

S. B. 448—Walker, Mar. 13.

Summary—Regulates separately practice of Chinese medicine. Fiscal Note: No. (BDR 54-1396)

Mar. 13—Read first time. Referred to Committee on Health, Welfare, and State Institutions. To printer.

Mar. 15—From printer. To committee. 3/19, 3/26

✓ Mar. 27—From committee: Amend, and do pass as amended. Read second time. Amended. To printer.

✓ Mar. 28—From printer. To engrossment. Engrossed. Read third time. Passed, as amended. Title approved. To Assembly.

Mar. 29—In Assembly. Read first time. Referred to Committee on Health and Welfare. To committee. 4/2, 4/4

✓ Apr. 5—From committee: Amend, and do pass as amended. Placed on Second Reading File. Read second time. Amended. To printer.

✓ Apr. 6—From printer. To re-engrossment. Re-engrossed. Placed on General File. Read third time. Passed, as amended. Title approved. To Senate.

Apr. 9—In Senate. Assembly amendment concurred in. To enrollment.

Apr. 10—Returned from enrollment. Action of passage rescinded. Taken from General File. Placed on Secretary's desk.

✓ Apr. 13—Taken from Secretary's desk. Placed on General File. Read third time. Amended. Reprinting dispensed with. Passed, as amended. Title approved. Ordered reprinted. To printer.

✓ Apr. 14—From printer. To re-engrossment. Re-engrossed. To Assembly. In Assembly. Action of passage rescinded. Read third time. Passed. Title approved. To Senate.

Apr. 15—In Senate. To enrollment.

Apr. 18—Enrolled and delivered to Governor.

Apr. 19—Approved by the Governor. Chapter 441.

Effective April 19, 1973.



SENATE BILL NO. 448—SENATOR WALKER

MARCH 13, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Regulates separately practice of Chinese medicine.
Fiscal Note: No. (BDR 54-1396)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to Chinese medicine; regulating its practice separately; providing standards, qualifications and licensing of practitioners; providing a penalty; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Title 54 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 27,
3 inclusive, of this act.
- 4 SEC. 2. The practice of Chinese medicine and any branch thereof is
5 hereby declared to be a learned profession, affecting public safety and
6 welfare and charged with the public interest, and therefore subject to
7 protection and regulation by the state.
- 8 SEC. 3. Unless the context otherwise requires, the words, phrases and
9 derivatives thereof employed in this chapter have the meanings ascribed
10 to them in this section.
- 11 1. "Acupuncture" means the insertion of needles into the human
12 body by piercing the skin of the body, for the purpose of controlling and
13 regulating the flow and balance of energy in the body.
- 14 2. "Board" means the state board of Chinese medicine.
- 15 3. "Doctor of acupuncture" means a person who has been licensed
16 under the provisions of this chapter to practice the art of healing known
17 as acupuncture.
- 18 4. "Doctor of herbal medicine" means a person who has been
19 licensed under the provisions of this chapter to practice the art of healing
20 known as herbal medicine.
- 21 5. "Doctor of traditional Chinese medicine" means a person who has
22 been licensed under the provisions of this chapter to practice the art of
23 healing through traditional Chinese medicine.
- 24 6. "Herbal medicine" and "practice of herbal medicine" mean sug-
25 gesting, recommending, prescribing or directing the use of herbs for the

1 cure, relief or palliation of any ailment or disease of the mind or body, or
2 for the cure or relief of any wound, fracture, bodily injury or deformity.

3 7. "Herbs" means plants or parts of plants valued for medicinal qual-
4 ities.

5 8. "Licensed acupuncture assistant" means a person who assists in
6 the practice of acupuncture under the direct supervision of a person
7 licensed under the provisions of this chapter to practice traditional Chi-
8 nese medicine or acupuncture.

9 9. "Traditional Chinese medicine" means that system of the healing
10 art which places the chief emphasis on the flow and balance of energy in
11 the body mechanism as being the most important single factor in main-
12 taining the well-being of the organism in health and disease and includes
13 the practice of acupuncture and herbal medicine.

14 SEC. 4. 1. A school or college of Chinese medicine may be estab-
15 lished and maintained in this state only if:

16 (a) Its establishment is approved by the board.

17 (b) Its curriculum is approved annually by the board for content and
18 quality of instruction in accordance with the requirements of this chapter.

19 2. Graduates of school or college of Chinese medicine are qualified
20 for licensing under this chapter only if it requires for admission to its
21 course of study that each applicant for a doctorate of traditional Chinese
22 medicine, herbal medicine or acupuncture be a medical doctor licensed
23 to practice medicine by some state, district or territory of the United
24 States.

25 SEC. 5. A school or college of Chinese medicine shall require as a
26 prerequisite to graduation with a degree of doctor of traditional Chinese
27 medicine, the successful completion of a course requiring an attendance
28 of 48 months in the following subjects:

29 1. Anatomy, embryology, toxicology, histology, physiology, bacteri-
30 ology, hygiene, electrical diagnosis and diabetes;

31 2. Theory and philosophy of acupuncture, including methods of acu-
32 puncture, needles, cauterization and cupping; meridians and points and
33 diagnosis including pulse diagnosis and needle technique;

34 3. Herbs, including analysis of herbs and herbal pharmacology;

35 4. The practice of traditional Chinese medicine which shall include
36 study of diseases of the nervous system, alimentary tract, heart and vas-
37 cular system, genito-urinary system, ductless glands, metabolism, respira-
38 tory tract, bones and joints, eyes, ears, nose and throat and orificial
39 diseases and acute and infectious diseases and shall include study of cor-
40 rective gymnastics, pediatrics, dermatology, psychiatry; diagnosis includ-
41 ing pulse diagnosis, clinical practice, case recording, gynecology,
42 obstetrics, professional ethics and efficiency; and

43 5. Principles of Chinese medicine.

44 SEC. 6. A school or college of Chinese medicine shall require as a
45 prerequisite to graduation with a degree of doctor of acupuncture, the
46 successful completion of a course requiring an attendance of 36 months
47 in the following subjects:

48 1. Anatomy, embryology, toxicology, histology, physiology, bacteri-
49 ology, hygiene, electrical diagnosis and diabetes;

1 2. Theory and philosophy of acupuncture, including methods of acu-
2 puncture, needles, cauterization and cupping; meridians and points and
3 diagnosis including pulse diagnosis and needle technique;

4 3. The practice of traditional Chinese medicine which shall include
5 study of diseases of the nervous system, alimentary tract, heart and vas-
6 cular system, genito-urinary system, ductless glands, metabolism, respira-
7 tory tract, bones and joints, eyes, ears, nose and throat and orificial
8 diseases and acute and infectious diseases and shall include study of
9 corrective gymnastics, pediatrics, dermatology, psychiatry; diagnosis
10 including pulse diagnosis, clinical practice, case recording, gynecology,
11 obstetrics, professional ethics and efficiency; and

12 4. Principles of Chinese medicine.

13 SEC. 7. A school or college of Chinese medicine shall require as a
14 prerequisite to graduation with a degree of doctor of herbal medicine, the
15 successful completion of a course requiring an attendance of 36 months
16 in the following subjects:

17 1. Anatomy, embryology, toxicology, histology, physiology, bacte-
18 riology, hygiene, electrical diagnosis and diabetes;

19 2. Herbs, including analysis of herbs and herbal pharmacology;

20 3. The practice of traditional Chinese medicine which shall include
21 study of diseases of the nervous system, alimentary tract, heart and vas-
22 cular system, genito-urinary system, ductless glands, metabolism, respira-
23 tory tract, bones and joints, eyes, ears, nose and throat and orificial
24 diseases and acute and infectious diseases and it shall include study of
25 corrective gymnastics, pediatrics, dermatology, psychiatry; diagnosis
26 including pulse diagnosis, clinical practice, case recording, gynecology,
27 obstetrics, professional ethics and efficiency; and

28 4. Principles of Chinese medicine.

29 SEC. 8. 1. The state board of Chinese medicine, consisting of three
30 members appointed by the governor, is hereby created.

31 2. The governor shall appoint the members on July 1, 1973. Their
32 terms shall be as follows:

33 (a) One member shall hold office for 1 year;

34 (b) One member shall hold office for 2 years;

35 (c) One member shall hold office for 3 years; and

36 (d) Thereafter, all terms shall be for 3 years.

37 3. A person is eligible for appointment as a member of the board
38 even though he is not a citizen of the United States or a resident of
39 Nevada.

40 4. The governor shall appoint persons to fill vacancies for the
41 remainder of an unexpired term.

42 5. Each member of the board shall, before entering upon the duties
43 of his office, take the oath of office prescribed by the constitution before
44 someone qualified to administer oaths.

45 SEC. 9. All persons:

46 1. Who hold licenses under this chapter to practice traditional Chi-
47 nese medicine;

48 2. Who are affiliated with a school, college, society or organization
49 chartered or licensed by the State of Nevada for the primary purpose of
50 promoting the teaching of Chinese medicine or any branch thereof or the

1 scientific research of any branch of such medicine or to promote the
2 establishment of schools or colleges to teach Chinese medicine or any
3 branch thereof; or

4 3. Who are physicians licensed by any government, state, territory
5 or province to practice Chinese medicine and who practiced traditional
6 Chinese medicine for at least 10 years,
7 are eligible to be appointed to serve on the board.

8 SEC. 10. Each member of the board shall receive:

9 1. A salary of not more than \$25 per day, as fixed by the board,
10 while engaged in the business of the board.

11 2. Actual expenses for subsistence and lodging, not to exceed \$25 per
12 day, and actual expenses for transportation, while traveling on business
13 of the board.

14 SEC. 11. The board shall annually elect from its members a president,
15 vice president and secretary-treasurer, and may fix and pay a salary to
16 the secretary-treasurer.

17 SEC. 12. The board may:

18 1. Employ attorneys, investigators and other professional consultants
19 and clerical personnel necessary to discharge its duties. For the purpose
20 of conducting its examinations, the board may call to its aid persons of
21 established reputation and known ability in Chinese medicine;

22 2. Maintain offices in as many localities in the state as it finds neces-
23 sary to carry out the provisions of this chapter;

24 3. Promulgate rules and regulations, or either of them, not inconsis-
25 tent with the provisions of this chapter; and

26 4. Compel the attendance of witnesses and the production of evi-
27 dence by subpoena and the board may administer oaths.

28 SEC. 13. The board shall:

29 1. Hold meetings at least once a year and at any other time at the
30 request of the president of the majority of the members;

31 2. Have and use a common seal;

32 3. Deposit in interest-bearing accounts in the State of Nevada all
33 moneys received under the provisions of this chapter, which shall be used
34 to defray the expenses of the board;

35 4. Operate on the basis of the fiscal year beginning July 1, and end-
36 ing June 30; and

37 5. Keep a record of its proceedings which shall be open to the public
38 at all times and which shall also contain the name and business address of
39 every registered licensee in this state.

40 SEC. 14. An applicant for examination for a license to practice tradi-
41 tional Chinese medicine or any branch thereof, shall:

42 1. Submit an application to the board on forms provided by the
43 board;

44 2. Submit satisfactory evidence that he is 21 years or older and meets
45 the appropriate educational requirements; and

46 3. Pay a fee of \$100.

47 SEC. 15. 1. Examinations shall be given at least twice a year at a
48 time and place fixed by the board.

49 2. Applicants for a license to practice as a traditional Chinese doctor
50 shall be examined in the subjects of anatomy including nerves, arteries

1 and veins, physiology, pathology, bacteriology, herbal pharmacology, tox-
2 icology, diseases of the skin, eye, ear, nose, throat and genito-urinary sys-
3 tem, general medicine, obstetrics, gynecology, pediatrics, theory and
4 philosophy of Chinese medicine, methods of acupuncture including merid-
5 ians, points and pulse diagnosis and such other subjects as the board may
6 determine.

7 3. Applicants for a license to practice as a doctor of acupuncture
8 shall be examined in the subjects of anatomy including nerves, arteries
9 and veins, physiology, pathology, bacteriology, herbal pharmacology,
10 toxicology, diseases of the skin, eye, ear, nose, throat and genito-urinary
11 system, general medicine, obstetrics, gynecology, pediatrics, theory and
12 philosophy of Chinese medicine, methods of acupuncture including
13 meridians, points and pulse diagnosis and such other subjects as the
14 board may determine.

15 4. Applicants for a license to practice as a doctor of herbal medicine
16 shall be examined on the subjects of anatomy including nerves, arteries
17 and veins, physiology, pathology, bacteriology, herbal pharmacology,
18 toxicology, diseases of the skin, eye, ear, nose, throat and genito-urinary
19 system, general medicine, obstetrics, gynecology, pediatrics, theory and
20 philosophy of Chinese medicine and such other subjects as the board may
21 determine.

22 5. Applicants for a license to practice as an acupuncture assistant
23 shall be examined in the subjects of anatomy including the nerves, arteries
24 and veins, physiology, pathology, bacteriology, toxicology, diseases of the
25 skin, eye, ear, nose, throat and genito-urinary system, general medicine,
26 obstetrics, gynecology, pediatrics, theory and philosophy of Chinese medi-
27 cine, methods of acupuncture including meridians, points and pulse
28 diagnosis and such other subjects as the board may determine.

29 SEC. 16. Persons licensed pursuant to this chapter are not subject to
30 the provisions of chapters 629 and 630 of NRS.

31 SEC. 17. The board shall waive examination and grant a certificate of
32 doctor of traditional Chinese medicine to any applicant who:

33 1. Has applied in writing to the board not later than 120 days after
34 the effective date of this act;

35 2. Was present in this state for at least 30 consecutive days immedi-
36 ately prior to December 25, 1972;

37 3. Obtained a certificate from the Republic of China, the People's
38 Republic of China, Korea or Japan acknowledging that the applicant was
39 qualified to practice Chinese medicine;

40 4. Has practiced traditional Chinese medicine for at least 20 years
41 immediately prior to December 25, 1972; and

42 5. Submits with his application a filing fee of \$100.

43 SEC. 18. The board shall issue a license for the practice of tradi-
44 tional Chinese medicine or a license for the practice of acupuncture
45 where the applicant:

46 1. Has a license or certificate from the government of the Republic
47 of China, People's Republic of China, Korea or Japan which acknowl-
48 edges that the applicant has the qualifications to practice Chinese medi-
49 cine or acupuncture;

1 2. Has practiced traditional Chinese medicine or acupuncture for
2 10 years; and

3 3. Passes the examination of the board.

4 SEC. 19. An applicant for a license for acupuncture assistant shall be
5 issued a license by the board if he:

6 1. Has successfully completed a course of study in acupuncture in
7 any college or school in any country, territory, province or state requir-
8 ing an attendance of 36 months;

9 2. Practiced acupuncture for not less than 3 years; and

10 3. Passes the examination of the board for acupuncture assistant.

11 SEC. 20. It is unlawful for any person licensed under the provisions of
12 this chapter to prescribe herbal medication unless the herbs prescribed
13 have been approved by the Food and Drug Administration for use for the
14 prevention or alleviation or cure of illness or disease or for relief from
15 suffering.

16 SEC. 21. 1. Every person holding a license authorizing him to prac-
17 tice traditional Chinese medicine, acupuncture, herbal medicine or to
18 serve as an acupuncture assistant in this state shall record his license in
19 the office of the county clerk of the county of his office and residence.
20 Every licensee upon a change of residence or office shall have his certifi-
21 cate recorded in like manner in the county to which he has changed.

22 2. Every license shall be displayed in the office, place of business or
23 place of employment of the holder thereof.

24 3. Every person holding a license who is a resident of the state shall
25 pay an annual registration fee of \$20 to the secretary-treasurer of the
26 board on or before February 1. If the holder of a license fails to pay the
27 registration fee his license shall be suspended. The license may be rein-
28 stated by payment of the required fee within 90 days after February 1.

29 4. A license which is suspended for more than 3 months under the
30 provisions of subsection 3 may be canceled by the board after 30 days'
31 notice to the holder of the license.

32 5. Every person holding a license who is not a resident of the state
33 shall pay an annual registration fee of \$5 to the secretary-treasurer of the
34 board on or before February 1.

35 SEC. 22. The board may either refuse to issue or may suspend or
36 revoke any license for any one or any combination of the following
37 causes:

38 1. Conviction of a felony, conviction of any offense involving moral
39 turpitude or conviction of a violation of any state or federal law regulat-
40 ing the possession, distribution or use of any controlled substance as
41 defined in chapter 453 of NRS, as shown by a certified copy of record of
42 the court;

43 2. The obtaining of or any attempt to obtain a license or practice in
44 the profession for money or any other thing of value, by fraudulent mis-
45 representations;

46 3. Gross malpractice;

47 4. Advertising by means of knowingly false or deceptive statement;

48 5. Advertising, practicing or attempting to practice under a name
49 other than one's own;

1 6. Habitual drunkenness or habitual addiction to the use of a con-
2 trolled substance as defined in chapter 453 of NRS;

3 7. Using any false, fraudulent or forged statement or document, or
4 engaging in any fraudulent, deceitful, dishonest or immoral practice in
5 connection with the licensing requirements of this chapter;

6 8. Sustaining a physical or mental disability which renders further
7 practice dangerous;

8 9. Engaging any dishonorable, unethical or unprofessional conduct
9 which may deceive, defraud or harm the public, or which is unbecoming
10 a person licensed to practice under this chapter;

11 10. Using any false or fraudulent statement in connection with the
12 practice of traditional Chinese medicine or any branch thereof;

13 11. Violating or attempting to violate, or assisting or abetting the
14 violation of, or conspiring to violate any provision of this chapter;

15 12. Being adjudicated incompetent or insane;

16 13. Advertising in an unethical or unprofessional manner;

17 14. Obtaining a fee or financial benefit for any person by the use
18 of fraudulent diagnosis, therapy or treatment;

19 15. Willful disclosure of a privileged communication;

20 16. Failure of a licensee to designate his school of practice in the
21 professional use of his name by the term traditional Chinese doctor,
22 doctor of acupuncture, doctor of herbal medicine or acupuncture assist-
23 ant, as the case may be;

24 17. Willful violation of the law relating to the health, safety or wel-
25 fare of the public or of the rules and regulations promulgated by the
26 state board of health; and

27 18. Administering, dispensing or prescribing any controlled substance
28 as defined in chapter 453 of NRS, except for the prevention, alleviation
29 or cure of disease or for relief from suffering.

30 SEC. 23. The board shall not refuse to issue, refuse to renew, suspend
31 or revoke any license for any of the causes enumerated in section 22, of
32 this act, unless the person accused has been given at least 20 days' notice
33 in writing of the charge against him and a hearing by the board.

34 SEC. 24. 1. Traditional Chinese doctors and doctors of acupuncture
35 licensed under this chapter shall have the same rights as physicians and
36 surgeons of other schools of medicine with respect to the treatment of
37 cases or the holding of offices in public institutions.

38 2. Traditional Chinese doctors and doctors of acupuncture shall
39 observe and be subject to all state and municipal regulations relative to
40 reporting all births and deaths in all matters pertaining to the public
41 health, with equal right and obligations as physicians of other schools of
42 medicine. The reports shall be accepted by the officers of the department
43 to which the same are made.

44 3. Traditional Chinese doctors and doctors of acupuncture licensed
45 under this chapter shall have the same rights as physicians and surgeons
46 of other schools of medicine.

47 SEC. 25. This chapter does not apply to:

48 1. Chinese physicians who are called into this state for consultation.

49 2. This chapter does not prohibit:

1 (a) Gratuitous services of druggists or other persons in cases of emer-
2 gency;

3 (b) The domestic administration of family remedies;

4 (c) Any person from assisting any person in the practice of the healing
5 arts licensed under this chapter, except that such person may not insert
6 needles into the skin or prescribe herbal medicine.

7 SEC. 26. 1. The board may maintain in any court of competent juris-
8 diction a suit for an injunction against any person or persons practicing
9 Chinese medicine or any branch thereof without a license.

10 2. Such an injunction:

11 (a) May be issued without proof of actual damage sustained by any
12 person, this provision being understood to be a preventive as well as a
13 punitive measure.

14 (b) Shall not relieve such person from criminal prosecution for prac-
15 ticing without a license.

16 SEC. 27. A person who engages in the practice of traditional Chinese
17 medicine in this state without holding a valid license issued by the board
18 is guilty of a gross misdemeanor.

SENATE COMMITTEE ON
HEALTH, WELFARE AND STATE INSTITUTIONS

MINUTES OF MEETING # 14

MARCH 19, 1973

The meeting convened at 9:10 a.m.

Senator Walker in the chair.

PRESENT: Senators Swobe
Raggio
Herr
Drakulich
Young

Other interested citizens, list of which is hereto attached as Exhibit A, page 1.

SB 420 having been passed and signed by the governor March 15, 1973, allowed acupuncture demonstrations to begin on March 16th, 1973 - continuing for approximately two weeks.

The original limit set as to the number of patients Professor Lok was to treat was 40. Since then, several have been allowed in for treatment, and over 734 requests for treatment were denied.

SB 448: Regulates separately, practice of chinese medicine. (BDR 54-1396).

Mr. Arthur Steinberg, President of the American Society of Acupuncture testified as spokesman for the society. He explained how he became interested in acupuncture after having been treated successfully by Professor Lok in Hong Kong. His hearing was restored 50%, and Mrs. Steinberg's migraine headaches were relieved as a result of acupuncture treatment.

He briefly explained what acupuncture is, and stressed emphatically, the 92.4% success factor in curing a multitude of diseases and relieving pain. (For further detail, refer to Exhibit B hereto attached).

Mr. Steinberg explained that he had appealed to the Medical Board of Examiners in late December in order to be permitted

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 14
MARCH 19, 1973
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to conduct a demonstration of acupuncture techniques, but was denied this request. Consequently, a petition was circulated to those who requested same, and within three weeks, over 17,000 signatures were collected. The result of that collection is SB 448.

On Professor Lok's qualifications, Mr. Steinberg stated that he has been studying since age 12, and has been studying and teaching in China for over 50 years. Further, that he is recognized as 'the world's leading authority' on acupuncture. Refer to Exhibit C for detail.

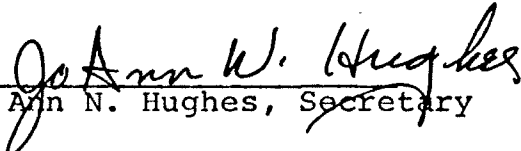
In the following discussion, regarding placing this practice in a hospital, the majority of witnesses who had received treatment thought that a hospital was not necessary, since it was a very simple procedure. Senator Herr added that if this were done, the cost would rise, and therefore become prohibitive to those poor people who were in the best justified need.

Mr. Steinberg included his opinion that-if an M.D. were placed on this board, it would result in the death of this bill as well as the practice of acupuncture here in Nevada.

Several witnesses who had benefited from acupuncture treatments urged the committee to pass this bill without qualification; some testimony being very emotional in this appeal. For a list of those witnesses, please refer to Exhibit A, hereto attached.

Time having lapsed, the meeting was adjourned at 11:00 a.m., with continuance scheduled for one week from this date or March 26, 1973.

