

## Getting to the point

A section of the Affordable Healthcare Act — “Obamacare” — is being hailed by patients and practitioners of acupuncture, but it may not give them all they have been seeking, reports **Cai Chunying** from Washington

It is labeled “section 2706”. For Michael Jabbour, it’s an “incredible milestone” for patients and practitioners of acupuncture, a healing technique that originated in China 2,500 years ago.

For the American Medical Association, section 2706 of President Barack Obama’s healthcare law could pose a threat to patients by having them seek and “subjected to inappropriate or unproven treatments.”

What the section does is to provide a potential new opening for some types of holistic practitioners — including acupuncturists — who have been struggling for decades to be included on equal footing with medical doctors for the delivery of services and reimbursement by insurance companies. The section, titled “non-discrimination in health care,” becomes effective Jan 1, 2014.

The provision states: “A group health plan and a health insurance issuer offering group or individual health insurance coverage shall not discriminate with respect to participation under the plan or coverage against any healthcare provider who is acting within the scope of that provider’s license or certification under applicable State law.”

Under section 2706, if a patient chooses to use a licensed acupuncturist to treat his symptom, for instance, back pain which acupuncture is said to be good for, and if the back pain treatment is covered by the patient’s healthcare plan, insurance companies could not deny a reimbursement claim from the acupuncturist, which has not been the case in many states.

“In the past, insurers could decide what they want to cover, who can provide the medical service, and how much service can be provided. Under this provision, they are not allowed as much freedom to do so,” said Jabbour, president of the American Association of Acupuncture and Oriental Medicine, the leading national membership organization for the profession. Jabbour also operates an acupuncture clinic in New York State.

As promising as it may sound, section 2706 has not escaped the political battles that the Affordable Healthcare Act (AHA) has encountered since being passed by Congress.

### EHB package

The act requires each state to develop an Essential Health Benefit (EHB) package which specifies a comprehensive set of healthcare items and services that must be covered by insurance plans offered in the private individual and small-group markets. The federal government sets 10 mandatory categories, while states can determine specific coverage items and define provider pool.

So far, only California, Washington, Maryland, New Mexico, Alaska, Nevada and four US territories have included or plan to include acupuncture in their EHB packages, making it mandated coverage for 54 million Americans.

Jabbour and his activist-minded fellow practitioners have kept busy by reaching out to federal and state legislators and agencies as well as encouraging their base to have more states adopt a similar clause.

The battle to ensure greater access to acupuncture also plays out within the medical community. By mandating non-discrimination toward all healthcare providers, section 2706 has the potential to level the playing field for not only acupuncturists but a range of medical professionals who are not medical doctors, including chiropractors, naturopathic physicians, homeopaths, massage therapists, midwives, optometrists, nurse practitioners and others.

Claiming those non-medical-doctor professions as only providing “inappropriate or unproven treatments,” AMA has proposed a bill to repeal section 2706 on behalf of the American Society of Anesthesiologists and the American Academy of Ophthalmology. The AMA did not respond to a request for comment on its position.

Acupuncture has come a long way to prove itself in the US.

When many Chinese arrived at California in the mid-19th century for the gold rush and the building of Transcontinental Railroad, they brought with them the ancient healing technique. Acupuncture was commonly used by Chinese immigrants clustered in Chinatowns but barely went beyond. There are reported cases of acupuncturists being arrested while providing treatments outside of Chinatown and to non-Chinese.

For most Americans, their knowledge about acupuncture is a result of President



A patient receives acupuncture treatment at the Maryland University of Integrative Health, the first acupuncture school accredited under a different name in 1982. It now has 225 students studying acupuncture and 22 clinical treatment rooms open to the public.

Richard Nixon’s 1972 ground-breaking visit to China.

Accompanying Nixon’s advance team and harboring a plan to interview chairman Mao was New York Times journalist James Reston. He experienced acupuncture for post-surgery stomach discomfort after undergoing an emergency appendectomy in Beijing. He was so amazed by the treatment that he wrote a long piece documenting the whole process on the front page of the Times.

