

Human Services Occupations Advisory Council

ACUPUNCTURIST CREDENTIALING SUBCOMMITTEE

June 7, 1979

PUBLIC FORUM ON ACUPUNCTURE

Richard Auld, Chairman of the Credentialing Subcommittee for Acupuncturists, called the public forum to order at 5:30 pm. He explained the agenda and invited all persons to address their comments to:

1. Should acupuncturists be regulated by the State of Minnesota?
2. If regulated, what type of regulation?
3. If credentialed, what type of credential?
4. If credentialed, what should the administrative structure be?

He pointed out that the purpose of the public forum is to gather information from all interested persons and agencies relevant to these four factors. Following this introduction, the Subcommittee began to take testimony.

EDITH DAVIS, APPLICANT GROUP REPRESENTATIVE AND PRESIDENT OF ACUPUNCTURE SOCIETY
IN MINNESOTA

Edith Davis spoke in favor of licensing lay acupuncturists who are not members of other licensed health professions because it would establish legitimacy of the profession and it would protect the public against incompetent practice. (See Attachment 1)

Concerning the three criteria under 1., she said:

1. Misuse of acupuncture could have a harmful effect on the body's physiological function. Psychological and economic harm could also result from an inexperienced or unethical practitioner. The only protection the Medical Practice Act provides is that it prevents non-physicians from practicing acupuncture. There are no positive standards of competence for acupuncture as a separate system.
2. Correct use requires specialized skills. The public will be assured of higher quality care if the acupuncturist is educated in these skills.
3. The protection provided by licensure would assure that the acupuncturist has been trained and meets established standards of competence.

Edith Davis stated that while the applicant group would accept registration, the group prefers licensure because of the legal practice and high standards of professionalism in the field of acupuncture.

DR. RICHARD STALLARD, D.D.S., Ph.D.

Spoke in favor of credentialing (See Attachment 2):

Subcommittee Questions:

- Mary Culver asked Dr. Stallard if he knew of any documentation of misuse of acupuncture in Minnesota. Dr. Stallard replied that he did not know of any examples in Minnesota but there are reported cases in states which do license acupuncturists.
- Kevin Powers asked Dr. Stallard what type of administrative structure he would recommend. If it is determined that acupuncture is a separate entity, Dr. Stallard would recommend that a separate board be established.
- Betty Mortensen asked Dr. Stallard how many dentists in Minnesota use acupuncture in their practices. Dr. Stallard stated that he knows three other dentists in the state who use it.
- Fred Langer asked Dr. Stallard how he uses acupuncture. Dr. Stallard replied that he used it for pain and occasionally in a case in which there has been an allergic response to drugs.
- Betty Mortensen asked Dr. Stallard if he had any association with lay acupuncturists and if he knew of their background. Dr. Stallard said he was a member of the Acupuncture Society, but has not had any treatments personally from any members so he could not ascertain their quality.
- Betty Mortensen inquired if he could suggest any minimal standards to be considered in credentialing acupuncturists. He answered that, although it is difficult to say in terms of years, their basic knowledge should include pulse diagnosis, ability to read the signs, anatomy and physiology.
- Dick Auld, in reference to his Vietnamese acupuncturist, asked where the study was done. Dr. Stallard said the study was done at Boston University and that copies are available.
- Norma Steinke asked Dr. Stallard for his opinion on the licensure of lay acupuncturists and what their relationship should be to medical physicians in terms of referral or supervision. Dr. Stallard stated that in some states acupuncturists are required to work under the direct supervision of a physician. He said however, that an adequately trained acupuncturist should be able to make a correct diagnosis and therefore he would not feel uncomfortable in having people seek out an unsupervised acupuncturist who was adequately regulated by the State.

- Kevin Powers asked Dr. Stallard if he thought acupuncture could be considered to be the practice of medicine under the Minnesota scope of practice law. Dr. Stallard said he considered it to be the practice of healing arts, not medicine, since acupuncture is defined as the prevention of disease rather than the treatment of disease.

Dr. Stallard said that he would provide the subcommittee a copy of the dissertation done by an acupuncturist who used to work with him.