Respectfully submitted,


Jo Ann N. Hughes, Secretary

APPROVED:

Lee E. Walker, Chairman

NEVADA
STATE
MEDICAL
ASSOCIATION

3660 BAKER LANE • RENO, NEVADA 89502 • TELEPHONE (702) 323-6788

JOHN P. SANDE, M.D., President
THOMAS K. HOOD, M.D., President-Elect
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HUGH C. FOLLMER, M.D., AMA Delegate
C. NORMAN CHRISTENSEN, M.D., AMA Alternate Delegate
NELSON B. NEFF, Executive Director

March 17, 1973

Hon. Lee E. Walker, Chairman
Committee on Health, Welfare and State Institutions
Nevada State Senate
Legislative Building
Carson City, Nevada

Dear Senator Walker:

In a meeting held today, the Executive Committee of the Nevada State Medical Association voted in support of A.B. 673 which will allow evaluation of potential hazards and benefits of acupuncture.

Sincerely yours,

John P. Sande, M.D.
John P. Sande, M.D.

copy
#14. P. 1 of 7

AMERICAN SOCIETY OF ACUPUNCTURE, INC.

Cable Address - Bias

SUITE 416 FIRST NATIONAL BANK BLDG.
302 E. CARSON ST.
LAS VEGAS, NEVADA 89101
TEL. (702) 384-5726

November 9, 1972

Dr. Reuben Zucker
901 Rancho Lane
Las Vegas, Nevada

Dear Dr. Zucker:

This short synopsis will give you some information regarding the background and experience of Professor Lok Yee Kung, also known as Benjamin Lok.

Professor Lok is 59 years of age and began studying acupuncture in China in 1924 under one of the outstanding master acupunctuists and practitioners of Chinese medicine.

He is one of the few Chinese master acupunctuists in the world. He is licensed to practice traditional Chinese medicine which includes acupuncture. He is President of the Hongkong Association of Acupunctuists, President of the Hongkong College of Chinese Acupuncture, President of the Kowloon College of Chinese Medicine, and Honorary President of the Kowloon Association of Chinese Medicine.

He is Senior Advisor of Chinese Medicine to the Hongkong Chinese Civil Servants (Hongkong Government).

Also, he is advisor to many organizations, some of which are: the "L'Organisation Pour L'Etude et Le Development de L'Acupuncture", the International Association of Modern Chinese Medicine (Japan), the Kyoto Pain Control Institute, the "Organo Ufficiale Medico-Scientifico Della Societa Italiana Di Agopuntura".

Pursuant to many invitations, he has lectured in many countries before societies and other medical

Dr. Reuben Zucker
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groups. For example, in 1970, he was invited to lecture at the First International Congress of Acupuncture in Italy. That same year, pursuant to invitation, he lectured before Medical Associations in France, Switzerland, Germany and England. In 1971, he only had time to respond to one invitation when he lectured at the International Congress of Biological Medicine in Lausanne, Switzerland. In 1972, he lectured in Sydney, Australia at the College of Acupuncture. While in that area, he visited and lectured at various health departments and hospitals, including the Royal New South Wales Institute for Deaf and Blind Children in Sidney, the St. John of God Hospital in Burwood, and the Canberra Hospital in Canberra.

Professor Lok is presently in the United States to lecture at the College of Osteopathic Medicine and Surgery in Des Moines. He has also accepted an invitation of Dr. Ralph E. Badish, Professor of Medicine at the University of Southern California School of Medicine, to lecture at the Rancho Los Amigos Hospital.

In February, 1973, he has accepted an invitation to lecture before the Medical Society of the State of New York. Numerous organizations in the States have invited him to appear in lectures, but he is unable to comply because of his limited time.

He has been given a number of honorary degrees for his outstanding knowledge and skill in his field. For example, the British College of Acupuncture awarded him a Certificate of Doctorate of Acupuncture and Professor of Acupuncture.

Professor Lok has been lecturing and teaching for 17 years. At Kowloon College of Chinese Medicine where he lectures and teaches, he has given several classes of acupuncture, to-wit: primary, advanced

Dr. Reuben Zucker
Page 3

practitioner and master practitioner. His courses include anatomy, physiology, etc.

He has taught students from all parts of the world, and each year the enrollment for his classes far exceeds the classroom capacity and many have to be refused admittance.

Sincerely,

AMERICAN SOCIETY OF ACUPUNCTURE, INC.

Arthur Steinberg
Arthur Steinberg
President

AS:g

ALBERT EINSTEIN COLLEGE OF MEDICINE
BRONX MUNICIPAL HOSPITAL CENTER
Pelham Parkway South and Eastchester Road
Bronx, New York 10461

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DIVISION OF DENTISTRY

(212) 430-5515

William Rakower, D.D.S., Director

5516

5519

December 21st,
19 72

Professor Lok Yee-Kung
16 Kimberley Road, Fourth Floor
"H", Kowloon,
Hong Kong

Dear Professor Yee-Kung,

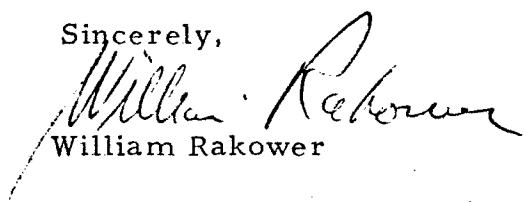
Doctor Stanley Spiro of our Hospital has advised me that you had agreed to speak to our group on the subject of "Acupuncture". Accordingly we have made arrangements with the Dental Department of several other hospitals in our city to attend your lecture on this subject, which is of great interest to us. I am enclosing a copy of the notice that has gone out to the Dental Journals concerning this lecture.

Since your talk will be attended primarily by dentists, will you please orient the talk specifically to the field of dentistry, either treatment, anesthesia, or both.

I look forward to seeing you on February 14th. If you will let me know when you are arriving in New York perhaps we can arrange to meet beforehand.

Thank you very much for accepting this invitation.

Sincerely,


William Rakower

wr:wg

cc: Dr. Stanley Spiro

50.

DENTAL DEPARTMENTS SPONSOR ACUPUNCTURE LECTURE

The Departments of Dentistry of the following hospitals, in cooperation with the Federation of Jewish Philanthropies, are jointly sponsoring a lecture and discussion on the subject "The Application of Acupuncture Techniques in the Practice of Dentistry", to be held on Wednesday, February 14, 1973, at 7:30 P.M. in the Auditorium of the Basic Science Building of the Mt. Sinai School of Medicine, 10 East 102 Street, New York, New York.

The principal speaker will be PROF. LOK YEE-KUNG, President of the Kowloon College of Chinese Medicine, and of the Hong Kong College of Chinese Acupuncture.

Albert Einstein College of Medicine
Bronx Municipal Hospital Center
William Rakower, Director

Beth Israel Hospital
Charles E. Barr, Director

Hospital for Joint Diseases
Leonard Quitt, Director

Montefiore Hospital
Norman Trieger, Director

Mt. Sinai Hospital
Jack Klatell, Director



DEPARTMENT
OF
HEALTH SERVICES

COUNTY OF LOS ANGELES

RANCHO LOS AMIGOS HOSPITAL

7601 EAST IMPERIAL HIGHWAY
DOWNEY, CALIFORNIA 90242
(213) 773-4331 OR 869-0921

December 14, 1972

EUGENE R. ERICKSON
ADMINISTRATOR
HAROLD MAZUR, M.D.
MEDICAL DIRECTOR

Professor Lok Yee-Kung
C/O Suite 416 (Mr. Arthur Steinberg)
First National Bank Building
302 E. Carson Street
Las Vegas, Nevada 89101

Dear Professor Lok:

Our medical staff people at Rancho Los Amigos Hospital are indeed grateful for the very informative and stimulating lecture, film, and demonstration you presented on December 12, 1972. Many of our physicians are now formulating plans for further pursuit and application of the subject.

We are also highly pleased that Mr. Steinberg was present. His comments were taken as highly significant and representative of the manner in which the Western mind should begin to incorporate this important modality of treatment.

I shall be most interested in the development of the American Society of Acupuncture and would deeply appreciate continuing contact from you and Mr. Steinberg.

We wish you a pleasant journey back to Hong Kong, where a check for your valuable contribution to our hospital will soon arrive.

Sincerely,

Ralph E. Bodfish

Ralph E. Bodfish, M.D.
Chief, Department of Medicine
Rancho Los Amigos Hospital

Professor of Medicine and Radiology
University of Southern California School of Medicine

REB:ldt



NEW YORK UNIVERSITY MEDICAL CENTER

Institute of Rehabilitation Medicine
400 EAST 34TH STREET, NEW YORK, N. Y. 10016
AREA 212 679-3200
CABLE ADDRESS: NYU MEDIC

February 16th, 1973

My dear Professor Lok:

This is a letter of gratitude to you for participating in our research and teaching seminar here in the Department of Rehabilitation Medicine, New York University Medical Center. Your participation has been most helpful and we again are grateful to you for joining us in discussing and demonstrating these research procedures in acupuncture here in our pilot research project in the Medical Center.

Gratefully yours,

HAR:mc

Howard A. Rusk, M. D.
Director

Professor Yee-Kung Lok
Americana Hotel
811 Seventh Avenue
New York, New York

14. page 10

**PINE REST
CHRISTIAN
HOSPITAL**

6850 S. DIVISION AVE.
GRAND RAPIDS
MICH. 49508-534-4941

January 10, 1973

Mr. & Mrs. Arthur Steinberg
American Society of Acupuncture, Inc.
Suite 416
First Nat'l. Bank Building
302 E. Carson St.
Las Vegas, Nevada 89101

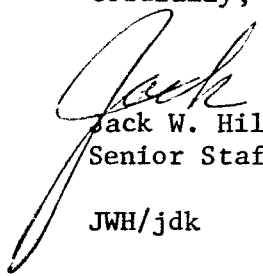
Dear Art and Shirley:

This is to express my personal gratitude for the fine hospitality, the sumptuous meals, and the outstanding sight-seeing and entertainment we all have received as a result of your warm friendship and generosity.

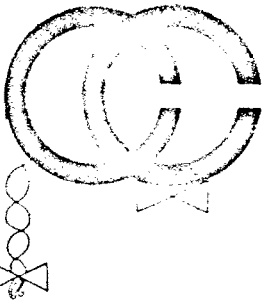
Most of all, I appreciated this opportunity to visit and chat with you and Dr. Lok Yee Kung. His sincerity and dedication to the cause of medicine, through his expertise in Chinese medicine and acupuncture, places your encouragement of his teaching these skills as a God-send in the contribution to American medicine!

Joann sends her warm regards.

Cordially,


Jack W. Hill, M.D.
Senior Staff Psychiatrist

JWH/jdk



CHILDREN'S CENTER

PINE REST CHILDREN'S CENTER • 6850 S. DIVISION AVE. • GRAND RAPIDS, MICH. 49508 • (616) 455-5000

STUART BERGSMA, M.D.
Supt., Pine Rest Christian Hospital

RONALD VAN VALKENBURG, M.D.
Director, Children's Center

January 16, 1973

Mr. Arthur Steinberg
American Society of Acupuncture
Suite 416
First National Bank Building
302 E. Carson Street
Las Vegas, Nevada 89101

Dear Mr. Steinberg:

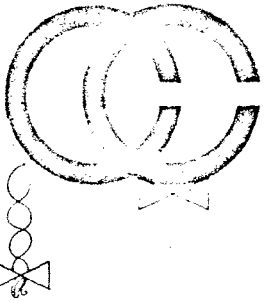
I would like to take this opportunity to thank you personally for making the trip to Las Vegas to visit with Professor Lok available. The opportunity to have Professor Lok share with us his knowledge and experience in the field of Chinese Medicine and the theory and practice of acupuncture was a valuable experience for me as well as the other staff members who represented Pine Rest.

We have shared our experiences with the Board of Trustees, the other Medical Staff members and the Administrative Staff of the Hospital. The arrival of the film has been eagerly anticipated by the entire staff.

I would look forward to you and Mrs. Steinberg visiting Grand Rapids and anticipate sharing some time with you. Again, thank you for your very gracious hospitality.

Sincerely,

Ronald J. Van Valkenburg, M.D., M.P.H.
Director, Children's Center
Chief, Medical Staff



CHILDREN'S CENTER

PINE REST CHILDREN'S CENTER • 6850 S. DIVISION AVE. • GRAND RAPIDS, MICH. 49508 • (616) 455-5000

STUART BERGSMA, M.D.
Supt., Pine Rest Christian Hospital

RONALD VAN VALKENBURG, M.D.
Director, Children's Center

January 8, 1973

Mr. and Mrs. Arthur Steinberg
3737 Decade Street
Las Vegas, Nevada 89121

Dear Mr. and Mrs. Steinberg:

Thank you so much for your hospitality during our stay in Las Vegas, and for making such an educational experience available to us. I enjoyed meeting you and appreciated your warmth and openness. I left Las Vegas with many positive memories. I found Las Vegas a most fascinating city, especially the people and the excitement generated. I am most impressed, however, with Dr. Lok, who I found to be one of the most sincere, dedicated and wise man I have ever had the opportunity to meet. The impact of his presence and knowledge upon me will take some time to fully integrate.

Thank you for a truly wonderful educational and vacation experience.

Sincerely,

William E. Van Eerden, M.D.
Senior Staff Psychiatrist

WVE/mjp

Exhibit E 0.107
14
1/17/73

Dr. Lee described the Chinese charts that show the spots on the body for ins...

"That's not fair," she said. "I really deplore people thinking of this as a cure-all. I want to do more research, more honest evaluation."
The course, she said, should be rewarding enough "to encourage doctors to in-

School to Offer Doctors Course in Acupuncture

By Ron Moshowitz
Education Correspondent

The first how-to-do-it acupuncture course in the U.S. for medical doctors will start in San Francisco on January 6. The Chronicle learned yesterday.

The course will run for 12 Saturdays and will be open to physicians, dentists and podiatrists. It has been accredited by both the California and American Medical Association.

Dr. Jane W. Lee, a medical doctor and acupuncturist, will be the main instructor.

But the school will also accept unlicensed "Chinese doctors" and acupuncturists from Chinatown.

The all-day sessions will be held at the San Francisco School for Health Professions at 1550 California street. Enrollment will be limited to 30 doctors willing to pay a tuition of \$1000 each.

Dr. Lee talked the small private school into offering the post-graduate course after the UC's San Francisco Medical Center turned it down.

The school, started by 20 medical doctors here, now trains only para-medical personnel such as medical secretaries, inhalation therapy technicians and operating room technicians.

Dr. Embree H. Blackard Jr., president of the school's board of directors, said that other post-graduate courses will be offered "where there is demand." He conceded that the board was split on whether to offer acupuncture.

Dr. Lee, a member of the board of directors of the San Francisco Medical Association, was interviewed in her offices at 909 Hyde street. Large charts on her wall showed the nearly 500 points on man's body where needles can be inserted to stimulate or sedate the nervous system.

"She said that while she practices some acupuncture, most of her practice is still "Western medicine." She said she hopes the course would help other physicians integrate the centuries-old medicine of China with Western medicine.

"We in the Western medical world must be cognizant of other modes of treatment," she said. "We need all of the knowledge we can get."

The harsh ring of the telephone interrupted the inter-

view. She chatted for a minute, then hung up.

The caller, she said, was referred to her by another physician after two operations failed to relieve the pain resulting from an arm injury sustained in an auto accident. She had given him one acupuncture treatment and he was calling to say that the pain and burning were "almost completely gone" for the first time since the accident.

ATTITUDE

Dr. Lee conceded that some members of her profession think of acupuncture as "just another fad" because medical science cannot prove conclusively how it works.

"Well, we don't know how aspirin works after using it for thousands of years," she said. "But we still use it."

"I'm not asking that we go out and make this a pin-cushion nation. I'm just asking for a chance."

Dr. Lee is pioneering a uniform system for identifying the various needle points on the charts, which now lists

them only by their Chinese names. She has devised a numbering system which she hopes she can convince American physicians to use in their research so their data points will be standard.

✓ George W. Herbach	437-5709
- P. M. Beale	452-8891
✓ Lucille Sivorsky	876-2632
Jack DeLong	451-8324
Luis DeLong	" "
Rachel Moore	" "
✓ Janet Burke	735-8410
✓ Victor Brown	878-1340
✓ Ernest Tolles	564-1525
Marie Walker	736-3834
- Doris Evans	385-2444 (work)
✓ Mary DeVore	457-6281
✓ Angela Russo	734-6582
✓ Mrs. ^{Betty} Hearnig	734-8540
✓ Carl Blue	878-5241
Eddy Malkevic	878-4666
✓ Lada Bertram	382-4260 office Ext. 30 (Mylda)
✓ Ernie Lewis	451-5678
✓ Lorene Adams	878-8038
- Jan Justice	" "
Fredrika M. Pherson	451-8653
Fred Kuesthoff	565-5874
✓ Mrs Helen Fields	452-7183
Dee Simon	382-4679
Ruby White	564-5315
Charlotte Crowley	564-1811
✓ Margaret Ward	382-4769
✓ Bob Hunter	878-1196
✓ Bill Parquet	385-4897

Dean Schmidt 384-9684

Barbara Burger 457-6066 (make)

Helen Haider 384-8784

Ed Lougan 870-0400

Bob & Betty Smith 736-2122

Len & Joe Carlson 384-8410

Ben & Helma Roth 452-7311 (make)

Bob Becker 736-4280

Esther Spahr 736-7775

Margaret Williams 692-2249

Tom Cannon 565-5813

Anna Joe Hefzoff 452-4163

John Cannon 648-8358

Charles Epton 734-0920 (make)

Helen Mc Donald 736-4515

Mary Bonister 457-3465

Ann Singleton 735-2731

Gene Crocker 735-4318 (make)

Ray Morgan 870-6575

Edith Barrett 235-8730

Jimmy Hill 235-3524

Rich Simmons 734-1372

Russell Wilson 564-5965

Sam Sebastian 384-2912

Bell Karavacalis 870-1003 (make)

28
23
4
221
36
70

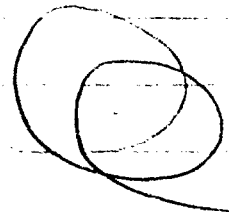
- Mary Posner	739-7343	Call P.M.
- Mary DeFore	457-6281	Call P.M.
- Pete & Ginger Pederson	678-5451-648-7580	
- Carl Blue	878-5241	Call after 11 A.M.
- Sam Riccobono	648-6655	Call P.M.
- Dolores Browning	735-2993	
- Josephine Nelson	565-8022	
And Weasthoff	565-5874	
Gray Carroll	382-6434	
✓ Mrs & Mrs McLeod	457-7766	
✓ Bobbe Searing	734-8540	
✓ Joe Nacio	735-3637	Sat. Morn. 10:05
✓ Albert Lomayo	384-6405	
✓ Gertrude Kirschbaum	451-9430	
✓ Carl Smith	565-3103	
✓ Irene Martin	451-7765	Call P.M.
Barbara Brimmer	878-0793	
Margaret Ratcliff	642-0410	Call P.M.
✓ Jack Rosenthal	734-1627	Call after 12:05
Jan Mall	457-5425	
Ted Lawrence	735-2655	
Bob Fitz	732-3918	Call after 12:05
✓ Elliott Day	878-9710	
✓ Glenda Bowden	382-6038	Call after 6:05
Ray Godfrey	Call Riviera	Graveyard shift
Mrs. Bergendorf	Cosmo Center apt. # 22	
✓ C. Sibbons	732-3668	
✓ Gertrude Battalocke	" "	
✓ Marie Richardson	735-7009	

Erlynn Pemath	736-2183
Elizabeth Robinson	878-8846
Gene Kovach	736-1997
Lee Sharon	736-6786
Mr. Tedder, Tom	451-3743
Carol Hendrickson	451-1428-564-2240
Mr. & Mrs. Bain	565-9434
Wm. Boyd	Call John Babcock
Francis Gilbert	735-3804
Eva Stark	870-5056
Mr. Mark Smith	457-4202
Mary Kolf	735-2678
Harriet Chamberlain	451-1287
Pat Sprout	451-3369 - Home - 452-1960
Richard Walker	698-3467
Cherise Smith	564-1070
Ruth Hartzke	384-5250
Marietta Cade	648-5735
James C. Nelson	878-7517
Sandy McFarlane	649-4434
Serald Edwards	648-8237
Carl Tacker	457-5004
Gene Heppenbaugh	382-9958
Kadeel Kremer	384-2284

- William Shoune	452-2911	
- Lesa Dickerson	457-0404	
Tom and Carolyn Ray	564-5355	
Ruth Miller ✓	564-1430	Rita Parks
John Safcock	565-8375	736-2707
Harold Pierback	648-4219	734-6961
Terraine Jussey Salt Lake City Utah		464-9624 359-4009 564-0764
Larva Nelson	457-4027	Nipper
- Jan Beecher	878-4255	735-4536
- Jerry and Margene Hockley	735-4886	735-4526
Paul Terkacina	870-6115	
Cliff Williams	564-1454	608 AVE. I
John Perhab + Madeline ✓	293-2493	Boulder City
Eva Koermer	293-1742	307 LA Platas
Mary Coalburn	457-7846	Boulder
- Rosabe La Belle	878-6483	City
Don Fedder	452-8439	
- Marie Boesck ✓	565-8102	
- Charles Gray	457-0245	
✓ Bernard Jette	451-4460	
Rita Beetsli	735-6714	
✓ Jerry Struthers + wife	385-1507 (Call again)	
✓ Emma Struthers	565-3011	
Mrs. Winnighoff	565-7017	
✓ Anita Salomi	870-3351	
Mrs. John Manzonie	878-3031 AFTER 3:00	
TERRY Cooperman + husband	735-8250	
Mr. + Mrs. Al Goot	735-4254	
✓ DONNA Branch ✓	735-5741	

✓ Wesley Lott ✓ 649-3745 (work) 382-1929
✓ Bill Hill Carpenter 382-2747
~~Henry Stroh 736-4687~~
George Zettler 735-6387
✓ Louise Ritter - Dr. Wm. 457-5099
Betty McCann ✓ 734-8652

Hela Owens - 648-2532



✓ Mrs. Miva Hill ✓ 736-2714
Bob Connelly - 878-1520
* Sunny Leonious ✓ 732-2805 Call late.

PRESSURE POINTS

PUBLISHED BY A.P.P. TECHNIQUE SEMINARS
A DIVISION OF THE ACADEMY OF CHINESE MEDICINE

ACUPUNCTURE STUDY GROUP OF SIXTY TOURS THE ORIENT

One of the largest groups to visit the Orient in order to pursue their studies of the ancient Chinese art of acupuncture left the United States on November 10th bound for Tokyo, Kyoto, Taipei and Hong Kong.

The itinerary for the group included visits to Oriental hospitals and clinics in order to see acupuncture performed on a first hand basis.

For two weeks the doctors will travel in the Orient hearing lectures, attending seminars and workshops, and observing acupuncture as it is performed in the Orient. The Orientals follow different procedures from the occidentals in as much as they will treat 20 to 40 patients at a time administering various types of treatment simultaneously.