Following Reston’s article in 1973, Maryland, Nevada and Oregon became the first states to authorize and license acupuncture as a valid medical practice. Montana, South Carolina and Hawaii followed the next year. California, the state with most practitioners, and Louisiana enacted a similar law in 1975. Forty-four states plus the District of Columbia now have acupuncture license law in place.

Education in acupuncture soon followed. The first acupuncture school was established near Boston in 1974. Now 53 accredited professional schools nationwide teach acupuncture and Chinese herbal medicine, two main forms of traditional Chinese medicine and often practiced together.

A professional doctoral program, which begins at the undergraduate level and provides graduates with the similar credentials as the MD degree conferred by medical schools, is scheduled to start in September next year.

### NIH conclusion

Acupuncture’s efficacy in treating illness also gradually gained attention from the research world. In 1997, the National Institutes of Health issued a consensus statement after holding a three-day conference examining then state-of-art research on acupuncture.

The conclusion stated that “there is sufficient evidence of acupuncture’s value to expand its use into conventional medicine” and acupuncture can be used as “an adjunct treatment or an acceptable alternative or be included in a comprehensive management program” in a good range of health conditions, including postoperative and chemotherapy nausea, stroke rehabilitation, headache, menstrual cramps, osteoarthritis, low back pain, asthma and others.

One year after the recognition, the National Institutes of Health established the National Center for Alternative and Complementary Medicine, where acupuncture is included as a major category and has become one of the most researched medical procedures there.

Research to prove acupuncture’s effectiveness, however, is still in its early stage in the US, according to John Reeds, a physician in family medicine with training in acupuncture and co-founder of the American Academy of Medical Acupuncture, the professional organization for medical doctors who use acupuncture in their practice.

“Most of the research done in the US so far is to demonstrate the efficacy of acupuncture to show it is not a placebo effect. We need to do more research on whether patients receiving acupuncture have better outcome

or cost less than an usual or comparable procedure,” said Reeds who also teaches at the University of Maryland School of Medicine, a leading institute in acupuncture research.

According to the American Association of Acupuncture and Oriental Medicine, there are about 32,000 acupuncturists and 8,000 acupuncture students in the US. California leads the nation with more than 10,000 practitioners and Florida follows with more than 2,000. New York, Washington, Colorado and Texas have more than 1,000 acupuncturists each.

As a 2008 national survey conducted by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) shows, 72 percent of practitioners are White, 22 percent Asian, 70 percent female and 88 percent are self-employed or in solo practice.

### Acupuncture’s rise

Americans’ use of acupuncture has been on the rise in recent decades. According to the 2007 National Health Interview Survey (NHIS), an annual project administered by US Center for Disease Control and Prevention, an estimated 14 million Americans have used acupuncture and 3.1 million adults and 150,000 children had received the treatment in the previous year.

Sherman Cohn, a law professor at Georgetown University, is among the earlier users of acupuncture in the US.

In 1977, Cohn’s specialist medical doctor told him he needed to take aspirin for more than eight weeks to treat his tendonitis and that the symptoms may not go away. Cohn turned to acupuncture and after three sessions, the discomfort was gone and has not returned.

Cohn said he was mesmerized by acupuncture’s healing power and has since incorporated it into his healthcare planning, visiting the same acupuncturist for the next 35 years. He also became an activist for the profession, having led or served on the board of many national organizations in acupuncture, including being the president of the National Acupuncture Foundation.

When lymphoma struck him in 2003, acupuncture was complementary to his conventional Western medicine. “I’ve never had nausea after chemotherapy, therefore never missed a class. I’m driving myself quite hard. I gave acupuncture a lot of credit for that,” said Cohn, now retired and in his early 80s.

According to the 2008 NCCAOM survey, the most common reason for patients to seek acupuncture is to treat their musculoskeletal pain (40 percent), followed by reproductive system, emotional needs, digestive system disorder, headache and general wellness.

This is the case for Joshua Saul, a novice practitioner in Texas. He encounters cases that are often overwhelmingly diverse.

“I can get a patient with restless leg syndrome and right after that is a patient for infertility,” said Saul whose clinic opened eight months ago.

“The way Chinese medicine looks at a patient gives this tool to deal with them but it definitely requires you to be on your toes,” he added, referring to the healing mechanism in acupuncture, which relies on meridians (energy pathways) and acupuncture points that can regulate health conditions throughout the body.