DR. MARK A. KIM, M.D. METROPOLITAN PAIN CLINIC

Spoke against credentialing of lay acupuncturists. (See Attachment 3)

He demonstrated his concern over the misuse of acupuncture treatment through slides showing examples of poor treatment, incorrect pulse diagnosis, and permanent scars caused by moxibustion. The slides also showed demonstrations of correct procedures for scientific acupuncture treatments.

Dr. Kim stated that he believed acupuncture is a tremendous modality in treating certain conditions; however, it should be used only by physicians. He explained Ying-Yang, according to the meridian theory, as the positive-negative flow of energy through the meridians: If one believes this theory, one believes that acupuncture can treat any disease by interrupting the imperfect energy at the meridian points and restoring the body to normal energy and good health. He said that acupuncture points were devised by trial and error for over 3,000 years. With modern knowledge, those points have changed, he stated. Modern acupuncturists in the Far East regard this theory as outdated. One cannot treat all diseases with acupuncture. He stated that followers of Ying-Yang would believe that all medical problems can be solved through acupuncture.

Dr. Kim stated there are many complications which could result from acupuncture requiring immediate medical attention. The most common complication is fainting. Other complications could involve the spine, joints, brain, heart, and stomach and he feels that non-medical persons could not cope with these serious complications. He stated that there are no valid schools of acupuncture in the U.S., and that his practice of acupuncture by trial and error during the past seven years has convinced him that only medical professionals should be allowed to perform acupuncture.

Subcommittee Questions:

- Dick Auld, referring to the kinds of complications that could arise and the medical knowledge required to handle these problems, asked Dr. Kim if most practicing M.D.'s possess the knowledge to cope with these complications. Dr. Kim said that it would take about 3 - 4 years training beyond nurses training to comprehend this knowledge.
- Fred Langer asked Dr. Kim whether a 6 - 12 month course could teach acupuncturists to handle such complications. Dr. Kim stated he did not feel that this was an adequate amount of time.

- Fred Langer asked if acupuncturists in the Far East use the Ying-Yang theory. Dr. Kim said that most competent medical clinics are run by medical persons using scientific methods. Fred Langer asked if there were any non-medical clinics in the Far East using acupuncture. Dr. Kim said that there may be some in Korea. In Japan, the practice of acupuncture requires a high school education, 1½ years of vigorous training and a year internship. Fred Langer asked if these clinics use the meridian theory. Dr. Kim replied no. They use nerve pathways or nerve anatomy techniques, although the Ying-Yang theory is used in Vienna.
- Betty Mortensen asked if there was a difference between traditional and modern acupuncture. Dr. Kim answered that there is a difference between the understanding of acupuncture, repeating that Ying-Yang is a bygone theory.
- Betty Mortensen asked if he represented Metropolitan Pain Clinic at the forum. Dr. Kim replied that he represents himself as a private physician who uses acupuncture in treatments.
- Betty Mortensen asked how many requests he receives for acupuncture treatments. Dr. Kim said that most of his patients are referred by colleagues. Betty Mortensen asked whether he receives many calls requesting acupuncture treatment. He said yes.
- Kevin Powers asked if Dr. Kim was familiar with the Board of Nevada and if so, did it use the meridian or neuroanatomy theory. Dr. Kim answered that the Board of Nevada uses the meridian theory.
- Kevin Powers asked Dr. Kim if he felt that acupuncture should be restricted to physicians. Dr. Kim said yes, because medical practitioners appreciate the vast background of disease and how to handle it, whereas lay practitioners would not be able to cope with these problems. He added that he would like to see more physicians using acupuncture.

KATHY KLINEFELTER, MIDWEST ACUPUNCTURE SOCIETY

Spoke in favor of licensure (See attachment 4)

Sue Stroud, Chairman of the Midwest Acupuncture Society, answered questions.

Subcommittee Questions:

- Kevin Powers asked her what she would recommend for determining competency. Sue Stroud stated that in her opinion it should be more than classroom training. Acupuncturists should know anatomy and should be required to complete an internship. Tests should cover practical knowledge and skills.