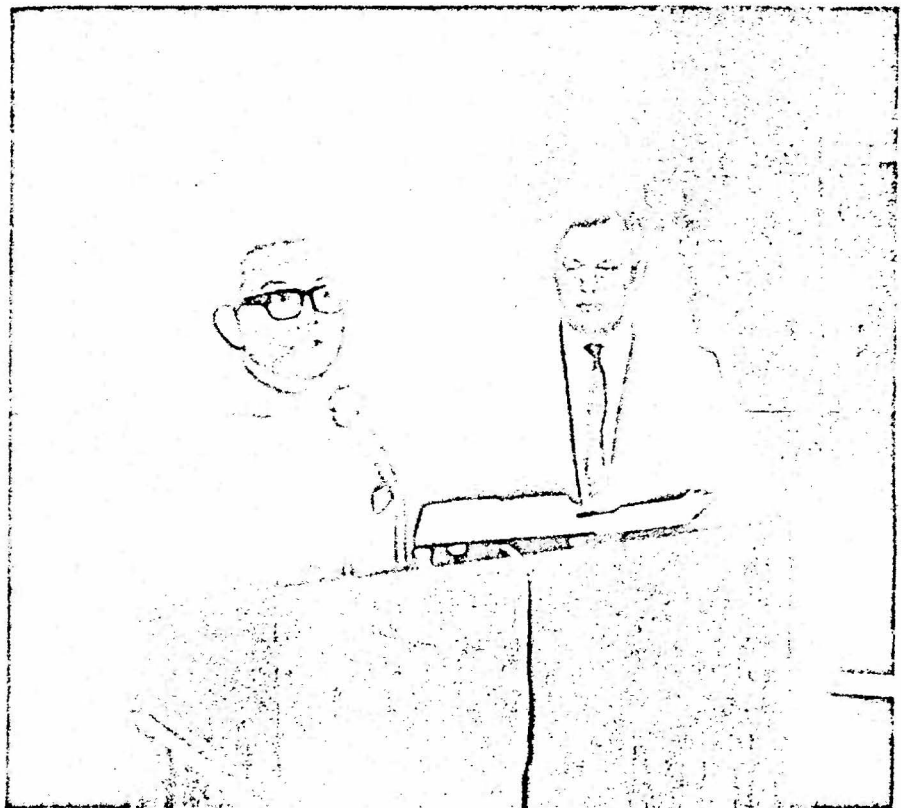
There are, of course, the "fringe" benefits of visiting industrial Tokyo, exotic Kyoto, interesting Taipei and fascinating Hong Kong, where Christmas shopping should be the world's greatest.

For those doctors who do not make the tour, an article covering all of its facets will appear in our next newsletter.

Punctured Psychology

"Her gall bladder's acting up,
She has trouble with her ticker.
No matter how I've suffered,
My friend claims she's been sicker.
I'm afraid our conversation
Is finally at this juncture:
The only way to top her
Is to have an acupuncture."

FIRST PACIFIC ACUPUNCTURE CONVENTION



Dr. Edward Wong and Dr. Felix Mann at the 1971 International Acupuncture Convention in Germany

Since so much interest in acupuncture has been evidenced by doctors all over the United States, we are now planning the First Pacific Acupuncture Convention to be held in Honolulu in early 1973.

One of the principle attractions will be lectures and workshops given by some of the biggest names in the field of acupuncture. We are inviting Dr. Felix Mann, author of many books on acupuncture, Dr. Dieter Gross of Germany, Dr. de Tymowski of Societe Internationale de Acupuncture, Dr. Manaka of Tokyo and Chan Kai Yuen

of Hong Kong. In all, we hope to have seven countries represented.

Those of you who have already attended our basic acupuncture seminar will be interested to learn that we will offer several advanced technique workshops during the convention and attendance of these will constitute eligibility for the exam leading to a diploma in acupuncture. This exam will be given at the convention.

Further information on the convention will be forthcoming in our next newsletter. Should you require details prior to that time, please feel free to write to A.P.P. Technique Seminars.

UNITED WE STAND

Since A.P.P. Technique Seminars office gets calls from doctors all over the country relating both their successes and problems in the use of acupuncture in their daily practice, we have the following to suggest: if small groups of doctors in a common area would be willing to meet once or twice a month the results should prove most beneficial. Ideas could be exchanged, new techniques discussed, difficult cases talked over, problems solved, and a unification would be established.

We understand that a small group such as this is already meeting in Dallas, Texas, so that the doctors involved can strengthen each other's knowledge of acupuncture.

A.P.P. Technique Seminars would be most happy to aid such group meetings by helping with any problems, mailing additional information, or perhaps dropping in if the visit is compatible with our seminar schedules.

Should any of our doctors be interested in forming such a group, we would be most happy to aid in its inception.



"Really, Chang, why don't you just take an aspirin?"

THE HISTORY OF ACUPUNCTURE

A human porcupine—that's the impression an acupuncture patient makes on an onlooker. Actually, the theory behind this rather unusual procedure in medicine is sensible and sound, if somewhat unorthodox to our Western minds.

The history of acupuncture dates back at least 35 centuries. At that early time some prehistoric artist recorded acupuncture treatments by depicting them through etchings on bones. Much later, about 25 centuries ago, the first medical book was written in China. It was titled *The Yellow Emperor's Classic of Internal Medicine* and reputedly resulted from the Yellow Emperor asking his chief physician: "Tell me all about Nature, the Tao, the laws of acupuncture." The book is then question and answer conversations that followed, giving free rein to the recording of Chinese medicinal practices which were already ancient at that time.

Unlike our Western books, however, the Emperor's Classic deals with the subject of medicine as combined with Chinese philosophy, for the Oriental sees the two as very interrelated. This is perhaps best illustrated by the symbol of Yin and Yang.

Yin and Yang is important because this idea molds most Chinese thought and outlook and is inseparable from daily actions. Yin symbolizes female, cold, negative, dark; Yang personifies male, warmth, positive, light. The two are enclosed by a circle depicting the great unity or Tao, that is, infinity or nothingness.

To the Chinese, everything in the universe fits into one of these two principles, including man and his body, for the Chinese agree with the ancient Greeks in seeing man as the microcosm and the universe as the macrocosm. To each of our organs, therefore, is assigned the qualities found in Yin and Yang. Balanced interplay between these two forces gives us perfect health.

Acupuncture comes into the picture when there is an imbalance, or illness, in the body. It consists of either stimulating or retarding the flow of energy along certain lines, called meridians.

Acupuncture is seldom used at the point at which the patient feels pain or discomfort. This is due to the disbelief that the imbalance area has sent a sort of warning signal to the body

via the nervous system. The acupuncturist can then work the process in reverse, aiding the nerve ending, which passes the aid back to the imbalanced organ.

There are five methods employed in acupuncture: heat, electricity, needles, cupping and pressure. These are all equally effective. The key to all the methods lies in the knowledge of the location of the acupuncture points along the body's meridians. Through these, the doctor can stimulate or retard the flow of body energy.

Acupuncture is concerned with healing without the use of drugs and by allowing the body to restore itself to health through its own means once it has been helped by the doctor. The acupuncturist often thinks of the body's healing ability as the "life force" or "body energy".

Acupuncturists are seriously concerned with preventative measures. Because of their involvement with the total health of their patients, they are interested in recognizing problems before they become serious and cause imbalance in the body. By following this protective approach, they are usually able to prevent sickness and allow patients to enjoy good health.

Acupuncture Is Now

Acupuncture has quickly become one of the subjects of highest interest in the U.S. The interest began, of course, with President Nixon's visit to Red China and has mushroomed rapidly in the public eye as well as among practitioners. This is due to laymen seeing a new hope for curing their pains and to doctors finding another method to use in helping their patients.

Wong Pioneer in Acupuncture

Dr. Edward Wong has been a pioneer in bringing acupuncture to Medical Doctors and Doctors of Osteopathy just as Drs. Hauser and Pennel of Clinic Masters have been pioneers in introducing this Chinese art of healing to Doctors of Chiropractic.

Two Standard Seminars

There are two large, standard acupuncture seminars offered in the U.S.; A.P.P. Technique Seminars and those of the American Society of Acupuncture, taught by Drs. Yennie and Nagayama. Both of these groups endeavor to translate Oriental thought and methods to Occidental doctors and practitioners. Many other courses are offered, of course, both by groups and by individuals, such as Shu in Seattle and Leong Kwok Yuen in Vancouver. Dr. V. L. Bridges of Battle Creek is also teaching autonomic nerve adjusting technique seminars, which are based on acupuncture.

Some Creating Difficulties

For the most part, these courses are authentic and worthwhile. Unfortunately, and this is usually the case when anything new springs to public attention, there are also some "authorities" on acupuncture who are merely jumping on the bandwagon because they think they see the road to profit in acupuncture's overnight popularity. Such people are creating difficulties in acupuncture's being accepted by the boards and associations of the healing profession. The doctors who attend these courses are, of course, the best judges. They may, however, have to spend a great deal of money before arriving at their judgment.

State Associations Moving

In order to prevent such things from being carried too far, state associations and state boards of examination are moving to recognize only the qualified groups teaching acupuncture.

WE AREN'T HIDING ANYTHING!

It has come to our attention that some of the doctors have been unhappy with the fact that we do not publish the name of the hotel at which our seminars are conducted. This is due to our policy of requiring doctors to pre-register through our office early rather than show up at the seminar at the last minute. We do not have any registration facilities at the seminars and need to know the number of doctors attending in order to make complete hotel arrangements. In addition, to maintain complete office records, it is necessary that all paperwork be done prior to seminar opening.

MY DENTIST USES NEEDLES

Popular Science, September, 1972— If the thought of dental acupuncture is too painful for you to bear, skip this item. But it has been tried, successfully, in England, at least three times. Dr. Felix Mann, head of the Medical Acupuncture Society in London, reports that a dentist placed needles in his patients' hands and feet, then drilled near a nerve, with no pain in two of the patients and only slight, momentary pain in the third. No mention of how painful the needles were.

EDITORIAL

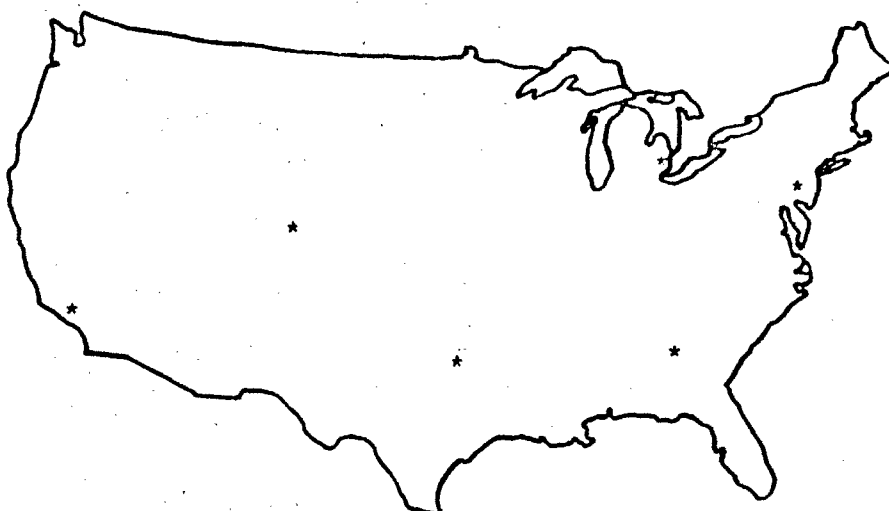
To the Point

There is a misconception running rampant in the general public's mind today apropos of acupuncture. Because of the unusualness and striking impression of acupuncture needles, the publicity has been aimed largely in that direction. Consequently, most laymen and even many practitioners are unaware that needles are only one of five methods employed in acupuncture. We feel that it is essential to stress that acupuncture is NOT needles. Instead, it involves moxibustion or heat, instruments or electricity, thumb and nail pressure, and cupping or suction, as well as the needles. None of the methods are superior to the others. Rather, one may be more appropriate than another for a given condition or point and would therefore be the obvious vehicle for that particular acupuncture use.

We feel that this knowledge is particularly important in view of the resistance which has met the employment of needles in some areas. We suggest, therefore, that an open mind is the best approach to the subject of acupuncture and that the best method applicable be employed.

SEMINAR CIRCUIT ESTABLISHED

In the past six months we have endeavored to conduct seminars in many areas of the United States, traveling to over 15 major cities. This schedule, however, has proven to be exhausting for Dr. Wong, so we have determined six major cities in which we will hold seminars beginning January 1, 1973. These will be: Philadelphia, Atlanta, Detroit, Dallas, Denver and Los Angeles. This will provide a central point for most areas within the U.S. There will, of course, be exceptions for groups in other areas who are able to organize seminars large enough to warrant holding a special seminar.





DR. EDWARD WONG

One of the greatest items of interest on the current American scene is the ancient Chinese art of acupuncture. Although this healing method is 5,000 years old, it is new and exciting to the American public.

American doctors, too, are very interested in this Oriental technique as it offers another avenue of healing for their patients.

We feel, therefore, that you might be interested in an opportunity to be introduced to acupuncture and Dr. E. C. Wong, Master Acupuncturist from the Orient.

Dr. Wong has a personal history in acupuncture as he is from a family of acupuncturists and grew up with the art, learning from both his father and grandfather. His family's practice of acupuncture goes back six generations, starting in 1836.

After Dr. Wong learned Western medicine and graduated as an M.D. in China, he began actively promoting acupuncture in Southeast Asia, Europe, Australia and America. He is responsible for the establishment of research centers in Germany and Spain as well as the inauguration of several acupuncture societies throughout the world. He has traveled extensively to attend international conventions and workshops and in October, 1971, delivered the first full report on acupuncture anesthesiology to the Western world at the International Congress held at Baden Baden. He also contributed to the success of the acupuncture symposium organized during the A.M.A. Convention in California in July, 1972, through his personal invitation to Dr. Felix Mann. Through these international activities he has necessarily been closely associated with many of the renown names of the world of acupuncture: Dr. Felix Mann; Dr. J. de Tymowski, President of International de Acupuncture Society; Dr.

Dieter Gross of Germany; Dr. Akabane of Japan; Dr. Manaka; Dr. Nakatani and others.

Dr. Wong's efforts are not limited to promoting acupuncture, however, as he has also been teaching this ancient healing art to doctors since 1964. Teaching in the U.S. since late April, he has trained more than 300 M.D.'s, D.O.'s and D.C.'s in the art of acupuncture. Doctors of Dental Surgery and Doctors of Naturopathy have all studied under Dr. Wong's tutelage and have indicated a high interest in pursuing acupuncture in their practices.

Although Dr. Wong is only 38 years of age, he is very knowledgeable, as the doctors who have attended his seminars will attest. He, his wife, Margaret, who is a physiotherapist, and his four children are becoming U.S. citizens so that he can continue to devote his time to acupuncture in the U.S.

ACUPUNCTURE SCORES AGAIN

HOUSTON (UPI)—Two doctors at the M. D. Anderson Cancer and Tumor Institute disclosed Thursday that they treated a patient with the ancient Chinese art of acupuncture with apparent success.

The doctors performed the treatment with an acupuncture kit twice last month on a 57-year-old woman who had an unexplained pain in the lower right leg and foot.

Relief of that pain could have required a serious surgical procedure known as cordotomy, which involves cutting fibers in the spinal column.

Acupuncture, as practiced by Chinese doctors for more than 3,500 years, involves inserting thin silver needles into one or more of about 360 different nerve sites on the body.

The doctors said they used acupuncture as a last resort before surgery. If it had not worked the surgery would have been performed.

Doctor's Recommended List

We have received many letters from both laymen and doctors requesting the names of doctors who are practicing acupuncture and would be willing to use it to treat patients. We and therefore compiling a list of such doctors so that we can make recommendations to these people. We do not attempt to recommend one doctor over another, however.

The following are the doctors who are presently on our list:

Dr. Hugh Ilstrup, D.C.

110 W. Camelback Road
Phoenix, Arizona 85013
264-3546

Dr. Maxine S. Brown, D.C.

110 W. Camelback Road
Phoenix, Arizona 85013

Dr. Richard S. Holman, D.C.

2445 Springs Road
Vallejo, California 94590
707-691-0518

Dr. R. Reardon, D.C.

2515 Pacific Coast Highway
Torrance, California 90505
213-373-1345

Dr. Pierce C. Evans, D.C.

107 W. Oak or P.O. Box 443
Lamar, Colorado 81052

Dr. Jerome R. Stewart, D.O.

8721 E. Jefferson
Detroit, Michigan
822-1130

Drs. Katharine & Terry Hovey, D.C.'s

18424 Soledad Canyon Road
Saugus, California 91350
805-251-1970

Dr. A. G. Tasaka, D.C., N.D.

2533 Salt Lake Street
North Las Vegas, Nevada
642-9215

Dr. Gary Bennett, D.C.

Magnetic Clinic
249 West 25th Street
Houston, Texas 77058
713-864-7739

Dr. W. F. Hankins III, D.C.

413 Garfield Street
Laramie, Wyoming 82070

Dr. C. H. McJunkin, D.C.

1800 E. Bell Road
Phoenix, Arizona 85022
602-992-7030

Dr. Pete Johannsen, D.C.

851 4th Avenue
Yuma, Arizona 85364
602-783-0601

Dr. Charles E. Foster, D.C.

5586 Bloomfield Shopping Ct.
Macon, Georgia 31206
788-8106

Dr. C. A. Call, D.C.

4314 East Indian School Road
Phoenix, Arizona 85018
955-1360

(Continued on Page 6)

OUR DOCTORS WRITE



KAYE GIBSON

Serving as Administrator for A.P.P. Technique Seminars, Kaye Gibson concerns herself with the organization and management of the seminars rather than the clinical direction of acupuncture. She has, however, been interested in things Oriental for many years. This originates from having resided in Hawaii, collaborated with Dr. Wong on Chi Kung, another field of Chinese medicine; and traveled in the Orient.

Born in Houston, Texas, she attended college there, receiving her B.A. and M.A. in English literature. The subject of her Master's Thesis, incidentally, was Witchcraft In Renaissance England. She taught literature, composition and technical writing for the English department and served as a technical writer and administrative assistant for the engineering college at the University of Houston.

Her husband's work brought a transfer to Honolulu, Hawaii, where Kaye pursued her forte as a free lance writer for magazines. In this capacity, she became acquainted with Dr. Wong and assisted him by writing a textbook on Chi Kung. Living in Hawaii also permitted her to travel in the Orient.

Subsequent to her move to Denver, she and Dr. Wong aspired to work cooperatively to organize acupuncture seminars for U.S. doctors in an effort to extend the knowledge of Chinese acupuncture. Apropos of this endeavor, she has been invited to lecture, has appeared on television and radio and is currently writing a book.

She travels to the larger seminars held by Dr. Wong and herself, lectur-

Many of the doctors who have attended our seminars have kept in touch to relay their successes on to us. Because we thought that such results might benefit our doctors in general, here are a few of the reports:

Dr. W. F. Hankins of Laramie, Wyoming, finds acupuncture to be most beneficial in relieving the symptoms of asthma, sinus conditions, headaches and neuritis, especially bronchial and sciatic types.

Dr. Gary Bennett, Houston, Texas, reports excellent results in cases of shoulder pain and rheumatoid arthritis. In the former, a 68 year old female suffered from intense shoulder pain and could not move her arm. After three acupuncture treatments her pain

was gone, her arm was normal and she was dismissed.

A doctor in Phoenix reports success with the treatment of sinus headaches in patients with a long history of such problems.

An unusual item comes from **Dr. Fred Garland** of Dallas, Texas, who tried acupuncture on Blackie, the 12 year old family spaniel. Blackie has been deaf for the past year, but after pressure was applied to the appropriate acupuncture points, he now comes when called. **Dr. Garland** has also had good results with two patients suffering from hearing losses.

Success reports have also come from doctors in Michigan, Georgia, California, Nevada, Colorado and Illinois.

ing on the history and philosophy of acupuncture and coordinating the courses. When her presence is not required at a seminar, she carries on in Denver managing the business of A.P.P. Technique Seminars and promoting acupuncture.

Both she and Dr. Wong feel that acupuncture has much to offer as a healing art and would like to see it firmly established in the field of American medicine.

UP, UP AND AWAY!

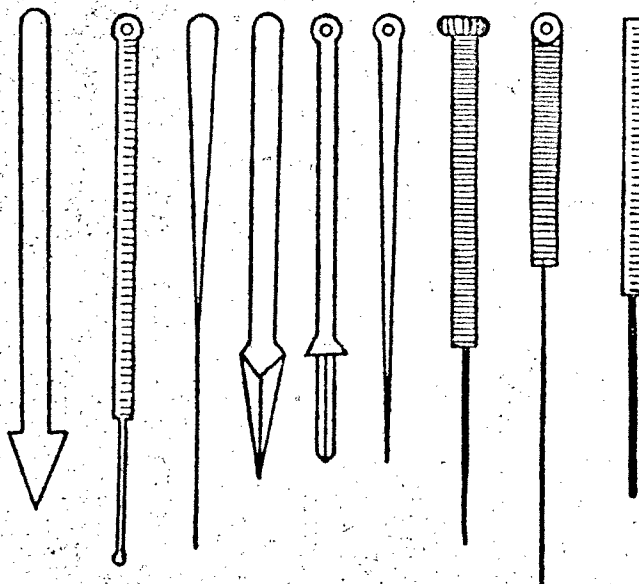
Due to the high costs of hotels and printing expenses, we have found it necessary to plan a fee increase effective November 1. Our previous seminar price was \$175.00; as of the above date, our fee is \$225.00.

DID YOU KNOW? . . .

That the first Chinese needles were made of stone? In fact, acupuncture was discovered when it was noticed that a soldier shot with a stone arrow in one place, lost pain in another. Consequently, stone needles were used to treat patients for many years, as were needles made of bones.

In later times needles of porcelain were invented and used because of their smoothness and ease of insertion.

Still later, after metal was discovered, needles of different metals and alloys were employed until we come to today's needles of stainless steel and other more sophisticated materials.



HISTORICAL ACUPUNCTURE NEEDLES

PUBLICITY

Acupuncture has certainly taken the healing world by storm, as is evidenced by high public interest everywhere one turns. The best examples are probably television talk shows and magazine coverage. Newsweek recently did a cover story on acupuncture which was both thorough and open-minded. One of Newsweek's reporters interviewed Dr. Wong at our office and explained that they were interviewing knowledgeable acupuncturists all over the U.S. and Canada. Our congratulations to them for an excellent compilation of material.

Radio and TV Publicity

Both Dr. Wong and Kaye Gibson have been invited to appear on talk shows on radio and television, as well as to give public lectures. They tend to be careful about publicity, however, since they are unwilling to expose doctors who have attended seminars but do not yet feel capable in acupuncture to the public eye. Many of our doctors are practicing acupuncture already and, if the doctors so desired, have been put on our "Doctors Recommended List" to be given to laymen writing our office seeking help. We do not feel, however, that our seminars make doctors experts on acupuncture. It merely provides them with the tools; how diligently they use them is up to the doctors themselves.

