

Legislative Analysis



ALLOW CHIROPRACTORS TO FORM COMPANY OR CORPORATION WITH CERTAIN HEALTH PROFESSIONALS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5295 as reported from committee
Sponsor: Rep. Roger Hauck

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5296 as reported from committee
Sponsor: Rep. Kevin Hertel

Committee: Regulatory Reform
Complete to 12-2-21

SUMMARY:

House Bills 5295 and 5296 would allow one or more individuals licensed under the Public Health Code as a chiropractor to form a professional limited liability company or a professional corporation with one or more other chiropractors or with one or more individuals licensed to engage in the practice of medicine (M.D.), the practice of osteopathic medicine and surgery (D.O.), or the practice of podiatric medicine (podiatrist). One or more chiropractors also could form a professional limited liability company or a professional corporation with one or more licensed physician's assistants, but only if at least one M.D. or D.O. also was a member in the company or a shareholder in the corporation.

House Bill 5295 would amend the Michigan Limited Liability Company Act to address professional limited liability companies.

MCL 450.4904

House Bill 5296 would amend the Business Corporation Act to address professional corporations organized under that act.

MCL 450.1284

BRIEF DISCUSSION:

Generally speaking, although members of licensed or regulated health professions may organize professional corporations, each profession may incorporate only with other members of the same profession. For instance, allopathic physicians (M.D.s), osteopathic physicians (D.O.s), and podiatrists are allowed under the act to organize professional corporations or professional limited liability companies (PLLCs) with each other. 2010 PAs 125 and 126 amended the Professional Service Corporation Act (since repealed) and the Michigan Limited Liability Company Act to allow physicians, podiatrists, and physician's assistants to organize a professional corporation or a PLLC with each other. However, chiropractors were not included in that legislation.

Although they are not medical doctors, chiropractors have extensive training in chiropractic care, with a focus on spinal manipulation. Such treatment often can relieve pain from

misalignments and thus reduce a patient's need for pain medication, including opioids. Chiropractic care is often more affordable and accessible to many, and many physicians refer patients for chiropractic care. The bills would allow doctors and physician's assistants to partner with chiropractors in professional corporations. Proponents argue that allowing such partnerships could lead to greater access to care and could provide care that may reduce dependency on narcotic medications. In addition, patients could be seen by their doctor and chiropractor in the same office, which would allow greater coordination of care and could result in reducing health care costs for the patient.

FISCAL IMPACT:

House Bills 5295 and 5296 would not have an appreciable fiscal impact on any unit of state or local government.

POSITIONS:

A representative of the Michigan Association of Chiropractors testified in support of the bills. (11-2-21)

The Department of Licensing and Regulatory Affairs indicated a neutral position on the bills. (11-2-21)

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