- Kevin Powers asked if these competency tests should be drawn up by a combination of the different boards. Sue Stroud said that she would like to see a separate board made up of members of many different professions.
- Betty Mortensen asked Sue Stroud whether members of the Midwest Acupuncture Society insert needles in their practice of acupuncture. Sue Stroud answered that some do. They did not advocate use of needles by lay acupuncturists. Transcutaneous treatments work just as well although it may take longer since there are hazards involved with needles such as destroying joint tissue. The underlying theory is identical.
- Dick Auld asked if the members using needles are licensed in another health profession. She said yes. Lay acupuncturists do not use needles. She added that the purpose of the Society is to promote the use of transcutaneous therapy.
- Betty Mortensen asked where the members had received their training. Sue Stroud said that it has been in Vienna, the Far East or, in her case, the Occidental Institute.
- Mary Culver asked for the professions of the members of the Midwest Acupuncture Society. Sue Stroud stated there is one RN, two chiropractors, one dentist, and two M.D.s. She added that only the chiropractors use needles. The M.D.s work in diagnostic electronic therapy.
- Betty Mortensen asked Sue Stroud if she knew the number of acupuncture practitioners outside of the Society. Sue Stroud replied that she knew of 5 - 6 practitioners who were not members of the Society. There are 28 members in the Midwest Acupuncture Society.
- Dick Auld asked how the members of the Midwest Acupuncture Society got their referrals. Referrals were mostly by word of mouth.
- Betty Mortensen asked what types of patients were being seen by members of the Society. Sue Stroud said that most come because they have chronic pain disorders and have tried other methods, pain clinics, surgery, etc. with no results. She added that in some cases there is nothing that can be done for these people and she informs them of that.
- Fred Langer asked if she had heard of any complications that have arisen from these underground practitioners. Sue Stroud stated that she knew of cases in which an untrained person performed treatment without results.
- Betty Mortensen asked if lay acupuncturists see patients who have not previously been diagnosed by a physician. Sue Stroud answered that there is a certain segment of people who don't believe in doctors and come to the acupuncturists first.
- Kevin Powers asked if the group has a code of ethics. She said the Society has a policy of not allowing its members to use needle technique unless they are already licensed in another profession. If a member would violate that policy, he would be asked to leave the organization.

- Kevin Powers asked if the lay members would make evaluations without referrals from a physician. Sue Stroud reminded him that Chinese evaluation rests on energy balance. If a person comes and says that their doctor diagnosed the problem, it would be called symptomatic acupuncture and would not require a diagnosis. Sue stated that she would not treat that type of disorder unless it was referred by a physician or unless she were able to see the person's physical exam or blood chemistry.

TOM LYONS ATTORNEY, MINNESOTA CHIROPRACTIC MERIDIAN THERAPY RESEARCH ASSOCIATION, INC.

Spoke against the credentialing of lay acupuncturists. (See Attachment 5)

Tom Lyons added that the standards of competency which should apply to acupuncture would best be left in the hands of the licensing boards. He stated that in his personal opinion, the state does not need any more regulation and the mere fact that a few people are practicing acupuncture and seeking legitimacy for it is not a reason for ignoring the already existing licensing structure.

Subcommittee Questions:

- Dick Auld asked him if he thought the existing law in Minnesota adequately covers the practice of acupuncture. Tom Lyons said that it is the view of the group he represents that acupuncture per se does not exist as a modality outside of osteopathy, chiropractic medicine, dentistry, or medicine.
- Kevin Powers asked what role the lay acupuncturists, the group applying for credentialing, should have in providing health care. Tom Lyons replied that the idea lay acupuncturist seems to be inconsistent with the concepts of other health care providers since each health care practitioner considers acupuncture a part of his practice.
- Mary Culver asked if he knew of any professionals who now have lay acupuncturists on their staff. Tom Lyons said he did not know of any in this state.
- Dick Auld, in reference to Tom Lyons's statement that current laws in Minnesota are sufficient for acupuncture, asked what action he thought should be taken by the State in light of the reality that lay acupuncturists are practicing in this state. Tom Lyons replied that this would be a matter for the law enforcement authorities.
- Betty Mortensen asked Tom Lyons if the members of his association have taken background courses in acupuncture. Tom Lyons stated that the members have passed and have been certified by the Board of Chiropractic Examiners as being able to use meridian therapy in its broadest sense and have met the requirements of the State Board of Chiropractic Examiners who have set the criteria for chiropractors in the state.
- Betty Mortensen asked him how many members are in the organization. He said there are 55 members in the organization.