DOCTOR'S RECOMMENDED LIST

(Continued from Page 4)

Dr. Leroy O. Hoyte, D.C.
846 Danforth Avenue
Toronto 6, Ontario
465-2431

Dr. William B. Marshall, Jr., D.C.
6399 Sylvania-Petersburg Rd.
Ottawa Lake, Michigan 49267
313-888-7181

Dr. T. Alan Hawley, B.A., D.C.
809 North A Street
Oxnard, California 93030
805-487-8582

Dr. A. J. Sosebee, D.C.
1305 Broadway
Little Rock, Arkansas
372-0522

If you have attended our acupuncture seminars and feel yourself to be qualified for treating patients with acupuncture, we will be happy to add your name to our list. We do, however, request you be certain of your abilities before contacting us.

ACUPUNCTURE IS HERE TO STAY

Birmingham, Alabama (UPI)—Acupuncture will soon be used to lessen the pain of some patients at the University of Alabama Medical Center.

Dr. Guenter Corsen, chairman of the anesthesiology department, said medical authorities in Peking had been asked to help arrange for a Chinese expert in acupuncture to come here and work with doctors.

"We just feel there are certain pain problems that are hard to treat using Western methods," Corsen said, "and we think acupuncture could give us more leeway in treatment."

ACUPUNCTURE SET AT MED CENTER

Unless registered doctors are qualified through sufficient training, Acupuncture will not be accredited by the profession. A.A.P. Technique Seminars realizes that associations, state boards and state legislators are considering updating the laws to recognize acupuncture as a bonifide healing art in the United States. We have proposed the following program as a postgraduate course for those who are interested:

ACUPUNCTURE TRAINING PROGRAM

COMPLETION OF THE FOLLOWING IS A REQUIREMENT FOR THE POST GRADUATE ACUPUNCTURE CERTIFICATION COURSE. (360 CREDIT HOURS)

- 1—General Introduction
- 2—General Features of the Meridians
- 3—The 12 Main & 2 Extra Meridians
 - MAIN—
 - I. Lung
 - II. Large Intestine
 - III. Stomach
 - IV. Spleen
 - V. Heart
 - VI. Small Intestine
 - VII. Bladder
 - VIII. Kidney
 - IX. Heart-Constrictor
 - X. Tri-Heater
 - XI. Gall Bladder
 - XII. Liver
 - EXTRA—
 - XIII. Conception Vessel
 - XIV. Governing Vessel
- 4—The Acupuncture Points
 - Important Points On:—
- 5—Lung & Large Intestine Meridian
- 6—Stomach & Spleen Meridian
- 7—Heart & Small Intestine
- 8—Bladder & Kidney Meridian
- 9—Pericardium & Tri-Heater Meridian
- 10—Gall Bladder & Kidney Meridian
- 11—Conception Vessel & Governing Vessel
- 12—Frequent Use Extra Points
- 13—Other Important Points
- 14—Selection & Prescription of Points
- 15—Technique of Acupuncture
 - a) The Needle for Acupuncture
 - b) The Moxa Rolls for Moxibution
 - c) Location of Points
 - d) Preparation of Treatment
 - e) The Technique of Stimulating & Sedation
- 16—The Principle of Acupuncture Treatment
- 17—Treatment of General Diseases
- 18—Treatment of Diseases of Women
- 19—Treatment of Diseases of Children
- 20—Treatment of "Pain" Cases
- 21—Uses of "Ear-Needle"
- 22—Uses of "Seven Points" Needles
- 23—Uses of "Intra-Cutaneous" Needle
- 24—Uses of "Sucking" Bottle
- 25—Principle of the Yin & Yang
- 26—Principle of the 5 Elements
- 27—The Chinese Medical Philosophy & Terminology
- 28—The Causes of Diseases According to Chinese Medical Theory
- 29—Principle of Chinese Medical Diagnosis
 - 1) To Observe
 - 2) To Hear
 - 3) To Query
 - 4) To Feel the Pulse
- 30—Principle & Application of Dr. Akabane's "Heat-Sense" Test and Theory
- 31—Principle & Application of "Ryodoraku" Theory (Autonomic Nervous System)

seminar fee

Because A.A.P. requires a special personalized instruction, classes are limited to 35 doctors.

Registration is accepted only if accompanied by a check in full. This is necessary in order for arrangements to be made. Only registered and qualified doctors will be accepted.

The course cost is \$225.00 per seminar for doctors attending for the first time. The above schedule is for our seminars. If a workshop is also included, the notice appears after the name of the city. There will be three different workshops offered for doctors wishing to return. These will cover advanced techniques for special problems. Dr. Wong recommends a two month practice period between the basic course and the workshops. Upon completion of the basic seminar, the three advanced technique workshops, and a qualifying examination, doctors will be awarded a diploma. The cost for the advanced workshops is \$75.00 each.

Applications must be in at least one week before the date of each seminar. When enrollment reaches the class limit, checks will be returned or credit will be transferred to other seminars, whichever is preferred. Apply early to assure acceptance.

Please mail the following application with your check to :

Kaye Gibson, 462 South Jasmine Street, Denver, Colorado 80222 or phone (303) 355-4018 if necessary. Please remember Time Zone differences.

A.A.P. Technique
Application for Seminar Enrollment

NAME _____

ADDRESS _____

TELEPHONE _____

SEMINAR TO BE ATTENDED _____

A.A.P. TECHNIQUE SEMINARS
462 SOUTH JASMINE STREET
DENVER, COLORADO 80222

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PAID
Permit #112
Denver, Colo.

13158
DR ION WORTHAN 89
3045 TALBOT CIRCLE
LAS VEGAS NV 89109



F. H. H. E.

Acupuncture Frees Cripple From His Wheelchair After 30 Years of Pain

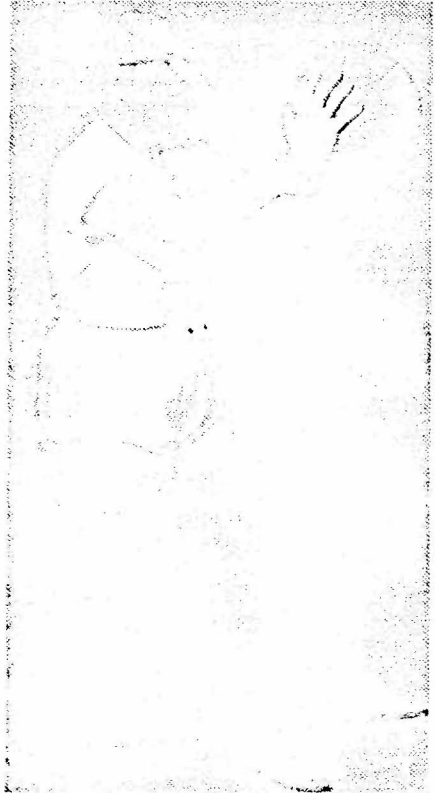
By EDWARD B. CAMLIN

More than once, Philip Kaplan thought of committing suicide.

For 30 years pain from his spine — triggered by a 1942 jeep accident — gradually became so intense he was forced to use a wheelchair until last summer.

That's when he received acupuncture treatment — the Chinese art of curing by sticking needles into the body — and his pain ended.

"Now I play basketball a couple of times a week. I walk 4 miles a day and I dance with my wife on weekends," said Kaplan, a 56-year-



CURED: Philip Kaplan keeps fit by playing basketball.

old printer from Hamilton Township, N.J.

The mayor of Trenton, N.J., Arthur Holland, said of Kaplan's amazing recovery: "I saw him immediately before he started the acupuncture treatment and he was wincing with pain even when he was sitting in his wheelchair.

"Today he's as fit and active as any man his age."

Since Kaplan was injured in 1942, a burning sensation in his back and legs increased over the years. By 1963 he was wearing neck and back braces and walking with crutches. Later he had to use a wheelchair.

"Everytime I went to the hospital, I had a different diagnosis. I had three operations that cost me \$57,000 and none of them worked," he said. "Several times I felt like ending it all."

Then last summer two friends told him about startling successes with acupuncture. "At first I was very skeptical, but I was about to have doctors cut my nerves and free me from pain — even though it meant losing the use of my legs," he said.

Last August 4, Kaplan entered the New York Center for Acupuncture in a wheelchair. Chinese acupuncturist Dr. H.Y. Fong inserted needles in Kaplan's neck and legs for 15 minutes.

"I felt plenty of pain, but in 60 seconds it was gone. I still can't believe it really happened, but right away I was able to stand up."

Dr. Joseph Janes of the Mayo Clinic in Rochester, Minnesota said: "Mr. Kaplan was a patient of mine.

"I performed an operation in the hope of alleviating his pain but it was only temporarily successful."

The entire acupuncture treatment, including five additional sessions, cost Kaplan \$150. "Since the treatment, I haven't felt the slightest sensation of pain," he said.

Acupuncture Business Up 100-Fold in Hong Kong Since Nixon's Trip to China

Business for acupuncturists in Hong Kong has increased "100-fold" since President Nixon's China trip. the United States in attendance at his July lectures alone.

Prof. Lok Yee-king, who teaches the medical needle art to Westerners, reported that he had 500 doctors from the Hong Kong Assn. of Acupuncturists, plans to expand his school if the trend continues.

Flourishes in Algeria

Peking Medical Mission Brings Relief From Pain to Thousands of Peasants

BY JOHN ROGERS

Exclusive to The Times from Reuters

MEDEA, Algeria — "I heard they were doing miracles here with their needles," confided Hany Hallil, a Lebanese businessman from Beirut. "So here I am."

We are in a ward at the only hospital in this small town 30 miles south of Algiers.

On the bed is 8-year-old Nada Hallil, who has been suffering acutely from asthma for the past three years and has just had her first session of acupuncture treatment from the Chinese experts who staff the hospital.

"We tried hospitals in the United States and found no positive results," her father says. "We tried many medicines. Then I read about a Lebanese who'd been cured by acupuncture . . ."

Doctors Modest

The Chinese doctors who staff the 600-bed Medea hospital speak modestly about their successes.

Mohamed Baydoum, a 22-year-old Lebanese schoolteacher, was suffering from multiple sclerosis. Like Nada Hallil, he tried American hospitals without positive results—then came to Medea.

"With traditional medicine and acupuncture, it's going much better," said Dr. Wu, head of the hospital team. "When he left us, he was walking." Baydoum will be back for a followup session in a few months.

Wu stressed that one should not talk of acupuncture as necessarily curing, but rather of its relieving pain, and it is effective only for certain chronic or functional complaints such as rheumatism, asthma, insomnia and the aftereffects of polio.

Noted for Acupuncture

There are 27 doctors and one nurse in the Chinese team at Medea—six of them women—and most of their work is in modern methods of medicine and surgery. But the team is best known for the 2,000-year-old acupuncture treatment carried out by its four specialists, often in conjunction with traditional Chinese herbal medicine.

They started work in October, 1960, and the word spread quickly on the intervillage grapevine, not only throughout Algeria, but also abroad. About 60 patients came from Morocco, Tunisia, Lebanon, France, West

Germany and elsewhere last year for acupuncture.

Wu tells of the wife of a French economist who suffered from insomnia—"she was only sleeping one or two hours a night. Now, after a few acupuncture sessions, she sleeps nine."

The 6-year-old daughter of an African ambassador in Paris was suffering from paralysis after polio. "Now she walks well," Wu said.

Algerian patients have included two ministers' wives and a minister—and thousands of peasants from all over the country come every month.

Strength Doubled

In a country where more than two-thirds of the 1-700 doctors are foreigners working under cooperation schemes, the Chinese assistance is among the most appreciated by the Algerian authorities.

The first Chinese doctors came to Saida in western Algeria nearly 10 years ago. Other clinics were installed later and, last

April, Algiers and Peking signed an agreement more than doubling the strength of the Chinese medical mission.

There are now 160 Chinese doctors, nurses and teachers (who run courses for Algerian paramedical staff) spread over seven hospitals. Since the new clinics were set up this year, the Chinese medical cooperation program in Algeria has become the biggest to be mounted by Peking in the Third World.

Stress Cooperation

Although it is the silver-and-steel acupuncture needle that has made the name of the mission, only 11 of the 160 members are acupuncture specialists.

Chinese officials and the doctors here stress that cooperation between them and the Algerian authorities is very good.

The Chinese come for two years or so—"we volunteer to come abroad, we are told, where we are going"—leaving their families behind.

Their success has been so marked that Algeria is now seeking to extend the cooperation program to include exchanges between experts in medicinal plants, of which Algeria has a rich and varied stock.

There are also prospects of young Algerians being trained in acupuncture techniques.

From L.A.
Times

12/10/72

Famous Doctors All Over the World Couldn't Help Him, Then . . .

A wealthy Mexican car dealer, who was unable to walk for eight years, says he took his first steps unaided after a Chinese doctor stuck needles in him.

The doctor's acupuncture method, used in China for 4,000 years, let Alvaro Montenegro walk again, something the world's top specialists couldn't do.

The doctor, Thomas Yuri, 49, of the Portuguese province of Macao, 40 miles from Hong Kong, said of his patient:

"I am sure Alvaro will be able to swim and take part in other sports before long. You can see for yourself that he can now walk. The operation has been totally successful."

Montenegro, 54, was struck by the disease "tabes dorsalis," which results in failure of muscular coordination.

"I went to famous doctors in the United States, in London, Zurich, Spain and Berlin, but none of them could help me," he said during an interview in Macao. "Time and again I was told I could not be cured. But I had plenty of money to keep trying.

"Then I heard of a good acupuncturist operating in Macao," Montenegro continued. "I went to him, he examined me and said: 'I can cure you.'

"The treatment lasted three weeks. "And right from the start, I started

Chinese Doctor's Acupuncture Treatment Cures Man Who Had Not Walked in 8 Years

to regain control of my muscles.

"Stainless steel needles were inserted into my legs and body for several minutes at a time. The needles were put in at precise points, and amazingly there was virtually no pain.

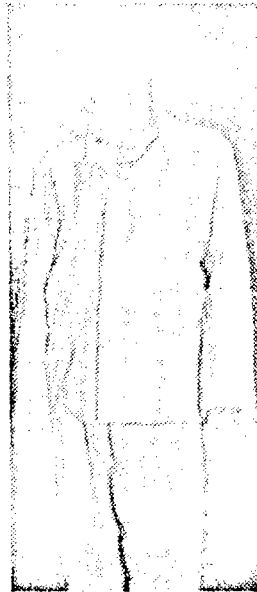
"The treatment continued — and quickly I could feel the power to walk again. At first I could just hobble slowly, by holding onto something. Then I could totter a few steps by myself before falling.

"Now, I can actually walk, almost like before I was stricken. And, the doctor says it will just be a matter of my muscles toning up after years of non-use."

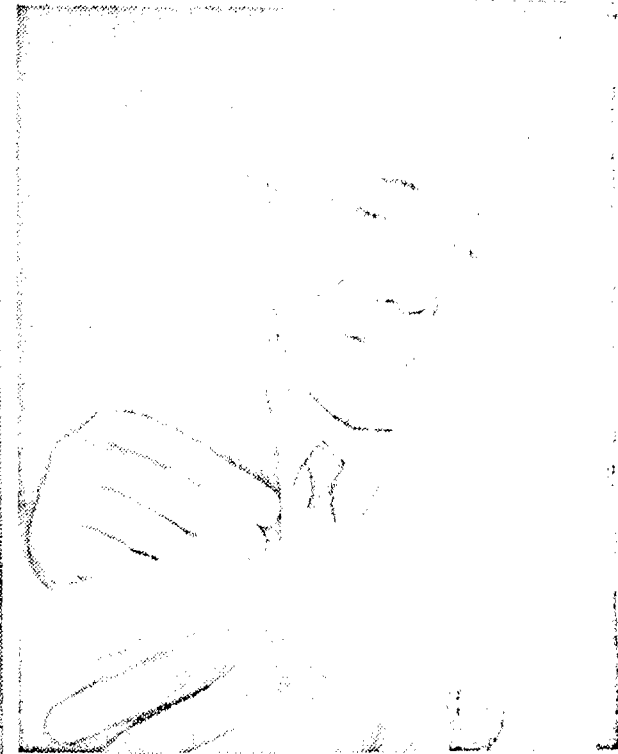
Professor Lok Yee-kung, president of the Hong Kong College of Chinese Acupuncture said:

"I am sure acupuncture will become the 'wonder' treatment of the 1970s and provide relief from a whole range of illnesses to millions."

— ROBERT DOMAY



WALKS UNAIDED
Alvaro Montenegro



EXPERT: Professor Lok Yee-kung demonstrates the acupuncture method by inserting a needle in his hand.

NATIONAL
INQUIRER

9-16-72

C. Roberts
11 8.4

SENATE COMMITTEE ON
HEALTH, WELFARE AND STATE INSTITUTIONS

MINUTES OF MEETING # 17

MARCH 26, 1973

The meeting convened at 8:30 a.m.

Senator Walker in the Chair.

PRESENT: Senators Herr
Neal
Drakulich
Raggio
Swobe

Other interested citizens, list of which is hereto
attached as Exhibit A.

SB 504 Creates position of staff attorney for Indian Affairs
Commission.

Mr. Raymond Yowell, Inter-tribal Council, testified
on this bill, stating that a staff attorney was needed badly
by his people, mostly in civil matters. He stated that there has
been instances where indians have been jailed for as long as 15
days, without charges declared.

Senator Herr Moved for "Do Pass" with referral
to the Finance Committee. Senator Drakulich seconded the
motion, and it was so carried.

SB 448 Regulates separately practice of Chinese Medicine.

Mr. Bryce Rhodes, Attorney for the Nevada State Medical
Association and State Board of Pharmacists spoke as witness on
behalf of these organizations, who unequivocally opposed this
bill, as it now reads. They (these organizations) felt that
acupuncture should be evaluated under the proper setting such
as controlled hospital study, which would allow for the necessary
research needed before it could be classified as a 'medicine'.
Mr. Rhodes stressed the point that in his opinion, this bill
was written for one person.

Senator Swobe commented that it was his understanding
that 'hospital space' was at a premium, and thus questioned the
above suggestion, adding that to amend this way in this fashion
would be to keep away the multitudes were in greatest need of
acupuncture treatment. Senator Herr concurred with this statement.

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 17
MARCH 26, 1973
PAGE 2

Senator Herr asked why, all of a sudden, the interest from the medical factions, when in fact, acupuncture has been in existence for thousands of years? Why did they not make their sentiments known prior to the introduction of SB 448?

Mr. Rhodes replied that he would rather see AB 673 passed in lieu of SB 448.

Dr. Sande, President of the Nevada Medical Association, testified also, reiterating much the same content as that of Mr. Rhodes. See Exhibit B hereto attached for detail. He requested that he go on record as supporting AB 673, instead of SB 448.

Master Ju, an experienced and licensed acupuncturist of high esteem appeared before the committee with Steve Rosenblatt, a Ph.D. candidate in Physiology - UCLA, who acted as his interpreter. Mr. Rosenblatt is also a licensed acupuncturist in California and heads the UCLA Acupuncture Clinic. Master Ju is founder of the NAA (National Association for Acupuncture), with 30 years' experience and practice in acupuncture.

These gentlemen spoke on behalf of SB 448, outlining briefly, the work they have accomplished in Southern California, and the research experiments currently being conducted there. The results of this research, using squirrel monkeys, was unavailable at this time, due to pending completion of papers on same. Their testimony was well documented, and objective in nature, approached from a scientific view rather than emotional desperation as has been the testimony in the past.

Mr. Rosenblatt explained that acupuncture is now taught in conjunction with medical courses at most universities in China.

Senator Walker asked if it did more than neutralize pain, to which the reply was 'yes'. E.g., it has proven effective in the removal or disintegration of blot clots, muscular dystrophy, and various phases of mental illness.

Senator Walker then asked how, if acupuncture were instated into law, control of this facet of Chinese medicine would be obtained.

Mr. Rosenblatt replied 'by a board', and offered to confer with this committee, to lend whatever assistance he and his group could, in order to set standards for such a board.

Mr. Rosenblatt felt that it was imperative to initiate

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 17
MARCH 26, 1973
PAGE 3

in this country, a 'Health Care Delivery System'. As further attempts to assist, Mr. Rosenblat offered names and references of M.D.'s in California who had helped establish the California legislation, -- define the boundaries, and initiate a method of control. Refer to Exhibit C hereto attached, for details.

Senator Walker asked if there was so far, any proof, which would substantiate the 'flow of energy' theory upon which acupuncture is based.

Mr. Rosenblat replied in the affirmative, describing a new technique developed in Russia, utilizing acropetal photography.

Senator Swobe asked if he felt that the interference of M.D.'s had impeded their efforts. Mr. Rosenblat replied that M.D.'s using acupuncture without the proper training have done 'horrendous' damage. On this note, he again stressed the need for safeguards in considering this kind of legislation, and suggested an interim committee be established for a period of 6 months, and let them decide the limits, dangers, etc., that would dictate the safeguards necessary, and that as director of such a committee, a licensed acupuncturist be instated. He suggested that this committee inquire of Dr. Duffy, the procedure to follow and criterion necessary to establish. He advocated restrictions on acupuncturists, such as not being allowed to write prescriptions, or treat broken limbs, etc.

Senator Drakulich felt that we should not restrict such a committee during its trial period, and hence, moved for a "Do Pass" on SB 448. Senator Herr seconded the motion, and it was thus carried, at a meeting held that evening.

Dr. Cavelle, Ear, Nose, and Throat Specialist from Reno, then testified against this bill, on the basis of lack of medical diagnosis, aided by x-rays, E.K.G.'s and E.E.G.'s, etc. He referred to acupuncture in terms of 'a religious experience', and urged the committee to consider the welfare of citizens first.

Senator Neal responded that the committee did indeed have the welfare of the people in mind, and its responsibility was to provide health care to those people. Further, that if the AMA was not prepared to accept this responsibility, that this committee was ready, willing and able to accept it for them.

SB 448 having received a "Do Pass" vote, further discussion was tabled.

Nevada State Board of Medical

3660 BAKER LANE • RENO, NEVADA 89502 • TELEPHONE (702) 825-5183

Examiners

LESLIE A. MOREN, M.D., President
REUBEN ZUCKER, M.D., Vice Pre
KENNETH F. MACLEAN, M.D., Secretary-Tre
RICHARD D. GRUNDY
KIRK V. CAMMACK

MR. NELSON B. NEFF, Executive Sec

The objective, purpose and function of the State Board of Medical Examiners is to insure the best medical care for the people of the state and to protect the citizens in all ways so the best possible medical care is obtained and to protect the people of Nevada from methods which have not been scientifically proven.

In the opinion of this Board the practice of acupuncture constitutes practice of medicine as defined by the statutes of the State of Nevada.

Although acupuncture has been an important part of the theory and practice of Oriental medicine for several centuries, its concepts and uses are not understood by Western medicine; only recently has it been considered in the United States for its potential value. Very little scientific literature on this topic has been published in Western nations or even in China. Because of the lack of understanding by Western medical scientists, and because of potential harm which acupuncture might produce in patients for whom the treatment of symptoms would mask a serious or perhaps fatal condition otherwise amenable to treatment aimed at the cause, the Nevada State Board of Medical Examiners has concluded that at this time, acupuncture is not sufficiently well understood to be an acceptable method for use in the practice of medicine in this state.