Some doctors in traditional Western medicines also turn to acupuncture to supplement their conventional approach to give their patients comprehensive care.

Leonard Wisneski, an endocrinologist and clinical professor at George Washington University’s Medical Center, did exactly that. He attended acupuncture courses for medical doctors 30 years ago at the University of California in Los Angeles and has kept learning and practicing the technique.

“A lot of times when I was treating my patients’ symptoms with drugs I was frustrated because it wasn’t deep enough and it really did not follow doing no harm,” said Wisneski, recalling his motivation to learn more natural and harmless therapies so he can get to the root cause of his patients’ illnesses.

Wisneski was the vice-chair of the definitive 1997 National Institutes of Health consensus conference on acupuncture. He now heads Integrative Healthcare Policy Consortium (IHPC), a coalition consisting of organizations on various non-conventional medicines and leading the effort in pushing for the implementation of section 2706.

### Integrative medicine

Since NIH’s formal recognition in 1997, acupuncture has gradually witnessed and been deeply involved in an evolution in Western medicine that is called integrative medicine, as demonstrated in Wisneski’s case.

“The idea of integrative medicine is to bring in medical professionals from all the different disciplines to work with the patients,” said Benjamin Kligler, a physician trained in acupuncture and vice-chair of the Department of Integrative Medicine at Beth Israel Medical Center in New York.

Kligler’s hospital provides inpatient acupuncture service. Upon a physician’s request, acupuncturists prepare patients for surgery or help relieve their postoperative pain or nausea, a scene that mirrors what Reston experienced in China four decades ago.

Kligler, listed in 2012 by New York Magazine as among its top 10 best doctors in family medicine in the region, also leads a national organization dedicated to promoting integrative medicine education in medical schools nationwide.

Founded in 1999, the Consortium of Academic Health Centers for Integrative Medicine now has 56 member schools, including leading players such as Harvard, Stanford, John Hopkins, UC-San Francisco and the University of Pennsylvania.

“Ten years ago, 98 percent of our students became solo practitioners after graduation, now about 80 percent still do that but others have joined hospital or other salary-based workforce,” said Jeffery Millison, academic director at the Maryland University of Integrative Health, the first acupuncture school in the US being accredited under a different name in 1982.

Millison said when he graduated from the school about 20 years ago, it was very rare for him to get a referral from a Western physician, now he has multiple physicians giving him referrals and also coming to visit him as patients. “The landscape has dramatically changed,” he added.

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## CLEARING THE BLOCKAGE OF QI

In July 1971, James “Scotty” Reston of the New York Times went to China with National Security Adviser Henry Kissinger as part of the advance team to prepare for President Richard Nixon’s visit. Reston wanted to interview Chairman Mao Zedong.

Reston had an acute attack of appendicitis while in Beijing and underwent emergency surgery, which went well, but he suffered post-operative stomach discomfort strong enough to call for treatment. The hospital’s acupuncturist stepped in.

With “three long needles into the outer part of my right elbow and below my knee...to stimulate the intestine and relieve the pressure and distension of the stomach” with occasional “twirling the needles into action” for about 20 minutes, Reston wrote, the pain disappeared.

In his hospital recovery, Reston also learned that underlying this use of needles is a set of unique concepts about the human body and the way to heal it.

In the belief of traditional Chinese medicine, a type of life force, or energy, known as *qi* (pronounced “chee”), flows through energy pathways, called meridians, in the human body, which are connected to different groups of organs that govern particular bodily functions yet are closely related to each other.

The flow of *qi* is obstructed when the body loses its balances, which then results in illness. Acupuncture is one form of Chinese medicine to restore the balance. By inserting thin long metal needles into the skin to stimulate acupuncture points, which are the places where the meridian is close to the skin, acupuncture clears the blockage of *qi* and restores health.

Reston, who had served in various posts with the Times, including Washington correspondent, bureau chief, executive editor, columnist and vice-president, wrote about the treatment he received, along with his observations of China’s hospital system in a lengthy article the Times published on page 1 on



July 26, 1971.

For most Americans, it was the first time they had learned about acupuncture, which has been in existence in the US for more than a century.