- Betty Mortensen asked if the membership includes all chiropractors who use acupuncture. Tom Lyons answered that he could only speak for those in the association, and they are authorized by the Board of Medical Examiners to practice acupuncture.
- Kevin Powers, regarding the 1975 question put to the Attorney General's Office, asked Tom Lyons for his opinion on it. Tom Lyons stated the Attorney General was entitled to his opinion, however, the Board of Chiropractic examiners has expressed what they view as the parameters of chiropractic practice and they view meridian therapy as a modality to be used in conjunction with chiropractic treatment.
- Fred Langer inquired if there have been any problems in the medical profession with chiropractors using acupuncture. Tom Lyons said there have been no problems. He explained that the Board of Chiropractic Examiners is a public body trying to regulate practice of chiropractic medicine.
- Fred Langer asked if the Board of Chiropractic Examination monitors chiropractors who are practicing acupuncture as a modality. The use of acupuncture in Minnesota is sanctioned only for those who are certified by the Board of Chiropractic Examiners. However, it may be used by others.
- Betty Mortensen asked if there have been any complaints against chiropractors who do use acupuncture. Tom Lyons replied that he did not know of any complaints.

TONI PONERENE, ATTORNEY

Spoke in favor of credentialing lay acupuncturists. She addressed section 5, a-d of the agenda.

- a. Common law of tortes covers civil actions against persons who have harmed an individual and were under duty not to do so. Acupuncture would be covered under this law. Creating a specific civil law would not be a regulatory necessity, so a civil cause of action is not necessary. Concerning creation of criminal prohibition, criminal sanction is not too stringent a measure when public health and safety are involved.
- b. Inspection requirements are not applicable in this instance because not many implements are involved, the only exception being needles. As far as injunctive relief, because of the existence of tort action of negligence, an injured person does have another legal remedy and injunctive relief would not be granted. Therefore, this method may encounter problems in the courts. The idea of making individuals trustees of the public health is a good idea and can be incorporated into the final regulatory picture as a consumer grievance procedure.
- c. Although there are advantages, registration is not the best regulatory measure for acupuncturists because if consumers sought services from an unregistered acupuncturist and were injured by that person, there would be no legal remedy available since the law considers that they are taking a risk in having acupuncture done by them.

- d. Licensure would be the best measure because it is the most stringent means of regulation and one must learn a great amount of knowledge in order to become proficient. People who would practice acupuncture without meeting the qualifications would be guilty of a misdemeanor. Although not used often, criminal sanction would be a benefit. The implementation of consumer grievance procedures for the public monitoring of licensed practitioners would be appropriate.

Regarding section 6, licensure would be superior to registration because the public is not very knowledgeable of acupuncture and the theory behind it. Licensure would protect the public from the misuse of acupuncture and it would give the practice of acupuncture its due respect as a health modality.

Regarding the Attorney General's Opinion of 1975, Toni Ponerene said that the Attorney General might have a different decision if asked for an opinion at this time.

Subcommittee Questions:

- Dick Auld asked Toni Ponerene how she became interested in acupuncture and its regulation. She answered that as a constitutional lawyer she was interested in the issue of an individual's right to the treatment of his choice. Personally, she had experienced acupuncture treatment and had a positive effect. She said she did not represent a group nor was she a member of the Acupuncture Society. She said she had no training in acupuncture herself.
- Kevin Powers asked if she favored licensure with a separate Board. She stated that she favors double licensure.
- Fred Langer asked if she was aware of the applicant group's basic training at this time. She stated she was not certain of it.
- Betty Mortensen asked what type of training she would expect of an acupuncturist. She stated that she would want someone who had a good background in anatomy, physiology, etc., was familiar with the Ying-Yang theory, pulse diagnosis etc., and had practical experience. She estimated that education would take at least a year.