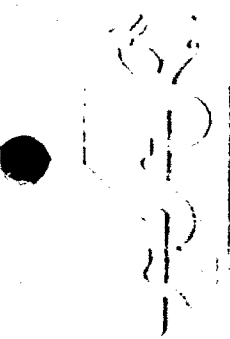
To our knowledge acupuncture has not been licensed in any state in the U.S. Research in a university or hospital setting is supervised by the National Institutes of Health which has initiated a major study of acupuncture.

March 8, 1973

288

17
3/26/73

Exhibit B
p. 1 of 5 pgs



NEVADA
STATE
MEDICAL
ASSOCIATION

3660 BAKER LANE • RENO, NEVADA 89502 • TELEPHONE (702) 323-6788

JOHN P. SANDE, M.D., President
THOMAS K. HOOD, M.D., President-Elect
JOHN W. CALLISTER, M.D., Secretary-Treasurer
WILLIAM D. O'GORMAN, M.D., Immediate Past President
HUGH C. FOLLMER, M.D., AMA Delegate
C. NORMAN CHRISTENSEN, M.D., AMA Alternate Delegate
NELSON B. NEFF, Executive Director

March 17, 1973

Hon. Lee E. Walker, Chairman
Committee on Health, Welfare and State Institutions
Nevada State Senate
Legislative Building
Carson City, Nevada

Dear Senator Walker:

In a meeting held today, the Executive Committee of the Nevada State Medical Association voted in support of A.B. 673 which will allow evaluation of potential hazards and benefits of acupuncture.

Sincerely yours,

John P. Sande, M.D.
John P. Sande, M.D.

February 27, 1973

Senator Lee Walker
Chmn Health Welfare and State Institutions

RE: Information on pending acupuncture legislation

Dear Senator Walker:

The California State Assembly has certified the National Association for Acupuncture (NAA) as the official agency for the licensing of qualified persons to practice acupuncture. Steven Rosenblatt, a PH. D. candidate in Physiology at UCLA and a licensed acupuncturist in California, is the head of the UCLA Acupuncture Clinic and would be pleased to appear before your committee or to offer any information he can concerning the practice and licensing of acupuncture. Also willing to testify is the Chairman of the Board of NAA, William Prensky.

The NAA requires that its members have at least five years of training. Mr. Rosenblatt has completed three and one-half years of study at the Hong Kong University of Acupuncture and has trained for five and one-half years under Mr. Gim Shek Ju, Master of Acupuncture and founder of the NAA with thirty years of practice in acupuncture. Mr. Prensky has eight years of training in acupuncture.

The NAA would like to see licensing in Nevada done by a board consisting of equal numbers of NAA members and MDs and the practice of acupuncture done only in the presence of a Medical Doctor.

Mr. Rosenblatt and Mr. Prensky would prefer a week's notice before any hearing. If given sufficient notice they could also arrange for Master Ju to attend. Mr. Rosenblatt can be reached at his office (213-478-1036) or at his home (213-826-6771). Two proponents of the legislation in California, Ass. Gordon Duffy, Chmn of Health and Manpower, and Doctor Thomas Elmandorif, President-elect of the California State Medical Association who is referring his patients to an acupuncturist, might also be useful to contact.

290

17 - 3/26/73

- Exhibit C

P. 1 of 9

Chairman Walker, Members of the Committee:

97 Mr. Jandell
E. J. Jandell
C

I am here to present the views of the Nevada State Medical Association relative to proposed legislation concerning acupuncture. Some of the members of this committee have already been ^{treated by} ~~subjected to~~ acupuncture or witnessed the demonstrations by Professor Lok through the efforts of Mr. Arthur Steinberg. Even the Nevada State Journal Editor got into the act Sunday in an editorial with the headline "Acupuncture deserves unbiased consideration" and this was followed by ^{a plug to legislation of} ~~the promotion of~~ acupuncture pronto. I do not believe this editorial writer would be selected to sit on a jury to judge acupuncture because he already has a definite opinion.

Acupuncture is not new to the western world. In 1836, an article appeared in the Boston Medical Surgical Journal extolling the virtues of acupuncture in pain relief. As noted in the New York Times December 27, 1972, acupuncture has been practiced in New York for more than 100 years in Chinatown, sometimes in filthy holes in the back of a store.

Recently other states have been confronted with proposed legislation relative to acupuncture so may be we should evaluate how other state legislatures have reacted:

(1) NEW YORK STATE

New York State generally requires that only licensed physicians may practice medicine. Therefore, the state board of medicine ^{and} Dept. of Education declared acupuncture may only be performed in conjunction with experiments by or under supervision of a licensed physician in approved institutions (example: medical school and affiliated hospitals).

This ruling was handed down originally on July 26, 1972, and was reaffirmed on November 18, 1972, On January 3, 1973, Gov. Nelson A. Rockefeller in his message to the New York State legislature appointed a state commission on the uses and regulations of acupuncture. The commission will have the responsibility for the collection and evaluation of current scientific and clinical information on the validity of acupuncture as a preventive

diagnostic and therapeutic technique. The commission will also be charged with assessing the need for necessary legislation specifying the conditions under which acupuncture may be practiced, and the qualifications, training, regulation, and licensing of persons permitted to practice acupuncture.

The following is a partial list of some of the projects established or in the process of development in regard to acupuncture. in N.Y

- (1) Mt. Sinai School of Medicine is co-sponsoring projects with:
 - (a) The Hospital for Joint Disease- study aimed especially at arthritis sufferers.
 - (b) New York League for the hard of hearing - treatment of nerve deafness in children.
- (2) New York Medical College in conjunction with Grasslands Hospital
 - Pain clinic under the responsibility of the Department of Anesthesiology.
- (3) New York University School of Medicine - Basic research in pain controls on anesthesia in dentistry.
- (4) Plus studies by Albert Einstein Medical College, Downstate Medical Center, and Albany Medical College.

In regard to other state legislative action, California added section 2145.1 to the Business and professions Code to read:

The performance of acupuncture by an unlicensed person alone or in conjunction with other forms of traditional Chinese medicine, when carried on in an approved medical school for the primary purpose of scientific investigation of acupuncture, shall not be in violation of this chapter, but such procedures shall be carried on only under the supervision of a licensed physician and surgeon.

Washington State - the performance of acupuncture by an unlicensed person, alone or in

(3)

conjunction with other forms of Chinese medicine, when carried on in a hospital offering courses of medicine, shall not be in violation of this chapter, but such procedures shall be carried out only under the supervision of a licensed physician and surgeon.

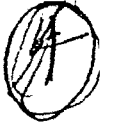
There may be other states that have passed legislation on acupuncture at this time but I do not have the information.

The sentiments of most of the doctors of medicine practicing in Nevada could be expressed by the comments of the commissioner of Education of the State of New York. The following is a verbatim presentation:

"Acupuncture, an ancient oriental method for treatment of ^{PAIN} ~~pain~~ and production of anesthesia, has been used for centuries without any basic scientific explanation of how the procedure actually produces its effect. Until fairly recently, its use in the Orient followed a diagnosis based upon an analysis of the "twelve pulses." At the present time, this oriental diagnostic technique has been discarded, even in the Peoples Republic of China, for a "Western-style" medical diagnosis prior to the administration of acupuncture.

Acupuncture has produced beneficial results in many well documented cases; its use has been totally without benefit in other patients. If the procedure is not performed properly, it can produce side-effects by altering functions of the internal organs, the levels of blood pressure, etc. Some of these undesired side-effects may be harmful in certain patients. Almost nothing is known about this aspect of reactions to acupuncture. If the needles are not sterilized and properly inserted, local infections at the puncture sites may result or infectious diseases, such as hepatitis, may be transmitted.

Perhaps the greatest danger is the possibility that acupuncture treatment of recurrent or chronic pain may mask the development of serious inflammatory disease or even the growth of a benign or malignant tumor, thus delaying established medical or surgical treatments which would combat the cause of the underlying disease process, perhaps save the patient's life, and not simply treat the symptom of pain. For these reasons it is especially im-



portant that patients should be examined thoroughly first by a physician, before selection and referral for acupuncture administration"

legislature

Therefore, the NSMA supports bill AB 673 which states or reads as follows:

1. Acupuncture shall only be practiced under the following conditions:
 - a. In hospitals accredited by the Joint Commission on Accreditation ~~or~~ of Hospitals
 - b. By or under the supervision of a licensed practitioner of medicine, surgery or obstetrics who is a member of the staff of any such hospital; and
 - c. Pursuant to the regulations of the hospital.
2. Any such hospital permitting acupuncture to be practiced by its staff shall keep records pertaining to the patient's identity, his complaints, diagnosis, treatment and the results of any such treatment.
3. No later than November 30, 1974, each hospital permitting the practice of acupuncture by its staff shall submit a report to the legislative commission containing a synopsis of the information required by subsection 2 and a staff report concerning the suitability of acupuncture as a therapeutic technique and the performance standards of persons who performed acupuncture.
4. Any person who viola es any provision of this section is guilty of a misdemeanor.

In summation, the NSMA position is that acupuncture should be evaluated under the proper setting such as controlled hospital study. This would allow for the needed research of acupuncture.

Mrs. Joy Rogers, who lives in Reno and was treated by Master Ju in a demonstration, has much at stake in seeing acupuncturists licensed to practice in Nevada. She very anxious to volunteer information and can be reached at home after school hours (358-1343). Her treatment for rheumatoid arthritis, as she says, "relieved her intense pain and repaired 15 years of damage," and further treatment would be "saving her life." So, she is most committed to seeing acupuncture practiced in Nevada. The NAA can also document successful treatment of asthma, sinus conditions, migraine, hepatitis, ulcers, kidney disease and disk injuries. And with multiple sclerosis and muscular dystrophy, acupuncture can consistently relieve pain and initiate some walking improvement.

Self-evidently, Joy Rogers is depending much on friendly action by your committee and the rest of the legislature. Please contact her with any questions, she has a great deal of pertinent information to offer.

Thank you sincerely,

Terry Gomes

Terry Gomes UNR student
(747-0726)

cc; Senate Health Welfare and State Institutions
Assembly Health and Welfare

CHAPTER 826

An act to add Section 2145.1 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 11, 1972. Filed with Secretary of State August 11, 1972.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1500, Duffy. Acupuncture.

Permits performance of acupuncture and other forms of traditional Chinese medicine by unlicensed person in approved medical school for primary purpose of scientific investigation of acupuncture under specified circumstances.

Requires medical school conducting such research to make specified annual report to Legislature.

To take effect immediately, urgency statute.

The people of the State of California do enact as follows:

SECTION 1 Section 2145.1 is added to the Business and Professions Code, to read:

2145.1. The performance of acupuncture by an unlicensed person, alone or in conjunction with other forms of traditional Chinese medicine, when carried on in an approved medical school for the primary purpose of scientific investigation of acupuncture, shall not be in violation of this chapter, but such procedures shall be carried on only under the supervision of a licensed physician and surgeon.

Any medical school conducting research into acupuncture under the provisions of this section shall report to the Legislature annually on the fifth legislative day of the regular session of the Legislature concerning the results of such research, the suitability of acupuncture as a therapeutic technique, and performance standards for persons who perform acupuncture.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The recent rising interest in acupuncture and other forms of traditional Chinese medicine has stimulated a desire on the part of practitioners of modern western medicine to explore these forms of medicine in order to determine whether such forms of medicine may be of benefit to the people of this state. In view of the promising possibilities of acupuncture and other forms of traditional Chinese medicine, it is necessary that this act take effect immediately so that the investigation and selection process with respect to these forms of

medicine may proceed as soon as possible

1 AN ACT Relating to the practice of medicine and surgery; and adding a H -
2 new section to chapter 18.71 RCW. 4136

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON: 001

4 NEW SECTION. Section 1. There is added to chapter 18.71 RCW PART
5 a new section to read as follows: ;00

6 The performance of acupuncture by an unlicensed person, alone
7 or in conjunction with other forms of traditional Chinese medicine,
8 when carried on in a hospital offering courses of instruction in the
9 field of medicine, shall not be in violation of this chapter, but 1
0 such procedures shall be carried on only under the supervision of a 1
1 licensed physician and surgeon. 1

ACUPUNCTURE

Board of Medical Examiners
State of Oregon
Adopts Position on Acupuncture

October 14, 1972

"Acupuncture is not an accepted medical procedure in the State of Oregon at the present time. The Board of Medical Examiners of the State of Oregon regards acupuncture involving the human body as an experimental procedure which falls within the practice of medicine, and hence, can be performed lawfully in Oregon only by or under the direct supervision of a physician license by this Board.

The Board recognizes the need for, and desires to encourage, further research in the techniques, mechanisms of action, and uses of acupuncture. However, because acupuncture is considered at this time strictly as an investigational procedure, it should be performed only in medical centers and teaching hospitals having committees on research."

Acupuncture— A Chinese Puzzle

The use of needles to treat a wide range of human ailments has for centuries been a part of Oriental medical practice. But how does it work?

Condensed from *PSYCHIC*
JOHN WHITE

“**T**HAT A NEEDLE stuck into one’s foot should improve the functioning of one’s liver is obviously incredible. The only trouble is that, as a matter of empirical fact, it does happen.”

So wrote novelist Aldous Huxley ten years ago, in his foreword to Dr. Felix Mann’s book, *Acupuncture: The Ancient Chinese Art of Healing*.^{*} Mann described how a skilled acupuncturist can, by inserting needles into the body at various points and depths, cure, improve or arrest a wide range of afflictions: migraine headache, ulcers, arthritis, high blood pressure, conjunctivitis, hay fever, acne, sciatica, hepatitis, asthma, hemorrhoids, angina pectoris, lumbago, weak eyesight, tonsillitis, anemia, insomnia. No surgery or drugs, mind you—just needles.

^{*}Recently revised by Dr. Mann as *Acupuncture: Cure of Many Diseases*.

to China several months earlier with cardiologist Dr. Paul Dudley White. On their return, both indicated that acupuncture anesthesia warrants further investigation. In addition, two New York medical men recently back from China, Dr. Samuel Rosen of Mount Sinai School of Medicine and Dr. Victor Sidel of Montefiore Hospital and Albert Einstein College of Medicine commented favorably about acupuncture anesthesia to the press.

The headlines sparked by such serious interest in acupuncture have

Today, as China’s bamboo curtain begins to lift, Americans are becoming aware of the Oriental therapeutic and anesthetic treatment-by-needles. Last year, in China, Seymour Topping, assistant managing editor of the *New York Times*, and his wife, Audrey, witnessed heart surgery performed on a woman whose only anesthetic was acupuncture. During the operation the surgeon actually held the patient’s heart in his hands for all to see. The woman, who was calmly sipping orange juice through a straw, apparently felt no pain and smiled at observers. “We almost fainted,” said Mrs. Topping.

Last December, the prestigious *Journal of the American Medical Association* carried a long article about acupuncture by Dr. E. Grey Dimond of the University of Missouri. Dr. Dimond had made a trip

made some scientists uncomfortable, even angry. “It’s all in the mind,” they say. “Needles instead of sugar pills. Hypnosis. Traditional Chinese stoicism. Trickery.” To which others respond that acupuncture also is supposed to work well on animals, which presumably are not receptive to hypnosis and placebos. And so controversy rages.

What do we actually know about acupuncture (from Latin *acus*, “needle,” and *punctura*, “puncture”) so far? Legend has it that the system originated in the chance dis-

covery that arrows shot into one part of soldiers' bodies could cure illnesses in other parts. Acupuncture was known, according to tradition, as early as 2600 B.C., during the reign of Emperor Huang Ti. More than 2000 years later, the practice was described in the *Yellow Emperor's Classic of Internal Medicine*, and since then has been an ever-present method of healing in the Orient. Today Japan has 50,000 licensed acupuncturists, and China has about one million, of whom 150,000 are physicians.

^{Mutualism} Traditional acupuncture theory is intimately bound up with Chinese philosophy, Taoism and the *yin-yang* concept of dynamically opposing, yet harmonizing, energies in the universe—energies which are believed to wax and wane rhythmically. Man is a microcosm of the universe, and therefore also has the same regular change in his body's vital energy—variously identified as *chi*, *qi* or *i'chi*. The skilled acupuncturist, using a little-known method of pulse diagnosis, determines his patient's *yin* and *yang* condition

and, if there is an imbalance, treats him for what he foresees will go wrong if not corrected. He aims at prevention rather than cure.

Should illness actually arise, he treats the person, not the illness. A disorder is thought to be due to a malfunction or imbalance of the *chi* as it circulates throughout the body along 12 bilateral channels called meridians. Each meridian is associated with an internal organ such as the heart, lungs or stomach. And on the meridians are about 900 puncture points, each about 1/10 of an inch in diameter and carefully located on charts of the human body. By inserting fine, stainless-steel (bone, porcelain, gold and silver have been used in the past) needles* into appropriate points and varying the depth and speed of insertion, the traditional acupuncturist claims that he affects the energy flow—either stimulating or dispersing it. He thus restores equilibrium to the energy system, and the patient is returned to health. (Since the points of insertion avoid vital organs, the needles do not damage the body, although they may cause a little soreness.)

Besides using acupuncture for treatment, the Chinese now use it as a means of anesthesia. Classically, needles were placed in the skin superficially and left for 10 to 30

*An alternative to the needle treatment is moxibustion, in which small cones of powdered *Artemisia vulgaris* (commonly called mugwort) leaves are placed on the appropriate points, ignited and left to burn until the skin reddens. Massage of the puncture points is still another treatment possibility.

minutes. In a new anesthetic as well as therapeutic technique, sparked by Mao Tse-tung's exhortations to improve medicine, needles are sometimes placed deeper, up to two inches. In addition, they are constantly manipulated in a rapid half-inch, up-and-down motion (about 120 times a minute) while being twirled between thumb and fingers. In a yet more dramatic innovation, electro-acupuncture has been developed, primarily by a woman, Chu Lien. In this procedure, a patient receives through implanted needles a 0.5-milliampere current for 20 minutes, which completely anesthetizes the area to be incised.

Recent newspaper reports indicate that the list of ills which acupuncture can cure is growing. In 1968, a Chinese army medical team located the acupuncture points that affect hearing by experiments on themselves. They say they have successfully treated deafness in 90 percent of cases resulting from a childhood disease. They offer as proof 11 children, deaf and mute prior to 1969 but now completely cured. Lately, also, Chinese doctors have combined acupuncture with herbal medicine, modern drugs and doctor-patient discussions to treat mental illness. They claim that such treatment has cured 79 percent of the inmates at a mental hospital in Hunan Province.

Similar advances in using acupuncture have been reported in the U.S.S.R., where there are said to be 1000 specialists in the art. Stanley Krippner, a psychologist at New

York's Maimonides Medical Center, visited the Soviet Union last year and reported that Moscow physiologist G. S. Vassilchenko has successfully applied acupuncture to treat bedwetting, sexual impotence and frigidity. But Russian acupuncturists rarely use needles. Instead, they employ electrical stimulation, massage, ointments and occasionally laser beams. Moreover, the Russians do not completely rely on the ancient charts. They have found that Caucasians have acupuncture points at slightly different places than Orientals, and that the placement may vary even with different individuals.

I asked Dr. John W. C. Fox, assistant professor of anesthesiology at the State University of New York's Downstate Medical Center in Brooklyn, if he could explain acupuncture. "Western physicians are not at all satisfied with the classical Chinese theory," he said. "They want to explain acupuncture in terms that are readily understood or will fit in with our neurophysiological concepts."

Perhaps the most promising modern explanation of acupuncture anesthesia has been offered by Ronald Melzack, a neuropsychologist at McGill University in Montreal, and Patrick Walls, a neurophysiologist at University College in London. They

suggest that there are certain inhibitory mechanisms in the spinal cord that allow or block the transmission of impulses which, when they reach the brain, are interpreted as pain. Under this conception, there is a possibility that certain peripheral stimuli, such as a needle prick, can eliminate pain by altering the transmission of pain-producing impulses.

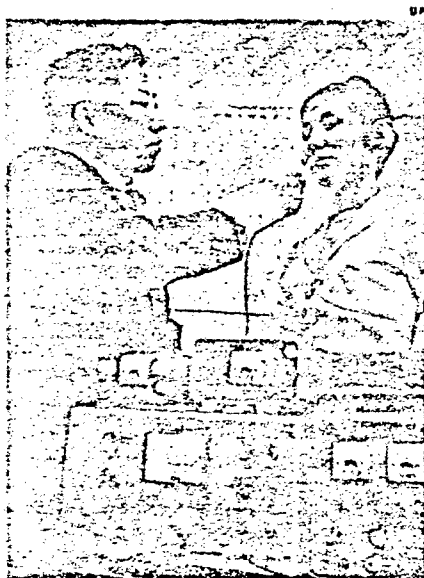
An electronic theory of acupuncture is offered by a French physician, Dr. Georges Cantoni. Dr. Cantoni has found that people in good health have an electrical potential difference of 30 to 40 millivolts between the head and the fingertips, the head being the positive pole and the fingertips the negative pole. If one's health is less than good, this difference in potential decreases or can even get inverted. This electrical balance or imbalance is, according to Dr. Cantoni, one of the main aspects of what the Chinese mean by "the circulation of energy."

Science will continue to search for an explanation of what is presently an inexplicable phenomenon. In last winter's *Yale Review*, Arthur Galston, a plant physiologist, offered sane counsel: "Since the Chinese seem happy to blend Western medicine with traditional Chinese practices, should we be less willing to learn from the wisdom of the East?"

Capsules

► Though American doctors are still debating the risks, virtues and mysteries of acupuncture, two major U.S. insurance companies have already decided that for their purposes the ancient Chinese medical art is a legitimate procedure. Chicago-based Continental Assurance and Continental Casualty companies have given their aye to the needle by announcing that they will pay for acupuncture when it is administered by a licensed physician in accordance with law. Needle treatment by unlicensed practitioners—the kind given in some Chinatown dispensaries—would not be covered. The insurance companies have no idea what their decision will cost them in claims, but they do not expect to be overwhelmed. The few doctors in the U.S. currently wielding needles are doing so on an experimental basis for the most part. They are generally so eager to understand acupuncture that they have not yet become concerned with its costs.

► Smallpox was the first disease shown to be preventable by vaccination, but doctors are still searching for an effective way of treating it when it does erupt—usually among the unvaccinated. A team of Bangladesh and Cana-



ACUPUNCTURE IN ACTION
Aye for the needle.

dian physicians believe that they have now found a way. They report in *Lancet* that cytosine arabinoside (ara-C), a drug known to check the multiplication of several viruses that have DNA cores, may be potent against variola, the virus of smallpox. During the April-May epidemic in Bangladesh, they gave

ara-C by continuous-drip injection to nine victims. Seven made rapid recoveries with minimal scarring, one showed no benefit, and one died (apparently of variolar pneumonia). By contrast, among 97 untreated cases in the district, there were 42 deaths. The doctors suggest that these preliminary results are encouraging enough to warrant further tests.

