~ dispensing or prescribing of drugs or medicine.

(iii) ~~EXCEPT FOR DIAGNOSTIC PURPOSES ONLY, THE USE OF X-RAY.~~

[(iv) THE PERFORMANCE OF AN INVASIVE PROCEDURE INVOLVING A BODY ORIFICE OR CAVITY THAT IS NOT PART OF OR RELATED TO A PROCEDURE OR TEST ALLOWED BY RULES PROMULGATED UNDER SECTION 16423.]

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

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

(a) House Bill No. 6201.

(b) House Bill No. 6407.

(c) House Bill No. 6408.

(d) House Bill No. 6409.

(e) House Bill No. 6410.

(f) House Bill No. 6411.