ELAINE WYNNE, COMMUNITY HEALTH ADMINISTRATOR

Spoke in favor of credentialing of lay acupuncturists. (See Attachment 6)

Subcommittee Questions:

- Norma Steinke inquired if she lives in the Twin Cities area. Elaine Wynne answered yes, adding that she represented herself and no organization.
- Norma Steinke asked if she worked with potential users of acupuncture treatment. She said that she has talked with individuals who were seeking acupuncture treatment for dental work, back problems, etc.
- Kevin Powers asked if she thought a form of regulation would increase the availability of acupuncture treatment. She said that she thought it would have a tendency to legitimize the practice and would increase the likelihood that health care facilities would hire competent and knowledgeable acupuncturists.

- Kevin Powers asked her if she knew whether the public was aware of the pain clinics where acupuncture is practiced by doctors. Elaine admitted that many are probably not aware of them, however, many people are bound to health coverage plans which will not cover them unless they were referred to a particular facility by a physician.

DR. JAY LEE, M.D. ANESTHESIOLOGIST AND DIRECTOR OF PAIN CLINIC, MOUNT SINAI HOSPITAL

Spoke against credentialing of lay acupuncturists.

He stated that from his point of view acupuncture should not be performed by lay acupuncturists because:

1. The lay acupuncturist lacks the skills and knowledge to interpret the patients' complaint accurately. A medical problem could result from many different sources. A headache could be a minor problem or it could be a symptom of a brain tumor. A lay acupuncturist would not be able to diagnose this type of problem.
2. They lack the anatomical knowledge and therefore, could cause complications necessitating immediate medical attention. For example, fainting could result in comotose condition which a lay acupuncturist could not handle.
3. Moxibustion is considered by physicians to be poor medical practice and could result in serious burns and leave bad scars.
4. Acupuncture is for chronic pain problems rather than treating diseases. Chronic pain is very complicated, emotionally and financially as well as physically, and the lay acupuncturist would probably do more harm than good.
5. Lay acupuncturists would not be able to understand the medical terms, X-ray reports, anatomical references etc. which a physician would use in referring a patient to them.

Dr. Lee stated that modern acupuncture has nothing to do with Ying-Yang or the Meridian theory. In China those theories have been replaced by physiological theories. He mentioned that many patients have been rejected by his clinic because they wanted acupuncture to help them with weight loss, smoking, wrinkles, sexual dysfunction, etc. He stated that in his opinion, if acupuncturists were credentialed, those people would go to lay acupuncturists for those reasons and this would be quackery.

Dr. Lee explained that complications are real. Infection or hepatitis may result from the use of unsterile needles in non-hospital settings. Also, when complications occur, the lay acupuncturist's office would not be equipped to handle them. Only a hospital or clinic could handle these emergencies.

Subcommittee Questions:

- Betty Mortensen asked if Dr. Lee thought that only physicians could use acupuncture, or whether it could also be used by an RN or any other medical person. Dr. Lee said that in his opinion, if the RN's are well trained in acupuncture, he would not object to their performing it under his supervision.
- Betty Mortensen asked if he would approve of a lay acupuncturist who had adequate training in anatomy and physiology performing acupuncture under his supervision. He stated that he would not approve this because not every physician is familiar with acupuncture. As long as the supervising physician has more knowledge than the person he is supervising, he would approve of it.
- Fred Langer asked Dr. Lee if he would object to other licensed professionals such as dentists using acupuncture. Dr. Lee answered he would not object to a dentist using it as long as he has some background in it. He would not approve of a chiropractor using it.
- Dick Auld asked Dr. Lee what he would suggest the state to do with regard to traditional meridian theory. Dr. Lee stated he thought it should not be allowed to continue as it is not a valid theory.
- Norma Steinke asked Dr. Lee if he would feel comfortable working with a person using Ying-Yang theory. He answered that because he had no comprehension or respect for this theory, it would be difficult indeed.
- Betty Mortensen hypothesized a case in which five different people came to Dr. Lee with the same ailment and asked whether he would treat them the same way. Dr. Lee said yes he would begin with the same treatment but vary it as needed.
- Kevin Powers asked how many physicians he knew practiced acupuncture. Dr. Lee stated he knew of Drs. Wang, Kim, Lo, and Lee in Hibbing.
- Kevin Powers asked if there were instances of numbness after acupuncture treatment. Dr. Lee said that numbness can result if needles are too deep and that is why precise knowledge of anatomy is necessary to assure that the needles are inserted correctly.
- Kevin Powers reaffirmed with Dr. Lee that he used acupuncture primarily for analgesia rather than as a cure for disease. Dr. Lee explained that when he began to practice acupuncture, Dr. Wang and himself discovered that acupuncture was not effective in treating most diseases but that it was effective in the treatment of chronic pain. He said he also used it as an anesthesia.
- Norma Steinke asked if it would be used for arthritis. He said yes, citing a paper he helped write with statistics showing that acupuncture is particularly effective for head and neck pain. He could not say exactly why this was so.