► A healthy person normally breathes fairly deeply, and spontaneously takes in an extra-deep breath every five or ten minutes. A patient flat on his back after major surgery, however, breathes less deeply and omits the extra inspirations. His lungs get less oxygen and, as a result, parts may collapse and eventually stop functioning altogether. To overcome this problem, Dr. Robert Bartlett of the University of California at Irvine proposes a simple solution: yawning. Bartlett urges doctors to teach and encourage patients to yawn deeply every five minutes or so, filling the lungs to near ideal capacity. He has invented a spirometer that registers the depth of breathing to encourage patient cooperation, but admits that most patients should be able to go it alone. The boredom of a hospital stay may be enough, he says, to keep them yawning their way to recovery.

Mr. President:

Your Committee on Federal, State, and Local Governments, to which was referred Senate Bill No. 378, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES I. GIBSON, *Chairman*

Mr. President:

Your Committee on Transportation, to which was referred Assembly Bill No. 89, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

WARREN L. MONROE, *Vice-Chairman*

SECOND READING AND AMENDMENT

* Senate Bill No. 448.

Bill read second time.

The following amendment was proposed by the Committee on Health, Welfare, and State Institutions:

Amendment No. 4769.

Amend section 1, page 1, line 2, by deleting "27," and inserting: "24,".

Amend sec. 4, page 2, by inserting between lines 24 and 25:

"3. The board may prescribe the courses of study required for the respective degrees of doctor of acupuncture, doctor of herbal medicine and doctor of traditional Chinese medicine."

Amend the bill as a whole by deleting sections 5, 6 and 7 and renumbering sections 8 through 27 as sections 5 through 24 respectively.

Amend sec. 8, page 3, line 29, by deleting "three" and inserting: "five".

Amend sec. 8, page 3, line 31, by deleting "on July 1, 1973." and inserting: "as soon as feasible after the effective date of this act."

Amend sec. 8, page 3, line 33, by deleting "One member" and inserting: "Two members".

Amend sec. 8, page 3, line 34, by deleting "One member" and inserting: "Two members".

Amend sec. 9, page 3, by deleting line 45 and inserting:

"Sec. 6. 1. Except as otherwise provided in subsection 2, all persons:".

Amend sec. 9, page 3, line 46, by deleting "1." and inserting: "(a)".

Amend sec. 9, page 3, line 48, by deleting "2." and inserting: "(b)".

Amend sec. 9, page 4, line 4, by deleting "3." and inserting: "(c)".

Amend sec. 9, page 4, line 5, by inserting "have" before "practiced".

Amend sec. 9, page 4, by inserting between lines 7 and 8:

"2. One member of the board shall be a physician licensed to practice medicine, surgery and obstetrics in this state. During the first 2 years after the effective date of this act, at least two members of the board shall be residents of the State of Nevada, and thereafter all members shall be such residents."

Amend sec. 15, pages 4 and 5, by deleting lines 49 and 50 on page 4 and lines 1 through 28 on page 5 and inserting:

"2. Applicants for licenses to practice acupuncture, herbal medicine and traditional Chinese medicine and to practice as an acupuncture assistant shall be examined in the respectively appropriate subjects as determined by the board."

Amend sec. 17, page 5, line 31, by deleting "shall" and inserting: "may".

Amend sec. 17, page 5, by deleting lines 35 and 36.

Amend sec. 17, page 5, line 37, by deleting "3." and inserting: "2."

Amend sec. 17, page 5, line 40, by deleting "4." and inserting: "3."

Amend sec. 17, page 5, line 41, by deleting "December 25, 1972;" and inserting: "the effective date of this act;"

Amend sec. 17, page 5, line 42, by deleting "5." and inserting: "4."

Amend sec. 23, page 7, line 31, by deleting "22," and inserting: "21,".

Amend sec. 27, page 8, line 17, by inserting "or any branch thereof" after "medicine".

Amend the bill as a whole by adding a new section designated sec. 25, following sec. 27, to read as follows:

"Sec. 25. This act shall become effective upon passage and approval."

Senator Walker moved the adoption of the amendment.

Remarks by Senator Walker.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Senate Bill No. 378.

Bill read second time.

The following amendment was proposed by the Committee on Federal, State, and Local Governments:

Amendment No. 4750.

Amend section 1, page 1, line 3, by deleting "\$50" and inserting: "\$35".

Senator Gibson moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Senate Bill No. 510.

Bill read second time, ordered engrossed, and to third reading.

Assembly Bill No. 89.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 4748.

Amend section 1, page 1, by deleting line 2 and inserting:

"482.550 1. It [shall be] *is* unlawful to sell or deliver any used automo-".

Amend section 1, page 1, line 5, by deleting "nation, unless" and inserting "nation. [, unless".

Amend section 1, page 1, line 7, by inserting a closed bracket after "Nevada."

Amend section 1, page 1, by deleting line 8 and inserting: "actual cost of [licensing and] registering the vehicle in Nevada shall be paid".

Amend section 1, page 1, line 9, by deleting closed bracket.

Amend section 1, page 1, by deleting lines 10 through 15 and inserting:

"2. Every person, firm, association or corporation selling [or delivering] any *used* vehicle [described in subsection 1,] *which has displayed on*



SENATE BILL NO. 448—SENATOR WALKER

MARCH 13, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Regulates separately practice of Chinese medicine.
Fiscal Note: No. (BDR 54-1396)



EXPLANATION—Matter in *Italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to Chinese medicine; regulating its practice separately; providing standards, qualifications and licensing of practitioners; providing a penalty; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Title 54 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 24,
3 inclusive, of this act.
- 4 SEC. 2. The practice of Chinese medicine and any branch thereof is
5 hereby declared to be a learned profession, affecting public safety and
6 welfare and charged with the public interest, and therefore subject to
7 protection and regulation by the state.
- 8 SEC. 3. Unless the context otherwise requires, the words, phrases and
9 derivatives thereof employed in this chapter have the meanings ascribed
10 to them in this section.
- 11 1. "Acupuncture" means the insertion of needles into the human
12 body by piercing the skin of the body, for the purpose of controlling and
13 regulating the flow and balance of energy in the body.
- 14 2. "Board" means the state board of Chinese medicine.
- 15 3. "Doctor of acupuncture" means a person who has been licensed
16 under the provisions of this chapter to practice the art of healing known
17 as acupuncture.
- 18 4. "Doctor of herbal medicine" means a person who has been
19 licensed under the provisions of this chapter to practice the art of healing
20 known as herbal medicine.
- 21 5. "Doctor of traditional Chinese medicine" means a person who has
22 been licensed under the provisions of this chapter to practice the art of
23 healing through traditional Chinese medicine.
- 24 6. "Herbal medicine" and "practice of herbal medicine" mean sug-
25 gesting, recommending, prescribing or directing the use of herbs for the

1 cure, relief or palliation of any ailment or disease of the mind or body, or
2 for the cure or relief of any wound, fracture, bodily injury or deformity.

3 7. "Herbs" means plants or parts of plants valued for medicinal qual-
4 ities.

5 8. "Licensed acupuncture assistant" means a person who assists in
6 the practice of acupuncture under the direct supervision of a person
7 licensed under the provisions of this chapter to practice traditional Chi-
8 nese medicine or acupuncture.

9 9. "Traditional Chinese medicine" means that system of the healing
10 art which places the chief emphasis on the flow and balance of energy in
11 the body mechanism as being the most important single factor in main-
12 taining the well-being of the organism in health and disease and includes
13 the practice of acupuncture and herbal medicine.

14 SEC. 4. 1. A school or college of Chinese medicine may be estab-
15 lished and maintained in this state only if:

- 16 (a) Its establishment is approved by the board.
- 17 (b) Its curriculum is approved annually by the board for content and
18 quality of instruction in accordance with the requirements of this chapter.

19 2. Graduates of school or college of Chinese medicine are qualified
20 for licensing under this chapter only if it requires for admission to its
21 course of study that each applicant for a doctorate of traditional Chinese
22 medicine, herbal medicine or acupuncture be a medical doctor licensed
23 to practice medicine by some state, district or territory of the United
24 States.

25 3. The board may prescribe the courses of study required for the
26 respective degrees of doctor of acupuncture, doctor of herbal medicine
27 and doctor of traditional Chinese medicine.

28 SEC. 5. 1. The state board of Chinese medicine, consisting of five
29 members appointed by the governor, is hereby created.

30 2. The governor shall appoint the members as soon as feasible after
31 the effective date of this act. Their terms shall be as follows:

- 32 (a) Two members shall hold office for 1 year;
- 33 (b) Two members shall hold office for 2 years;
- 34 (c) One member shall hold office for 3 years; and
- 35 (d) Hereafter, all terms shall be for 3 years.

36 3. A person is eligible for appointment as a member of the board
37 even though he is not a citizen of the United States or a resident of
38 Nevada.

39 4. The governor shall appoint persons to fill vacancies for the
40 remainder of an unexpired term.

41 5. Each member of the board shall, before entering upon the duties
42 of his office, take the oath of office prescribed by the constitution before
43 someone qualified to administer oaths.

44 SEC. 6. 1. Except as otherwise provided in subsection 2, all persons:

- 45 (a) Who hold licenses under this chapter to practice traditional Chi-
46 nese medicine;
- 47 (b) Who are affiliated with a school, college, society or organization
48 chartered or licensed by the State of Nevada for the primary purpose of
promoting the teaching of Chinese medicine or any branch thereof or the

1 scientific research of any branch of such medicine or to promote the
2 establishment of schools or colleges to teach Chinese medicine or any
3 branch thereof; or

4 (c) Who are physicians licensed by any government, state, territory
5 or province to practice Chinese medicine and who have practiced tradi-
6 tional Chinese medicine for at least 10 years,
7 are eligible to be appointed to serve on the board.

8 2. One member of the board shall be a physician licensed to practice
9 medicine, surgery and obstetrics in this state. During the first 2 years after
10 the effective date of this act, at least two members of the board shall be
11 residents of the State of Nevada, and thereafter all members shall be such
12 residents.

13 SEC. 7. Each member of the board shall receive:

14 1. A salary of not more than \$25 per day, as fixed by the board,
15 while engaged in the business of the board.

16 2. Actual expenses for subsistence and lodging, not to exceed \$25 per
17 day, and actual expenses for transportation, while traveling on business
18 of the board.

19 SEC. 8. The board shall annually elect from its members a president,
20 vice president and secretary-treasurer, and may fix and pay a salary to
21 the secretary-treasurer.

22 SEC. 9. The board may:

23 1. Employ attorneys, investigators and other professional consultants
24 and clerical personnel necessary to discharge its duties. For the purpose
25 of conducting its examinations, the board may call to its aid persons of
26 established reputation and known ability in Chinese medicine;

27 2. Maintain offices in as many localities in the state as it finds neces-
28 sary to carry out the provisions of this chapter;

29 3. Promulgate rules and regulations, or either of them, not inconsis-
30 tent with the provisions of this chapter; and

31 4. Compel the attendance of witnesses and the production of evi-
32 dence by subpoena and the board may administer oaths.

33 SEC. 10. The board shall:

34 1. Hold meetings at least once a year and at any other time at the
35 request of the president of the majority of the members;

36 2. Have and use a common seal;

37 3. Deposit in interest-bearing accounts in the State of Nevada all
38 moneys received under the provisions of this chapter, which shall be used
39 to defray the expenses of the board;

40 4. Operate on the basis of the fiscal year beginning July 1, and end-
41 ing June 30; and

42 5. Keep a record of its proceedings which shall be open to the public
43 at all times and which shall also contain the name and business address of
44 every registered licensee in this state.

45 SEC. 11. An applicant for examination for a license to practice tradi-
46 tional Chinese medicine or any branch thereof, shall:

47 1. Submit an application to the board on forms provided by the
48 board;

1 2. Submit satisfactory evidence that he is 21 years or older and meets
2 the appropriate educational requirements; and

3 3. Pay a fee of \$100.

4 SEC. 12. 1. Examinations shall be given at least twice a year at a
5 time and place fixed by the board.

6 2. Applicants for licenses to practice acupuncture, herbal medicine
7 and traditional Chinese medicine and to practice as an acupuncture assist-
8 ant shall be examined in the respectively appropriate subjects as deter-
9 mined by the board.

10 SEC. 13. Persons licensed pursuant to this chapter are not subject to
11 the provisions of chapters 629 and 630 of NRS.

12 SEC. 14. The board may waive examination and grant a certificate of
13 doctor of traditional Chinese medicine to any applicant who:

14 1. Has applied in writing to the board not later than 120 days after
15 the effective date of this act;

16 2. Obtained a certificate from the Republic of China, the People's
17 Republic of China, Korea or Japan acknowledging that the applicant was
18 qualified to practice Chinese medicine;

19 3. Has practiced traditional Chinese medicine for at least 20 years
20 immediately prior to the effective date of this act; and

21 4. Submits with his application a filing fee of \$100.

22 SEC. 15. The board shall issue a license for the practice of tradi-
23 tional Chinese medicine or a license for the practice of acupuncture
24 where the applicant:

25 1. Has a license or certificate from the government of the Republic
26 of China, People's Republic of China, Korea or Japan which acknowl-
27 edges that the applicant has the qualifications to practice Chinese medi-
28 cine or acupuncture;

29 2. Has practiced traditional Chinese medicine or acupuncture for
30 10 years; and

31 3. Passes the examination of the board.

32 SEC. 16. An applicant for a license for acupuncture assistant shall be
33 issued a license by the board if he:

34 1. Has successfully completed a course of study in acupuncture in
35 any college or school in any country, territory, province or state requir-
36 ing an attendance of 36 months;

37 2. Practiced acupuncture for not less than 3 years; and

38 3. Passes the examination of the board for acupuncture assistant.

39 SEC. 17. It is unlawful for any person licensed under the provisions of
40 this chapter to prescribe herbal medication unless the herbs prescribed
41 have been approved by the Food and Drug Administration for use for the
42 prevention or alleviation or cure of illness or disease or for relief from
43 suffering.

44 SEC. 18. 1. Every person holding a license authorizing him to prac-
45 tice traditional Chinese medicine, acupuncture, herbal medicine or to
46 serve as an acupuncture assistant in this state shall record his license in
47 the office of the county clerk of the county of his office and residence.
48 Every licensee upon a change of residence or office shall have his certifi-
49 cate recorded in like manner in the county to which he has changed.

1 2. Every license shall be displayed in the office, place of business or
2 place of employment of the holder thereof.

3 3. Every person holding a license who is a resident of the state shall
4 pay an annual registration fee of \$20 to the secretary-treasurer of the
5 board on or before February 1. If the holder of a license fails to pay the
6 registration fee his license shall be suspended. The license may be rein-
7 stated by payment of the required fee within 90 days after February 1.

8 4. A license which is suspended for more than 3 months under the
9 provisions of subsection 3 may be canceled by the board after 30 days'
10 notice to the holder of the license.

11 5. Every person holding a license who is not a resident of the state
12 shall pay an annual registration fee of \$5 to the secretary-treasurer of the
13 board on or before February 1.

14 SEC. 19. The board may either refuse to issue or may suspend or
15 revoke any license for any one or any combination of the following
16 causes:

17 1. Conviction of a felony, conviction of any offense involving moral
18 turpitude or conviction of a violation of any state or federal law regulat-
19 ing the possession, distribution or use of any controlled substance as
20 defined in chapter 453 of NRS, as shown by a certified copy of record of
21 the court;

22 2. The obtaining of or any attempt to obtain a license or practice in
23 the profession for money or any other thing of value, by fraudulent mis-
24 representations;

25 3. Gross malpractice;

26 4. Advertising by means of knowingly false or deceptive statement;

27 5. Advertising, practicing or attempting to practice under a name
28 other than one's own;

29 6. Habitual drunkenness or habitual addiction to the use of a con-
30 trolled substance as defined in chapter 453 of NRS;

31 7. Using any false, fraudulent or forged statement or document, or
32 engaging in any fraudulent, deceitful, dishonest or immoral practice in
33 connection with the licensing requirements of this chapter;

34 8. Sustaining a physical or mental disability which renders further
35 practice dangerous;

36 9. Engaging in any dishonorable, unethical or unprofessional conduct
37 which may deceive, defraud or harm the public, or which is unbecoming
38 a person licensed to practice under this chapter;

39 10. Using any false or fraudulent statement in connection with the
40 practice of traditional Chinese medicine or any branch thereof;

41 11. Violating or attempting to violate, or assisting or abetting the
42 violation of, or conspiring to violate any provision of this chapter;

43 12. Being adjudicated incompetent or insane;

44 13. Advertising in an unethical or unprofessional manner;

45 14. Obtaining a fee or financial benefit for any person by the use
46 of fraudulent diagnosis, therapy or treatment;

47 15. Willful disclosure of a privileged communication;

48 16. Failure of a licensee to designate his school of practice in the
49 professional use of his name by the term traditional Chinese doctor.

1 doctor of acupuncture, doctor of herbal medicine or acupuncture assist-
2 ant, as the case may be;

3 17. Willful violation of the law relating to the health, safety or wel-
4 fare of the public or of the rules and regulations promulgated by the
5 state board of health; and

6 18. Administering, dispensing or prescribing any controlled substance
7 as defined in chapter 453 of NRS, except for the prevention, alleviation
8 or cure of disease or for relief from suffering.

9 SEC. 20. The board shall not refuse to issue, refuse to renew, suspend
10 or revoke any license for any of the causes enumerated in section 21, of
11 this act, unless the person accused has been given at least 20 days' notice
12 in writing of the charge against him and a hearing by the board.

13 SEC. 21. 1. Traditional Chinese doctors and doctors of acupuncture
14 licensed under this chapter shall have the same rights as physicians and
15 surgeons of other schools of medicine with respect to the treatment of
16 cases or the holding of offices in public institutions.

17 2. Traditional Chinese doctors and doctors of acupuncture shall
18 observe and be subject to all state and municipal regulations relative to
19 reporting all births and deaths in all matters pertaining to the public
20 health, with equal right and obligations as physicians of other schools of
21 medicine. The reports shall be accepted by the officers of the department
22 to which the same are made.

23 3. Traditional Chinese doctors and doctors of acupuncture licensed
24 under this chapter shall have the same rights as physicians and surgeons
25 of other schools of medicine.

26 SEC. 22. This chapter does not apply to:

27 1. Chinese physicians who are called into this state for consultation.

28 2. This chapter does not prohibit:

29 (a) Gratuitous services of druggists or other persons in cases of emer-
30 gency;

31 (b) The domestic administration of family remedies;

32 (c) Any person from assisting any person in the practice of the healing
33 arts licensed under this chapter, except that such person may not insert
34 needles into the skin or prescribe herbal medicine.

35 SEC. 23. 1. The board may maintain in any court of competent juris-
36 diction a suit for an injunction against any person or persons practicing
37 Chinese medicine or any branch thereof without a license.

38 2. Such an injunction:

39 (a) May be issued without proof of actual damage sustained by any
40 person, this provision being understood to be a preventive as well as a
41 punitive measure.

42 (b) Shall not relieve such person from criminal prosecution for prac-
43 ticing without a license.

44 SEC. 24. A person who engages in the practice of traditional Chinese
45 medicine or any branch thereof in this state without holding a valid license
46 issued by the board is guilty of a gross misdemeanor.

47 SEC. 25. This act shall become effective upon passage and approval.

Senate Bill No. 413 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417.

Bill read third time.

Roll call on Senate Bill No. 417:

YEAS—19.

NAYS—Neal.

Senate Bill No. 417 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

* Senate Bill No. 448.

Bill read third time.

Remarks by Senators Walker, Monroe, Lamb, Drakulich, Foley, Young, Neal, Pozzi, and Dodge.

Roll call on Senate Bill No. 448:

YEAS—20.

NAYS—None.

Senate, Bill No. 448 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

MOTIONS, RESOLUTIONS, AND NOTICES

Senator Wilson moved that Senate Bill No. 467 be taken from the General File and be re-referred to the Committee on Judiciary.

Remarks by Senators Wilson and Echols.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 510.

Bill read third time.

Remarks by Senators Neal, Close, and Dodge.

Roll call on Senate Bill No. 510:

YEAS—19.

NAYS—None.

Absent—Herr.

Senate Bill No. 510 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 446.

Bill read third time.

Roll call on Senate Bill No. 446:

YEAS—19.

NAYS—None.

Absent—Herr.

Senate Bill No. 446 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

AssemblyHEALTH & WELFARE COMMITTEE MINUTESAPRIL 2, 1973

MEMBERS PRESENT: BENNETT, CRADDOCK, GETTO, FRY, HICKEY,
WITTENBERG, McNEEL

MEMBERS ABSENT: None

GUEST LIST: (See Exhibit A)

Chairman Bennett called the meeting to order for the purpose of first discussing SB-192.

Orville A. Wahrenbrock, Department of Health, Welfare and Rehabilitation, stated that 2 years ago AB-203 was introduced and passed, and it was the beginning of an experiment in State relating to Juvenile subsidy programs. The Department of Administration and the Crime Commission were responsible for the program. It has been decided to continue the program for another year but to place the monitoring and evaluation of this subsidy program under the Department of Health, Welfare and Rehabilitation. SB-192 is enabling legislation to permit them to establish rules and regulations for funding and for the program. They are very conscious of the responsibility because there is approximately \$875,000 in the executive budget for this program. The purpose of this subsidy program is to assist the county probation juvenile departments to set up special supervision programs.

The next bill to be discussed was SB 448.

Mr. Arthur Steinberg of the American Society of Acupuncture was the first speaker. He believes this is a well drawn bill which sets up licensing standards and controls which assure that Nevada will get the finest to practice here. On behalf of the people who have received no relief from Western medicine, he urged passage of this legislation. He stated he had brought with him several people who had been helped by acupuncture and they would be happy to speak if the Committee desired, but he would only ask one to speak, Mr. Armstrong.

Mr. Bryn Armstrong stated he had suffered from Meniere's Disease for some time and described his symptoms. The first relief he has experienced is after having eight acupuncture treatments. He described how Dr. Lok diagnosed his illness after taking his pulse,

Assembly

HEALTH & WELFARE COMM. MINUTES APRIL 2, 1973 Page 2

There was a general discussion between Mr. Steinberg and members of the Committee concerning licensing of doctors in China, who would be eligible for the State Board of Chinese medicine, etc. It was brought out that only medical doctors licensed to practice in the United States would be permitted to study in the school or college of Chinese medicine. Mr. Steinberg said there would be no great influx of acupuncture doctors as he felt it would take persuasion to get them to leave their established practices in the Orient.

Mr. Wittenberg requested that Aileen Parrot describe her experience with acupuncture to the Committee. Mrs. Parrot stated she had suffered a broken hip and then had to have a subsequent operation. She had been unable to put any weight on her leg since last July 23rd, but since she has been having acupuncture treatments she is able to walk with the aid of a walker and is in less pain.

Chairman Bennett stated the testimony would have to be continued until Wednesday, April 4th, because of lack of time.

Meeting adjourned.

Respectfully submitted,

Jane Dunne, Secretary

*Assembly*HEALTH & WELFARE COMMITTEE MINUTESAPRIL 4, 1973

MEMBERS PRESENT: BENNETT, WITTENBERG, CRADDOCK, McNEEL,
HICKEY, GETTO & FRY

MEMBERS ABSENT: NONE

GUESTS: See Exhibit A attached

The meeting was called to order by Chairman Bennett at 7:20 a.m. and he stated the first discussion would be a continuation of SB 448.

