

A bill for an act

relating to health; changing the definition of chiropractic; amending Minnesota Statutes 2006, section 148.01, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2006, section 148.01, subdivisions 2, 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 148.01, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** ~~For the purposes of sections 148.01 to 148.10,~~
~~"chiropractic" is defined as the science of adjusting any abnormal articulations of the~~
~~human body, especially those of the spinal column, for the purpose of giving freedom of~~
~~action to impinged nerves that may cause pain or deranged function.~~ (a) "Chiropractic" is
a health care science based upon the body of knowledge taught in chiropractic educational
institutions accredited by the United States Department of Education. The practice of
chiropractic includes:

(1) clinical, physical, laboratory, and other diagnostic measures, including all types
of diagnostic imaging, which may be necessary to make a determination of the presence or
absence of a condition or disease as a basis for treatment, further examination, or referral;

(2) for the purpose of preparing a patient for a procedure, or as a complement thereto,
or to prevent or reduce the need for treatment, chiropractic includes the utilization of
therapeutic and preventive sciences and procedures for which the licensee was subject to
examination, pursuant to the requirements of section 148.06, including clinical counseling
regarding healthy lifestyles and nutrition; and

(3) the adjustment, manipulation, or mobilization of the vertebral column or other
articulations of the body, including the care of related soft tissues, and the performance of
manual or mechanical therapy for the purpose of:

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- 2.1 (i) attaining relief from pain;
2.2 (ii) improvement of impaired function;
2.3 (iii) normalization of the nervous system;
2.4 (iv) restoration of structural integrity, including the correction of a subluxation; or
2.5 (v) the prevention or elimination of disease or impairment.
2.6 (b) A person licensed pursuant to section 148.06 is authorized to practice chiropractic
2.7 and to perform any other health care related activity for which chiropractors are otherwise
2.8 authorized to undertake as a matter of law.

2.9 Sec. 2. Minnesota Statutes 2006, section 148.01, is amended by adding a subdivision
2.10 to read:

2.11 Subd. 2a. **Healing arts.** A person licensed pursuant to section 148.06 and any
2.12 person exempted under section 146.23, subdivision 7, is authorized to practice the healing
2.13 arts and supporting activities in section 146.23. Any other person who performs manual
2.14 therapy or mechanical therapy, as defined in section 146.23, subdivision 1, who has not
2.15 met the requirements of section 146.23, subdivisions 2 and 3, and is not exempt under
2.16 section 146.23, subdivision 7, is in violation of section 148.105.

2.17 Sec. 3. **REPEALER.**

2.18 Minnesota Statutes 2006, section 148.01, subdivisions 2 and 3, are repealed.

APPENDIX
Repealed Minnesota Statutes: 08-5544

148.01 CHIROPRACTIC.

Subd. 2. **Exclusions.** The practice of chiropractic is not the practice of medicine, surgery, or osteopathy.

Subd. 3. **Inclusions.** Chiropractic practice includes those noninvasive means of clinical, physical, and laboratory measures and analytical x-ray of the bones of the skeleton which are necessary to make a determination of the presence or absence of a chiropractic condition. The practice of chiropractic may include procedures which are used to prepare the patient for chiropractic adjustment or to complement the chiropractic adjustment. The procedures may not be used as independent therapies or separately from chiropractic adjustment. No device which utilizes heat or sound shall be used in the treatment of a chiropractic condition unless it has been approved by the Federal Communications Commission. No device shall be used above the neck of the patient. Any chiropractor who utilizes procedures in violation of this subdivision shall be guilty of unprofessional conduct and subject to disciplinary procedures according to section 148.10.