JOSEPHINE LO, ASSISTANT PROFESSOR IN ANESTHESIOLOGY DEPARTMENT, UNIVERSITY OF MINNESOTA

Spoke against credentialing of lay acupuncturists.

Dr. Lo stated that she felt disturbed at what she believed was the applicant group's lack of knowledge in the two areas - theory and method. Regarding theory, she said that the Ying-Yang theory was written down over 2,000 years ago, that it was outdated because the language and knowledge of the times has been replaced by modern knowledge. She added that it would be almost impossible for a westerner to understand the ancient Chinese theory. She claimed that at best it was a fad and at worst, it was bluffing the patient.

Concerning method, Dr. Lo said that the methods developed in the Far East are very precise as far as how needles are used. She also expressed concern that lay acupuncturists consider acupressure to be a part of acupuncture.

Subcommittee Questions:

- Dick Auld asked Dr. Lo what she would recommend to the subcommittee concerning regulation of the applicant group. Dr. Lo replied that she would not trust people who do not know what they are talking about and that she believed the applicant group did not know acupuncture.
- Dick Auld asked Dr. Lo if she believes that current laws in Minnesota are sufficient to cover these acupuncturists. Dr. Lo responded that acupuncture should be practiced only by licensed physician and those physicians should use it conscientiously.

ART POORE, EXECUTIVE SECRETARY, BOARD OF MEDICAL EXAMINERS, DEPARTMENT OF HEALTH

Spoke against credentialing of lay acupuncturists.

Mr. Poore stated that the Board of Medical Examiner's position in that acupuncture is the practice of medicine. He said the Board is currently in court concerning one chiropractor who uses acupuncture.

He stated that if anyone on the subcommittee or at the Public Forum made known to him the identity of an individual practicing acupuncture, he would file a complaint with the Attorney General and asked that the Attorney General start a proceeding to force that individual to cease and desist his practice of acupuncture.

Subcommittee Questions:

- Fred Langer asked Mr. Poore to clarify whether he meant that no one except a licensed physician or dentist can use acupuncture. Dr. Poore expressed doubt whether a podiatrist could practice acupuncture, saying that he would probably still file a complaint.
- Norma Steinke asked Mr. Poore where the Board would stand on the matter of a lay acupuncturist performing acupuncture under a supervising physician. Mr. Poore replied that the Board would approve if the physician has the right to supervise, adding that the physician would be responsible for the acts of the lay acupuncturist under his supervision.

- Norma Steinke asked how the Board would react if a physician referred a person to a lay acupuncturist who worked independently. Mr. Poore answered that the Board would file a suit against that person since he is not under direct supervision of the physician and not in the physician's clinic.
- Dick Auld asked Mr. Poore why there are any lay acupuncturists practicing in this state in light of the Board's position. Mr. Poore said he would act if he had names of individuals who were practicing without being licensed.
- Dick Auld inquired if the Board had an independent investigatory source. Mr. Poore said that when the Board wanted something investigated, it would file a complaint with the Attorney General's office and they would investigate it and bring the results to the Board.
- Dick Auld asked if the Board could initiate an investigation itself. Mr. Poore answered yes, but the Board goes through the Attorney General's office.
- Dick Auld asked if there have been any complaints regarding lay acupuncturists. Mr. Poore responded no. He mentioned that the Board receives many calls from people wanting acupuncture and he refers them to pain clinics.
- Fred Langer asked Mr. Poore if he knew of any private physicians who use acupuncture. Mr. Poore said he heard rumors of general practitioners using acupuncture.
- Dick Auld asked if the Board has the authority to institute investigations on the knowledge that acupuncture is being practiced by lay acupuncturists in Minnesota. Mr. Poore replied that the Board did. Dick Auld, referring to his previous statement, asked Mr. Poore if he could investigate without a complaint. Mr. Poore clarified that if someone complained to the Board against an acupuncturist he would have to submit a formal written form to the Attorney General and ask for an investigation. He said it is not necessary to have a specific complaint against a person but it is necessary to have information on that person, adding that basically the Board responds to complaints.
- Norma Steinke asked Mr. Poore if he was aware of any report of harm to the Board regarding lay acupuncturists. Mr. Poore said that the night of the Public Forum was the first he was aware of the possibility that someone other than a licensed physician, chiropractor or dentists was practicing acupuncture.
- Dick Auld asked Mr. Poore if, on the basis of the knowledge gained at the Public Forum, he would pursue any particular course. Mr. Poore answered that he would advise the Board but he had not seen anything at the forum to give him a basis for taking action.