Dr. John P. Sande, President of the Nevada Medical Association, was the first speaker. He wanted to reply to some of the statements made by Mr. Steinberg and Mr. Armstrong on April 2nd. Mr. Armstrong had stated his case was diagnosed by taking of six pulses. Dr. Sande referred to a letter to the New York Legislature from the Commissioner of Education in which it was stated "...Until fairly recently, its use in the Orient followed a diagnosis based upon an analysis of the "twelve pulses." At the present time, this oriental diagnostic technique has been discarded, even in the Peoples Republic of China, for a "Western-style" medical diagnosis prior to the administration of acupuncture". A complete copy of the brief from Ewald B. Nyquist is marked Exhibit B and attached hereto.

Dr. Sande said Mr. Steinberg had said he knew of no MDs qualified to practice acupuncture, and he named a Dr. Jane Lee, teacher of acupuncture at University of California, San Francisco; Dr. Fong, a dentist who teaches acupuncture to physicians; and Dr. Moss, working on research acupuncture at UCLA. An article from "Medical World News" of March 23, 1973, is marked Exhibit C, and made a part of these minutes.

Regarding the cost of acupuncture - it is not a poor man's dream. In Washington, D.C. first visit is \$50 and second visit is \$25. In Sacramento it is \$25 a visit.

Dr. Sande also feels there is a problem on licensing as it would be difficult to check backgrounds in a foreign country - not like in United States. He sent cablegrams to China regarding Professor Lok Yee-Kung.

Assembly

HEALTH & WELFARE COMMITTEE MINUTES 4-4-73 Page 2

A copy of his reply from the Hong Kong Medical Assn. is attached hereto marked Exhibit D and made a part of these minutes. No reply has been received from the Kowloon Chinese Medical Society in Hong Kong. Dr. Sande had also inquired about the credentials of Stephen Rosenblatt and Chim Shek Ju who appeared before the Senate and was unable to find anyone who knew them. A copy of Dr. Sande's remarks are attached hereto marked Exhibit E.

Dr. Sande questioned whether or not Medicare and Medicaide would cover acupuncture and also discussed the position of the Food and Drug Administration as to the safety and effectiveness of acupuncture devices. (See exhibits F and G attached.)

Hank H. Pesner, Chiropractic Assn. of Nevada, said it was their contention that it was a grave injustice to exclude chiropractors from the practice of acupuncture. For years they have been doing the same thing except for the use of needles. Chiropractors and all healing arts should be included.

Dr. E. M. Scrivner, State Board of Examiners for Chiropractors, said that Mr. Steinberg had stated he did not feel chiropractors had sufficient knowledge of the vital organs of the body, and evidently Mr. Steinberg has no idea of the qualifications necessary to become a member of the healing arts. They must have 60 unit credits in an accredited college before entering Chiropractic College. Then 4 years of Chiropractic College consisting of 4000 hours before they can be examined. They have to attend a seminar yearly by statute. They are highly skilled and have an interest in acupuncture and the well-being of patients in State of Nevada.

Dr. Larry Bridges, Nevada Chiropractic Assn., a licensed chiropractor and licensed to practice acupuncture in Michigan, described the theory of acupuncture and the importance of chiropractors being included.

Dr. Joseph M. Kadans, President of Bernadean University in Las Vegas, was very much in favor of the bill, but suggested the following amendment:

Under Section 25 add another exemption such as "any herbalist or college of acupuncture already in operation in the State of Nevada for at least 60 days prior to the date of passage of this act".

Stephen Rosenblatt appeared before the Committee in reply to Dr. Sande's statements and submitted a registration card showing his enrollment in UCLA. He left such card with Mr. McNeel. He stated he was studying psycho-physiology and also on the staff of anesthesiology.

AB 491, continued from March 30th, was the next bill to be discussed.

Judy Monk of the Welfare Coalition repeated that the bill would allow families to stay together by giving aid when fathers were unemployed. Mr. Tomlinson's figures of 15% were much too high. Not a large amount of people would be affected by this bill. California's figures for unemployed fathers are 10%, Oregon 7% and the National figures about 7%. The rules are rigid as to whom would be eligible under this bill and people cannot take advantage of it.

Eddie Scott, NAACP, cited various cases where a father would be unemployed when it was not his fault - if he were incarcerated, handicapped, physically or mentally ill, etc.

Ruby Duncan said this bill would cover the "new poor" which they are called when the father suddenly loses his job. Often the fathers must leave home so the family may obtain welfare. Judy Monk thought the fiscal note would be \$727,000 for the biennium. Father Louis Vitale felt very strongly this bill should be passed since it involves a moral issue - many people come to him with this problem. He called it the "intact bill" because it would keep family intact.

J. Duarte of the Welfare Division said they estimated the fiscal note to be 1,500,000 for the state portion only. They have based their figures on a 14% increase. The medical portion would be \$508,441.

AB 492 was next for discussion. Sister Carole Hurray, explained that she felt this was really more of a health bill as it allowed more individuals to qualify for aid when medically indigent. The counties have been trying

Assembly

HEALTH & WELFARE COMM. MIN.

April 4, 1973

Page 4

to assist these people and it has cost them over a million dollars, while if the State assumes the responsibility the Federal Government will match the funds. She thinks the cost would be about 1.9 million. Mr. LaBodie of Welfare said their figures were higher.

AB 493 was the next bill discussed. Ruby Duncan stated there is no provision for welfare aid in case of an emergency such as home burning down, check being lost or stolen, and many other cases. Many other states have this type of legislation. For 1973-74 the State would pay 46% and the Federal Government 50%. Mr. LaBodie supplied their figures as approximately \$116,000 per year. Sister Marilyn Ingram, Franciscan Center, said that often the Catholic Church was besieged with requests in case of an emergency and often they could not meet the demand. She urged support of the bill.

Father Louis Vitale asked that he be allowed to present his testimony on AB 714 even though it was not on the agenda. He did not think he would be able to return when it was up for hearing. This bill provides a method of computing grant for aid to dependent children. He described the method of computation and said he understood it was recommended by the Health & Welfare Department. He urged the Committee to take a careful look at this improved method because of the medical aid too.

This concluded the general discussion, and the Committee turned to its discussion of the various bills.

Mr. Fry had a suggested amendment for SB 448 which he presented to the members.

COMMITTEE ACTION:

SB 192 - Do Pass moved by Mr. Wittenberg, Seconded by Mr. Bennett. Unanimously approved.

SB 448 - Amend and Do Pass moved by Mr. Wittenberg, Seconded by Mr. Fry. Unanimous "yes" vote except Mr. McNeel not voting.

AB 491 Mr. Wittenberg moved "indefinitely postpone", second by Mr. Fry.
Yes votes: Craddock, Wittenberg, Fry & Getto
No votes: Bennett, Hickey and McNeel.
Motion carried.

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE April 4, 1973

SUBJECT AB 448

MOTION:

Amend &

Do Pass xx Amend _____ Indefinitely Postpone _____ Reconsider --

Moved By Mr. Wittenberg Seconded by Mr. Fry

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved By _____ Seconded By _____

VOTE:

	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Bennett, M.	X					
Craddock, R.	X					
Hickey, T.	X					
Wittenberg, A.	X					
Fry, L.	X					
Getto, V.	X					
McNeel, R.						
		Not voting				

TALLY:

Original Motion: Passed xx Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes April 4, 1973
(Date)

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT
OFFICE OF THE PRESIDENT OF THE UNIVERSITY
AND COMMISSIONER OF EDUCATION
ALBANY, NEW YORK 12224

Exhibit B
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*Wednesday
8 AM*

Friday
December 29
19 72

TO: Executive Branch Officials, Members of the State
Legislature and Members of the New York Congressional
Delegation

FROM: Ewald B. Nyquist, Commissioner of Education

SUBJECT: Acupuncture

This memorandum has been prepared to assist you in answering inquiries concerning the present status of the practice of acupuncture in New York State.

The Education Department's policy with regard to acupuncture is stated in the attached statements of the New York State Board for Medicine of July, 1972 (Attachment I) and November, 1972 (Attachment II).

GENERAL COMMENT

Only 1 case *by acupuncture*

Acupuncture, an ancient oriental method for treatment of pain and production of anesthesia, has been used for centuries without any basic scientific explanation of how the procedure actually produces its effect. Until fairly recently, its use in the Orient followed a diagnosis based upon an analysis of the "twelve pulses." At the present time, this oriental diagnostic technique has been discarded, even in the Peoples Republic of China, for a "Western-style" medical diagnosis prior to the administration of acupuncture.

Acupuncture has produced beneficial results in many well documented cases; its use has been totally without benefit in other patients. If the procedure is not performed properly, it can produce side-effects by altering functions of the internal organs, the levels of blood pressure, etc. Some of these undesired side-effects may be harmful in certain patients. Almost nothing is known about this aspect of reactions to acupuncture. If the needles are not sterilized and properly inserted, local infections at the puncture sites may result or infectious diseases, such as hepatitis, may be transmitted.

see projects

Perhaps the greatest danger is the possibility that acupuncture treatment of recurrent or chronic pain may mask the development of serious inflammatory disease or even the growth of a benign or malignant tumor, thus delaying established medical or surgical treatments which would combat the cause of the underlying disease process, perhaps save the patient's life, and not simply treat the symptom of pain. For these reasons it is especially important that patients should be examined thoroughly first by a physician, before selection and referral for acupuncture administration.

To date the Education Department has received information from California, Iowa, Wisconsin, Kansas, Pennsylvania, Florida, Delaware and the District of Columbia to the effect that, in their jurisdictions, acupuncture has been declared to be within the practice of medicine and surgery, and that its use without restriction must await the development of adequate information regarding its safety and efficacy. A news release on acupuncture by the American Society of Anesthesiologists in June, 1972 reports a similar opinion by that organization (Attachment III).

PROJECTS IN NEW YORK STATE

The New York State Board for Medicine has requested the medical schools in the State to consider seriously the establishment of research projects which would foster the development of knowledge of acupuncture, based on treatment of patients under the necessary and proper conditions. Acupuncture programs are either under way or beginning in several locations, primarily in the New York City metropolitan area. The following projects are reported to date:

- (A) The College of Physicians & Surgeons of Columbia University is sponsoring projects at
 - (1) Columbia-Presbyterian Medical Center, where a small group of patients is treated primarily for teaching acupuncture techniques, by a qualified acupuncturist who is also a licensed physician, to a group of physicians chiefly from the fields of neurology, rehabilitation medicine and anesthesiology.

A basic scientific research project is being conducted also in animals by neuro-physiologists.

- (B) The Mt. Sinai School of Medicine is co-sponsoring projects with
 - (1) The Hospital for Joint Diseases, which is seeking foundation support for a study aimed especially at arthritis sufferers and patients to be treated through the Department of Rehabilitation Medicine.
 - (2) The New York League for the Hard of Hearing, especially for the treatment of nerve deafness in children. This project is still in the planning stage.
- (C) New York Medical College in conjunction with Grasslands Hospital, Valhalla, in Westchester County, which has a pain clinic under the responsibility of the Department of Anesthesiology.
- (D) New York University School of Medicine has projects in
 - (1) Basic research in pain control in which the Departments of Neurology, Medicine, and Psychiatry are associated.
 - (2) ~~The Departments of Anesthesiology and Rehabilitation~~ Medicine have research under way with patient treatment both at Goldwater Memorial Hospital and at the Rehabilitation Institute. One of these projects is related to anesthesia for application in dentistry.
- (E) Albert Einstein Medical College with its affiliated Montefiore Hospital has a pain clinic for the treatment of patients. Several research projects are now being planned.
- (F) Downstate Medical Center

A few operations (tonsillectomies) have been done under acupuncture anesthesia and some patients are being seen for the treatment of chronic pain. The Departments of Anesthesiology and Physiology are currently involved in setting up a pain treatment center.

(G) At least two other hospitals with medical school sponsorship and affiliations are currently planning the establishment of major treatment centers for properly medically referred patients. The exact date on which these clinics will open is not yet ready for release.

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(H) Albany Medical College has an animal research project in the Department of Neurosurgery and Physiology.

Various groups of physicians and medical organizations are also engaged in sponsoring lectures, seminars, workshops, and demonstrations in the field of acupuncture by highly qualified acupuncturists from this country and abroad. Already one of the benefits of basic studies conducted in New York City has been the finding that the several thousand acupuncture points, used by Chinese acupuncturists in the traditional oriental fashion, can be reduced in number to less than 50 such points and accomplish the same purposes. Furthermore, a great deal has already been learned about the duration of training which is necessary in order to prepare a licensed physician to become expert in the techniques of acupuncture. As additional knowledge is accumulated regarding the safety and effectiveness of acupuncture as a treatment modality, it is hoped that restrictions on its use may be liberalized and its benefits made available through properly trained physicians to the people who may benefit from its application.

We will keep you informed of progress on acupuncture in this State.

Injecting science into the acupuncture picture



The first results of American acupuncture research done under the aegis of the NIH Ad Hoc Committee on Acupuncture (MWN, Aug. 18, '72) are in, and they are a mixed bag. For one thing, at least some of the acupuncture points on the Chinese charts exist—and are found where the charts show them. But what they are in biological terms, and what acupuncture can and cannot do, are questions that haven't yet been answered.

Meeting in Bethesda, Md., for the committee's first conference, 110 researchers heard 45 papers on a variety of studies and proposals (see above). Guidelines laid down last July recommended research into acupuncture's effectiveness as a surgical anesthetic and as an analgesic in cases of chronic pain. The committee also called for basic studies of how acupuncture works and what side effects it might produce.

Validation of the traditional charts came from investigators who used a variety of instruments to measure skin resistance or potential. Dr. Louis R. Orkin, chairman of anesthesiology at New York's Albert Einstein Col-

lege of Medicine, himself checked specific points with a locator that measures skin resistance, and he noted that several European researchers had found lower electrical resistance at specific points related in acupuncture theory to disease or injury.

Dr. Orkin reported that post-operative patients he had studied exhibited consistently lower electrical resistance at a number of these disease-related acupuncture points during tests in the recovery room. "But the number fell very far short of the 1,000 claimed by British and French investigators," he added. Point locations were found to be precise and generally constant from one person to another—those on the face and neck being the most consistent and easily located. "All the points we located corresponded exactly to acupuncture points described in the charts of Oriental medicine," Dr. Orkin concluded.

By measuring electrical, thermal, and chemical characteristics, Dr. Thelma Moss of the neuropsychiatric institute at UCLA's medical school also confirmed the presence of many

traditional acupuncture-point sites. And some evidence that the classical Oriental belief in an energy flow along acupuncture meridians was reinforced by her experiments with radiation-field photography. She and her associates found that gaps in the "corona" that appears around people's fingertips in such photographs filled in when the hands were rephotographed during acupuncture. "Is this a flow of energy along the meridians?" Dr. Moss wondered.

Because electrical instruments cannot locate acupuncture points on moist skin, it has been suggested that the instruments really detect aggregates of sweat glands. But sympathectomized persons cannot sweat over certain body areas, and when Dr. Moss checked five such patients she found that the acupuncture points registered—though not as strongly—on the no-sweat side as well. She concluded that it wasn't just sweat-gland activity they were detecting: "We believe these points have chemical, thermal, and electrical attributes."

Xylocaine blocks were used by Dr. Moss to create a temporary sym-

continued

ACUPUNCTURE *continued*

ectomy in volunteers whose hands are then imaged by radiation-field photography. The hand on the *unaffected* side lost its corona during the block, but current-flow readings at acupuncture points were as high as 3,000 nanoamperes; readings taken at acupuncture points on the other hand registered only 165 nanoamperes. "This indicated to us that there was an imbalance of energy," said Dr. Moss, "that may very well correspond to a basic tenet of ancient acupuncture theory."

Acupuncture points seem to be there for rabbits, too. Dr. Teruo Matsumoto of the department of surgery at Philadelphia's Hahnemann Hospital found that they could be located, but only on skin containing sweat glands, such as the paw pads. And he was able to map zones of analgesia produced by needling various combinations of points.

During his research, Dr. Matsumoto noticed that every rabbit defecated within 15 minutes after acupuncture. Knowing that a patient's normal bowel function is blocked for number of days after vagotomy, he wondered whether acupuncture would help. When he vagotomized rabbits, he found that bowel sounds returned about 36 hours sooner if they were given acupuncture right after the surgery. Obtaining permission to try acupuncture on postvagotomy patients, Dr. Matsumoto got the same result in four cases.

In a controlled study of eight osteoarthritis patients, Dr. Matsumoto located their most tender spots and found that 60% of the sites showed low skin resistance and corresponded to classic acupuncture points. He used manually twirled acupuncture needles at points of high tenderness and low skin resistance in four of these patients, and applied needles at points about 2 cm. from the classic locations in the other four.

All patients in the first group felt some pain relief and two were discharged within the week. The control patients felt little or no relief for the first three days. On the fourth day, Dr. Matsumoto switched to their real acupuncture points, and they duplicated the response of the first group—two were discharged within days. The

other two controls obtained partial but temporary relief. Duplicating the experiment with two other groups, this time with electrically stimulated needles, produced results that were virtually identical to those of the earlier test, Dr. Matsumoto reported.

At the University of Florida in Gainesville, anesthesiologist Peter K.Y. Lee reported some success with acupuncture in tests on patients with osteoarthritis, neuralgia, and musculoskeletal pain. Of 44 patients needed at accepted meridian points, 37 reported pain relief of various degrees. In a second group of 13 patients, ten reported relief of pain when needed at the correct sites. But in a second trial, needles inserted at incorrect or placebo points brought relief to only three of the 13. In the second month of the study, the investigators switched to 27-gauge disposable hypodermic needles with no change in results, said Dr. Lee.

But when a group from his department tried the placebo technique on 18 patients at the Gainesville VA hospital, about 60% of them reported at least 50% relief, even though the treatment consisted of random subcutaneous insertion of four 27-gauge disposable needles. During a 30-minute session the physician occasionally twirled the needles while he talked with the patient about his illness. "Obviously, we are not drawing any conclusions from this very small num-

ber of observations," said Dr. Thor-kild W. Andersen. "We are surprised, however, that this procedure was twice as effective as other placebo treatments. This may be more than a chance observation. The patients' expectations were high because of the wide publicity given acupuncture. The individual attention of a physician, combined with the positive act of inserting the needles, is likely to leave a greater impression on the patient than the administration of a tablet or an injection."

The oft-made suggestion that acupuncture is a form of hypnosis was disputed by Dr. Kinichi Shibutani, director of anesthesiology at Grasslands Hospital in Valhalla, N.Y. A group of 59 patients referred to the hospital's pain clinic were scored on a personality profile and hypnotizability test, he said. And "patients with low hypnotizability scores responded to acupuncture just as well as those with high scores."

"I think that the evidence presented suggests that acupuncture does have effects that should be of interest to medical science," concluded the committee's chairman, Dr. John J. Bonica, professor and chairman of anesthesiology at the University of Washington. "Preliminary results indicate that it might be useful in pain problems and may be effective in producing anesthesia for some surgical procedures."



Dr. Moss uses a current-flow meter to locate acupuncture points on the arm of 'patient' Dr. Gene M. Smith of Massachusetts General.

Exhibit APR 2 1973
D

會 學 醫 港 香
The Hong Kong Medical Association

WYNDHAM MANSION 6TH FLOOR
WYNDHAM STREET
P. O. Box 1957 TEL. 5-231898
HONG KONG

會 計 師	願 問	當 然 會 董	會 董	司 秘 副 會	會 庫 書 長
李 阮 余 貝 周 蘇 趙	孫 石 汪 羅 余 林 陳 李 簡 李	M. Aquinas			
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樹 耀 詔 祺 煌 年 策	泉 宗 武 理 江 第 彬 鴻 燧 賢				

DENT:
PETER C. Y. LEE
PRESIDENT:
JR. KAN PUN SHUI
HON. SECRETARY:
DR. LEE KIN HUNG
HON. TREASURER:
DR. EMMANUEL CHANG LOK-PAN
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DR. SOO HUNG NIN
DR. CHRISTINA P.W. CHOW (EX-OFFICIO)
HON. ADVISERS:
MR. BROOK BERNACCHI Q. C.
MR. PATRICK S. S. YU
MR. PHILIP P. Y. YUEN
HON. AUDITOR:
THE HON. F. S. LI

Hong Kong, March 29, 1973.

Dr. John P. Sande,
President,
Nevada State Medical Association,
3660 Baker Lane,
Reno Nevada,
U.S.A.

Dear Dr. Sande,

The person you enquired about, "Professor" Lok Yee-Kung, is not a registered medical practitioner in Hong Kong. He has no medical qualifications and has no standing in the local medical profession. Apparently he is a herbalist and is a self-appointed professor.

Yours sincerely,



K. H. Lee,
Hon. Secretary.

KHL/ymc

Comments John P. Sander, M.D. 4/14/73 (1)
Exhibit E

I. Twelve pulses - diagnosis used
in acupuncture - belief discarded
reference - State of New York
report - from Commissioner of Education.

Copy enclosed

II Mr Steinberg's comment on 4/2/73
He did not know any MD's in
acupuncture ability.

Listed below are a few (others also)

Jane Lee, M.D.

Chinese - teaches acupuncture
at University of California, S.F.

Dr Fong - brother of above - teaches
acupuncture to physicians
west coast

Thelma, Moss - M.D. - working
on research acupuncture at UCLA

See enclosed N.I.H. report.

III Cost of acupuncture treatment
usually \$25/per visit

See N.Y. Times enclosure of
clinic in Washington, DC.

IV Problems of licensure - difficult
to obtain background material.

Two cablegrams sent to Hong Kong in March.
Reply of Hong Kong Med Soc. - reply
enclosed. No reply as yet from
the Hawdorn Chinese Medical Society

(2)

Called Kenneth Keizer - graduate of Reno High School, Stanford, & presently a first year medical student at UCLA to check on background of Stephen Rosenblatt & Chiu Shek Yu (sp?) - acupuncturist.

These 2 appeared before the Senate Committee hearing on acupuncture.

Mr. Rosenblatt also appeared before the U. of Nevada students this year & spoke about acupuncture. According to the report in the Reno newspaper he was also ~~the~~ a PhD candidate in physiology. As I recall this was also mentioned in the senate hearing.

According to Mr. Keizer who contacted professors & school officials of the medical sciences including biology & physiology there was no record of a Stephen Rosenblatt, nor did anybody know him. This check included the past 3 years. Also Dr. Yu is unknown to the West Coast acupuncturists who are in the California research project. This is the acupuncturist Mr. Rosenblatt is representing (he is unable to speak english.)

If you are interested it would be easy to check on Mr. Rosenblatt's remarks that he is working on a PhD in psychophysiology.

Sincerely
John P. Sander

L Dec 27, 1972

Acupuncture Clinic, Shut Here, Opens Up Again in Washington

By RICHARD L. MADDEN

Special to The New York Times

WASHINGTON, Dec. 27—A New York City acupuncture clinic, closed last month by New York State Authorities because its Chinese practitioners were not licensed physicians, reopened here today with some of its former New York patients following it to Washington.