KAREN CLARK, R.N.

Spoke in favor of credentialing of lay acupuncturists (See Attachment 7)

Subcommittee Questions:

- Fred Langer asked Karen Clark how she thought competency could be assessed when the applicant group had no standards or testing procedures. Karen Clark replied that these procedures need to be developed.
- Fred Langer asked her who would ascertain competency since there is no one who is competent enough to assess it. She said that there are schools of acupuncture which are developing criteria for this. Fred Langer countered that these schools offer 6 months of training but with no practical experience. Karen Clark answered that there are schools in the U.S. as well as abroad which have practical internships.
- Norma Steinke asked if Karen Clark, as a nurse, felt competent after 1½ years of acupuncture study to practice acupuncture. Karen Clark answered no. She feels that there is still a lot to learn.
- Betty Mortensen asked how long she thought it would take to learn acupuncture. Karen Clark said it would take several years if one could devote himself to study.
- Betty Mortensen asked Karen Clark if she studied traditional acupuncture. She replied that she is learning traditional Chinese medicine of which acupuncture is one method. However, she said that in her opinion, there is a great deal of compatibility between eastern and western medicine.
- Betty Mortensen asked her if she could learn acupuncture in the western medical sense that Dr. Lee was talking about. Karen Clark responded that she did not agree with the polarization. In her course of study she learned the connections between eastern and western understanding, and she is familiar with a number of texts and schools teaching connections between the two concepts. She added that she did not believe that the old theories are not useful. However, she said she was trained to understand, from the scientific western point of view, some of the things that have been taught for thousands of years.
- Norma Steinke asked her to indicate what schools she was associated with. Karen Clark replied she was associated with the Occidental Institute of Chinese Medicine in Florida. She was also a member of the Acupuncture Society of Minnesota.
- Norma Steinke asked Karen Clark how she would evaluate an acupuncturist's preparation. Karen said her course consisted of texts and sources of information on anatomy, western medicine, physiology etc.

JEAN ECKERLY, M.D. INTERNAL MEDICINE

Spoke in favor of credentialing of lay acupuncturists.

Jean Eckerly stated that, in her opinion, western medicine leaves gaps for people who have medical problems. She said she believed that other systems of thought are also valid and that her experience with patients has proven to her that acupuncture is a valid modality. She said she has referred patients to acupuncturists. Legally, she could practice acupuncture but she feels she would not be able to do it without some training. She said that western doctors could actually be doing damage to a patient because they do not know how to deal with energy flows. She cited an example of clients who have been helped by acupuncturists who know these energy flows.

As far as judging competency, Jean Eckerly stated that acupuncturists would need to know basic anatomy and physiology such as taught in the first years of medical school.

She recommended a separate Board for licensure so that a licensed physician who wanted to practice acupuncture would have to get a separate license to do so.

Subcommittee Questions:

- Dick Auld asked if a physician would have to be trained in traditional acupuncture to get his license in this field. Jean Eckerly said that people who talk about western/modern acupuncture are talking about neural stimulation and to do this, one would need additional training. She stated that she was talking about traditional theory.
- Dick Auld asked if she would advocate that any physician doing acupuncture would have to be trained in the traditional theory. She answered yes.
- Fred Langer inquired if Jean Eckerly referred patients to a pain clinic. She said yes, she did in the case of pain, but if she felt that they needed some kind of energy release she would send them to a person who does that.
- Fred Langer asked if Jean herself had some knowledge of acupuncture. She said she had some experience working with acupressure and the balance of energy.
- Betty Mortensen asked if she has had feedback from people she referred to an acupuncturist. Jean Eckerly said yes.
- Betty Mortensen asked if Jean would want a person to have acupuncture without first seeing a physician. Jean Eckerly responded yes, that the consumer should have a choice to see any practitioner he wished to see.
- Betty Mortensen asked Jean Eckerly if she knew of any cases in which the patient was worse off after acupuncture treatment. Jean answered no, because her selection of clients has been small. She stated that she has also received referrals from acupuncturists and Chinese practitioners asking her for an opinion. She said she did not think that the two systems are mutually exclusive.
- Dick Auld asked if she was a member of any organization. Jean Eckerly said no, she was not.

DR. J. LAMOINE DE RUSHA, M.D.

Spoke in favor of credentialing acupuncture by members of the healing arts.

Dr. De Ruscha stated the position of acupuncture in Chiropractic colleges that medicine has had nothing to do with acupuncture historically and that acupuncture has never been included in their study. The awareness of energy is a vague term, but neural stimulus over the neurological bed of the human body is necessary for life and the ability of an organism to adapt to external and internal milieu. There are many ways of aiding the human organism to adapt to internal and external milieu, Dr. De Ruscha said. One is to influence the functions of the nervous system.

In reference to Dr. Lee's statement, that the theory of eastern countries is very old, Dr. De Ruscha countered that when those five patients were examined, the doctor began with the same acupuncture points because he was using meridian therapy. Through his knowledge of neurology, he realized he was changing some of those points. Dr. De Ruscha stated that Dr. Lee did not mention all the national journals of acupuncture by other areas of the healing arts that have mentioned cases which have responded to acupuncture. He said that 40 cases should not decide if acupuncture is good or not good for a given clinical condition. He added that researchers take thousands of cases before they may give up a drug or procedure.

Dr. De Ruscha mentioned some other aspects. The opponents claim that physicians in this state should be the only ones to practice acupuncture, but to his knowledge, they don't teach acupuncture courses in medical school.

Dr. De Ruscha mentioned the three healing arts in Minnesota as Chiropractic, Medicine and Osteopathy. The members of these three arts take national exams in the basic sciences and they are accredited by the same accrediting agency in Washington D.C. Therefore they are standardized in basic science training. He added that a dentist does not need to be acquainted in the same degree to the systematic conditions of the human body or laboratory tests that members of the healing arts do. Yet, he stated, the medical board would give them permission to use acupuncture.

Dr. De Ruscha stated that in the Neims conference members of four professions were called together - chiropractic, osteopathy, medicine and manipulative arts. He said that at this conference it was found that all these areas have the same basis in reference to neurology. Dr. De Ruscha continued by saying that physiologic therapeutics have been taught in chiropractic colleges. They were introduced in Minnesota in 1942, but have been used since 1919.

Dr. De Ruscha requested that the committee consider d-5 on the agenda so that the practice of acupuncture can be regulated and permitted to be used by members of the healing arts in Minnesota.

Subcommittee Questions:

- Fred Langer asked Dr. De Ruscha if he was referring to a special licensure for acupuncturists. Dr. De Ruscha said that d-5 indicates the type of regulation he preferred.

- Fred Langer asked Dr. De Rusha if he thought the healing arts practitioner should be regulated. Dr. De Rusha said yes, members of the healing arts should have the background to diagnose and recognize physical dysfunctioning and the knowledge and training to use acupuncture.

JIM SOVA, MINNESOTA MEDICAL ASSOCIATION

Spoke against credentialing of lay acupuncturists (See Attachment 8)

Jim Sova added that chiropractors, in his opinion, are not qualified to make a differential diagnosis or to deal with complications.

There were no questions or comments.

Dick Auld announced that the public forum record would remain open for 30 days for those who wished to make further comment.

The meeting was adjourned at 9:30 pm.