The clinic, known as the Acupuncture Center of New York when it operated until Nov. 10 at 133 East 73d Street, resumed business this morning as the Acupuncture Center of Washington in a fourth-floor suite in a downtown office building that houses a number of doctors' offices.

The center, which treats physical ailments through the inserting of needles in the body, received permission to operate here earlier this month when the District of Columbia Commission on Licensing to Practice the Healing Arts informed the center's officials that acupuncture was regarded by the commission as "a procedure of the healing arts."

The licensing commission stressed, however, that acupuncture could be practiced in the District only under the "direct and immediate supervision" of a licensed physician and that the physician would have to bear the full responsibility for the work of the acupuncturists.

Chinatown Practice Cited

Officials of the center said that licensed physicians would supervise the work of the Chinese acupuncturists—as they did in New York. The New York State Education Department had held that only licensed physicians might wield the needles and that the center's acupuncturists were not licensed.

The center agreed to close in New York after legal action was brought against it by the State Attorney General, Louis J. Lefkowitz. Since then Mr. Lefkowitz has urged an acceleration in state-supported re-

search to determine the medical value of acupuncture.

"The irony is that acupuncture has been practiced in New York for more than 100 years in Chinatown, sometimes in filthy holes in the back of a store," said Charles Newmark, administrator of the center.

He said that when the center sought to bring the practice "into the open" with qualified personnel, the state "closed it up."

Mr. Newmark said that in the capital four or five licensed physicians would be on hand at the center initially to supervise the work of the Chinese acupuncturists and to screen patients before any treatment was given.

Initial Fee of \$50

The fee for the first visit, which includes a medical examination and the first treatment, is \$50, he said. The charge for subsequent treatments is \$25 each, he said.

Mr. Newmark added that the center treated about 2,000 persons in New York before it closed and that it had a waiting list of 3,000. He said that a number of the center's former patients planned to continue treatment in Washington even though it would be a financial hardship for some of them.

One of the center's first patients this morning was a 59-year-old Long Island man who had begun treatments for arthritis in his knees and neck at the center in New York a few days before it closed.

The man, who asked not to be identified, said that he had flown to Washington last night to be ready for another treatment today and would stay in a hotel in the capital for nine more days to continue treatments. "I don't care what it costs," he said.

After emerging from the treatment room, the man was asked if the needle therapy had helped. He pulled up a pants leg, vigorously flexed his knee, and said: "What can I tell you!"

the indications for which the drug has been reclassified from possibly effective to lacking substantial evidence of effectiveness may on or before April 9, 1973, petition for the issuance of a regulation providing for other certification of the drug for such indications. The petition must be supported by a full factual and well documented medical analysis which shows reasonable grounds for the issuance of such regulation.

The petition for issuance of said regulation should be filed, preferably in quadruplicate, with the Hearing Clerk Department of Health, Education, and Welfare, Room 488, 5600 Fishers Lane, Rockville, Md. 20852.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 302, 507, 52 Stat. 1051-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: March 3, 1973.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.73-4544 Filed 3-8-73; 8:45 am]

ACUPUNCTURE DEVICES LABELING Notice to Manufacturers, Packers and Distributors

The Commissioner of Food and Drugs is aware of the current interest in the United States surrounding the use of acupuncture needles, stimulators, and other accessories for medical purposes. Acupuncture paraphernalia are being imported into this country and are also being manufactured domestically for various medical uses, including the treatment and diagnosis of serious diseases, anesthesia, and pain relief. These products are devices and must comply with all applicable provisions of the Federal Food, Drug, and Cosmetic Act.

It is the position of the Food and Drug Administration that the safety and effectiveness of acupuncture devices have not yet been established by adequate scientific studies to support the many and varied uses for which such devices are being promoted, including uses for analgesia and anesthesia. Although various theories have been advanced as to how medical results can be obtained through the use of acupuncture, none has been proved or generally accepted, and there is a body of scientific opinion which questions the safety and effectiveness of acupuncture in many of the uses for which it is now being applied.

Under the Federal Food, Drug, and Cosmetic Act, all devices must be properly labeled to be in compliance with the law. Devices which are not safe for use by the laity, or for which adequate directions cannot be written for safe use by the laity, must be labeled as prescription devices and must be accompanied by labeling which provides the prescribing practitioner with adequate directions for their safe and effective use. Because the

safety and effectiveness of acupuncture devices have not yet been adequately demonstrated, and labeling therefore cannot be devised, which would provide adequate directions for safe and effective use, they may not be labeled in accordance with the requirements for prescription devices as stated in 21 CFR 2.106(d). Until evidence is obtained demonstrating that acupuncture is a safe and effective medical technique, acupuncture devices must be limited to investigational or research use.

Current Food and Drug Administration Regulations do not contain specific provisions governing the shipment of investigational devices in interstate commerce for clinical research or experimental use. The Commissioner of Food and Drugs is aware of the need for such regulations to provide adequate guidance as to the labeling for experimental devices to be used on human beings. Therefore, the Commissioner intends to publish at a later date proposed regulations which would govern all investigational devices. In the interim, this notice will apply to all acupuncture devices.

In order to establish guidelines under which manufacturers, packers, and distributors can properly label acupuncture devices for investigational use, the Food and Drug Administration met on September 22, 1972, with individuals concerned with the use of acupuncture in the United States. These included representatives of the States of California and New York, the city of New York, the American Society of Anesthesiologists, the National Institutes of Health, the Federation of State Medical Boards, the American Medical Association, medical practitioners, and the Food and Drug Administration Medical Device Advisory Committee. It was the consensus of this group that acupuncture devices should be restricted to investigational use by licensed practitioners and that the labeling for these devices should include this restriction in addition to other information.

Accordingly, the Commissioner of Food and Drugs concludes that until substantial scientific evidence is obtained by valid research studies supporting the safety and therapeutic usefulness of acupuncture devices, the Food and Drug Administration will regard as misbranded any acupuncture device shipped in interstate commerce if the following information does not appear in the labeling:

- (a) The name of the device.
- (b) The name and place of business of the manufacturer, packer, or distributor.
- (c) An accurate statement of the quantity of the contents.
- (d) The composition of the device and whether it is sterile, nonsterile, reusable, or disposable.
- (e) The dimension or other pertinent physical characteristics of the device.
- (f) The following statement: Caution: Experimental device limited to investigational use by or under the direct supervision of a licensed medical or den-

tal practitioner. This device is to be used only with informed consent under conditions designed to protect the patient as a research subject, where the scientific protocol for investigation has been reviewed and approved by an appropriate institutional review committee, and where conditions for such use are in accordance with State law."

Instructions for the use of the device for the purpose for which it is being investigated and, to the extent such information is known, any human hazards, contraindications, precautions, or side effects associated with its use, should be provided to researchers and investigators. The Food and Drug Administration, however, will regard as misbranded any acupuncture device shipped in interstate commerce if accompanied by claims of diagnostic or therapeutic effectiveness.

Pending promulgation of separate regulations for conducting clinical investigations of investigational devices, researchers and investigators shall assure adequate informed consent and institutional committee review for such investigations, utilizing as a guideline the standards established for investigational drugs in 21 CFR 130.37 and in Division 10, unit C of form FD-1571, in 21 CFR 130.3 (a) (2).

Dated: February 21, 1973.

SHERWIN GARDNER,
Deputy Commissioner
of Food and Drugs.

[FR Doc.73-4540 Filed 2-8-73; 8:45 am]

Pocket No. FDC-D-255; NDA 11-370 etc.; DESI 10732]

LAVEMA COMPOUND SOLUTION AND LAVEMA ENEMA POWDER

Final Order on Objections and Request for a Hearing Regarding Withdrawal of Approval of New-Drug Application

In the FEDERAL REGISTER of September 30, 1971 (36 FR 19184), the Food and Drug Administration announced its evaluation of a report received from the National Academy of Sciences-National Research Council Drug Efficacy Study Group on several preparations containing oxyphenisatin, including Lavema Compound Solution and Lavema Enema Powder, Winthrop Laboratories, Division of Sterling Drug, Inc., 90 Park Avenue, New York, NY 10016 (NDA's 12-587 and 11-370; DESI 10732).

The announcement stated that new evidence of clinical experience, not contained in the new drug applications or evaluated together with the evidence available to the Commissioner until after the applications were approved, evaluated together with the evidence available to the Commissioner when the applications were approved, reveals that oxyphenisatin base and acetate are not shown to be safe for use under the conditions of use contained in the approved applications. The announcement further stated the conclusion of the Food and Drug Administration that in view of the hazards associated with the use of oxy-

Remarks by Mr. Barengo.
Motion carried.

Mr. Bennett moved that Senate Bill No. 448 be placed on the Second Reading File.

Remarks by Mr. Bennett.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 900.

Bill read third time.

Remarks by Messrs. McNeel, Dini, Getto, and Dreyer.

Mr. Dreyer moved that Assembly Bill No. 900 be taken from the General File and re-referred to the Committee on Judiciary.

Mr. Getto moved that Mr. Dreyer's motion be amended and that Assembly Bill No. 900 be taken from the General File and re-referred to the Committee on Government Affairs.

Remarks by Messrs. Hayes and Getto.

Mr. Getto's motion carried on a division of the house.

Mr. Dreyer's motion carried, as amended.

SECOND READING AND AMENDMENT

* Senate Bill No. 448.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 5054.

Amend sec. 4, page 2, by deleting lines 19 through 25 and inserting:
"2. The board may prescribe the courses of study required for the".

Amend sec. 6, page 3, by deleting lines 8 and 9 and inserting:
"2. During the first 2 years after".

Amend sec. 15, page 4, by deleting line 28 and inserting: "cine or acupuncture, or has successfully completed a course of study of 48 months in Chinese medicine or 36 months in acupuncture at a college in Hong Kong;".

Amend sec. 21, page 6, by deleting lines 13 through 25 and inserting:

"Sec. 21. Traditional Chinese doctors and doctors of acupuncture shall observe and be subject to all state and municipal regulations relative to reporting all births and deaths in all matters pertaining to the public health."

Amend sec. 24, page 6, by deleting lines 44 through 46 and inserting:

"Sec. 24. A person who represents himself as a practitioner of traditional Chinese medicine, or any branch thereof, and who engages in the practice of traditional Chinese medicine, or any branch thereof, in this state without holding a valid license issued by the board is guilty of a gross misdemeanor."

Mr. Bennett moved the adoption of the amendment.

Remarks by Messrs. Bennett, Fry, and Lowman.

Amendment adopted.

Mr. Broadbent moved that Senate Bill No. 448 be placed on the Chief Clerk's desk.

Remarks by Messrs. Broadbent, Bennett, McNeel, Fry, and Vergiels.
 Motion lost on a division of the house.
 Bill ordered reprinted, re-engrossed, and to third reading.

MOTIONS, RESOLUTIONS, AND NOTICES

By Messrs. Wittenberg, Barengo, Bremner, Dreyer, Mesdames Ford, Gojack, Messrs. Huff, Capurro, Crawford, Bennett, Smith, Young, Ullom, Craddock, Robinson, Howard, Glover, Getto, Hickey, Vergiels, Bickerstaff, Banner, Hafen, Torvinen, Demers, Hayes, May, Prince, Smalley, Jacobsen, Mrs. Brookman, Mr. Mello, Miss Foote, Messrs. Fry, Lowman, Dini, Broadbent, and McNeel:

Assembly Joint Resolution No. 43—Memorializing the President and the Civil Aeronautics Board to authorize competitive commercial air service between Las Vegas and Reno.

Mr. Wittenberg moved that the resolution be referred to the Committee on Commerce.

Remarks by Mrs. Brookman.
 Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 946—An Act relating to accountants; requiring a program of continuing education for accountants; consolidating certain grievance committees; exempting certain accountants from licensing as life insurance analysts; and providing other matters properly relating thereto.

Mr. Prince moved that the bill be referred to the Committee on Commerce.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 912.

Bill read third time.

Remarks by Mr. Barengo.

Roll call on Assembly Bill No. 912:

YEAS—37.

NAYS—None.

Absent—Broadbent, Fry, Schofield—3.

Assembly Bill No. 912 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 913.

Bill read third time.

Remarks by Mr. Barengo.

Roll call on Assembly Bill No. 913:

YEAS—39.

NAYS—None.

Absent—Schofield.

Assembly Bill No. 913 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.



SENATE BILL NO. 448—SENATOR WALKER

MARCH 13, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Regulates separately practice of Chinese medicine.

Fiscal Note: No. (BDR 54-1396)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to Chinese medicine; regulating its practice separately; providing standards, qualifications and licensing of practitioners; providing a penalty; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. Title 54 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 24,
3 inclusive, of this act.

4 SEC. 2. The practice of Chinese medicine and any branch thereof is
5 hereby declared to be a learned profession, affecting public safety and
6 welfare and charged with the public interest, and therefore subject to
7 protection and regulation by the state.

8 SEC. 3. Unless the context otherwise requires, the words, phrases and
9 derivatives thereof employed in this chapter have the meanings ascribed
10 to them in this section.

11 1. "Acupuncture" means the insertion of needles into the human
12 body by piercing the skin of the body, for the purpose of controlling and
13 regulating the flow and balance of energy in the body.

14 2. "Board" means the state board of Chinese medicine.

15 3. "Doctor of acupuncture" means a person who has been licensed
16 under the provisions of this chapter to practice the art of healing known
17 as acupuncture.

18 4. "Doctor of herbal medicine" means a person who has been
19 licensed under the provisions of this chapter to practice the art of healing
20 known as herbal medicine.

21 5. "Doctor of traditional Chinese medicine" means a person who has
22 been licensed under the provisions of this chapter to practice the art of
23 healing through traditional Chinese medicine.

24 6. "Herbal medicine" and "practice of herbal medicine" mean sug-
25 gesting, recommending, prescribing or directing the use of herbs for the

1 cure, relief or palliation of any ailment or disease of the mind or body, or
2 for the cure or relief of any wound, fracture, bodily injury or deformity.

3 7. "Herbs" means plants or parts of plants valued for medicinal qual-
4 ities.

5 8. "Licensed acupuncture assistant" means a person who assists in
6 the practice of acupuncture under the direct supervision of a person
7 licensed under the provisions of this chapter to practice traditional Chi-
8 nese medicine or acupuncture.

9 9. "Traditional Chinese medicine" means that system of the healing
10 art which places the chief emphasis on the flow and balance of energy in
11 the body mechanism as being the most important single factor in main-
12 taining the well-being of the organism in health and disease and includes
13 the practice of acupuncture and herbal medicine.

14 SEC. 4. 1. A school or college of Chinese medicine may be estab-
15 lished and maintained in this state only if:

16 (a) Its establishment is approved by the board.

17 (b) Its curriculum is approved annually by the board for content and
18 quality of instruction in accordance with the requirements of this chapter.

19 2. The board may prescribe the courses of study required for the
20 respective degrees of doctor of acupuncture, doctor of herbal medicine
21 and doctor of traditional Chinese medicine.

22 SEC. 5. 1. The state board of Chinese medicine, consisting of five
23 members appointed by the governor, is hereby created.

24 2. The governor shall appoint the members as soon as feasible after
25 the effective date of this act. Their terms shall be as follows:

26 (a) Two members shall hold office for 1 year;

27 (b) Two members shall hold office for 2 years;

28 (c) One member shall hold office for 3 years; and

29 (d) Thereafter, all terms shall be for 3 years.

30 3. A person is eligible for appointment as a member of the board
31 even though he is not a citizen of the United States or a resident of
32 Nevada.

33 4. The governor shall appoint persons to fill vacancies for the
34 remainder of an unexpired term.

35 5. Each member of the board shall, before entering upon the duties
36 of his office, take the oath of office prescribed by the constitution before
37 someone qualified to administer oaths.

38 SEC. 6. 1. Except as otherwise provided in subsection 2, all persons:

39 (a) Who hold licenses under this chapter to practice traditional Chi-
40 nese medicine;

41 (b) Who are affiliated with a school, college, society or organization
42 chartered or licensed by the State of Nevada for the primary purpose of
43 promoting the teaching of Chinese medicine or any branch thereof or the
44 scientific research of any branch of such medicine or to promote the
45 establishment of schools or colleges to teach Chinese medicine or any
46 branch thereof; or

47 (c) Who are physicians licensed by any government, state, territory
48 or province to practice Chinese medicine and who have practiced tradi-
49 tional Chinese medicine for at least 10 years,
50 are eligible to be appointed to serve on the board.

1 2. During the first 2 years after the effective date of this act, at least
2 two members of the board shall be residents of the State of Nevada, and
3 thereafter all members shall be such residents.

4 SEC. 7. Each member of the board shall receive:

5 1. A salary of not more than \$25 per day, as fixed by the board,
6 while engaged in the business of the board.

7 2. Actual expenses for subsistence and lodging, not to exceed \$25 per
8 day, and actual expenses for transportation, while traveling on business
9 of the board.

10 SEC. 8. The board shall annually elect from its members a president,
11 vice president and secretary-treasurer, and may fix and pay a salary to
12 the secretary-treasurer.

13 SEC. 9. The board may:

14 1. Employ attorneys, investigators and other professional consultants
15 and clerical personnel necessary to discharge its duties. For the purpose
16 of conducting its examinations, the board may call to its aid persons of
17 established reputation and known ability in Chinese medicine;

18 2. Maintain offices in as many localities in the state as it finds neces-
19 sary to carry out the provisions of this chapter;

20 3. Promulgate rules and regulations, or either of them, not inconsis-
21 tent with the provisions of this chapter; and

22 4. Compel the attendance of witnesses and the production of evi-
23 dence by subpoena and the board may administer oaths.

24 SEC. 10. The board shall:

25 1. Hold meetings at least once a year and at any other time at the
26 request of the president of the majority of the members;

27 2. Have and use a common seal;

28 3. Deposit in interest-bearing accounts in the State of Nevada all
29 moneys received under the provisions of this chapter, which shall be used
30 to defray the expenses of the board;

31 4. Operate on the basis of the fiscal year beginning July 1, and end-
32 ing June 30; and

33 5. Keep a record of its proceedings which shall be open to the public
34 at all times and which shall also contain the name and business address of
35 every registered licensee in this state.

36 SEC. 11. An applicant for examination for a license to practice tradi-
37 tional Chinese medicine or any branch thereof, shall:

38 1. Submit an application to the board on forms provided by the
39 board;

40 2. Submit satisfactory evidence that he is 21 years or older and meets
41 the appropriate educational requirements; and

42 3. Pay a fee of \$100.

43 SEC. 12. 1. Examinations shall be given at least twice a year at a
44 time and place fixed by the board.

45 2. Applicants for licenses to practice acupuncture, herbal medicine
46 and traditional Chinese medicine and to practice as an acupuncture assist-
47 ant shall be examined in the respectively appropriate subjects as deter-
48 mined by the board.

49 SEC. 13. Persons licensed pursuant to this chapter are not subject to
50 the provisions of chapters 629 and 630 of NRS.

1 SEC. 14. The board may waive examination and grant a certificate of
 2 doctor of traditional Chinese medicine to any applicant who:
 3 1. Has applied in writing to the board not later than 120 days after
 4 the effective date of this act;
 5 2. Obtained a certificate from the Republic of China, the People's
 6 Republic of China, Korea or Japan acknowledging that the applicant was
 7 qualified to practice Chinese medicine;
 8 3. Has practiced traditional Chinese medicine for at least 20 years
 9 immediately prior to the effective date of this act; and
 10 4. Submits with his application a filing fee of \$100.

11 SEC. 15. The board shall issue a license for the practice of tradi-
 12 tional Chinese medicine or a license for the practice of acupuncture
 13 where the applicant:

- 14 1. Has a license or certificate from the government of the Republic
 15 of China, People's Republic of China, Korea or Japan which acknowl-
 16 edges that the applicant has the qualifications to practice Chinese medi-
 17 cine or acupuncture, or has successfully completed a course of study of
 18 48 months in Chinese medicine or 36 months in acupuncture at a college
 19 in Hong Kong;
- 20 2. Has practiced traditional Chinese medicine or acupuncture for
 21 10 years; and
- 22 3. Passes the examination of the board.

23 SEC. 16. An applicant for a license for acupuncture assistant shall be
 24 issued a license by the board if he:

- 25 1. Has successfully completed a course of study in acupuncture in
 26 any college or school in any country, territory, province or state requir-
 27 ing an attendance of 36 months;
- 28 2. Practiced acupuncture for not less than 3 years; and
- 29 3. Passes the examination of the board for acupuncture assistant.

30 SEC. 17. It is unlawful for any person licensed under the provisions of
 31 this chapter to prescribe herbal medication unless the herbs prescribed
 32 have been approved by the Food and Drug Administration for use for the
 33 prevention or alleviation or cure of illness or disease or for relief from
 34 suffering.

35 SEC. 18. 1. Every person holding a license authorizing him to prac-
 36 tice traditional Chinese medicine, acupuncture, herbal medicine or to
 37 serve as an acupuncture assistant in this state shall record his license in
 38 the office of the county clerk of the county of his office and residence.
 39 Every licensee upon a change of residence or office shall have his certifi-
 40 cate recorded in like manner in the county to which he has changed.

- 41 2. Every license shall be displayed in the office, place of business or
 42 place of employment of the holder thereof.
- 43 3. Every person holding a license who is a resident of the state shall
 44 pay an annual registration fee of \$20 to the secretary-treasurer of the
 45 board on or before February 1. If the holder of a license fails to pay the
 46 registration fee his license shall be suspended. The license may be rein-
 47 stated by payment of the required fee within 90 days after February 1.
- 48 4. A license which is suspended for more than 3 months under the

1 provisions of subsection 3 may be canceled by the board after 30 days'
 2 notice to the holder of the license.

3 5. Every person holding a license who is not a resident of the state
 4 shall pay an annual registration fee of \$5 to the secretary-treasurer of the
 5 board on or before February 1.

6 SEC. 19. The board may either refuse to issue or may suspend or
 7 revoke any license for any one or any combination of the following
 8 causes:

- 9 1. Conviction of a felony, conviction of any offense involving moral
 10 turpitude or conviction of a violation of any state or federal law regulat-
 11 ing the possession, distribution or use of any controlled substance as
 12 defined in chapter 453 of NRS, as shown by a certified copy of record of
 13 the court;
- 14 2. The obtaining of or any attempt to obtain a license or practice in
 15 the profession for money or any other thing of value, by fraudulent mis-
 16 representations;
- 17 3. Gross malpractice;
- 18 4. Advertising by means of knowingly false or deceptive statement;
- 19 5. Advertising, practicing or attempting to practice under a name
 20 other than one's own;
- 21 6. Habitual drunkenness or habitual addiction to the use of a con-
 22 trolled substance as defined in chapter 453 of NRS;
- 23 7. Using any false, fraudulent or forged statement or document, or
 24 engaging in any fraudulent, deceitful, dishonest or immoral practice in
 25 connection with the licensing requirements of this chapter;
- 26 8. Sustaining a physical or mental disability which renders further
 27 practice dangerous;
- 28 9. Engaging in any dishonorable, unethical or unprofessional conduct
 29 which may deceive, defraud or harm the public, or which is unbecoming
 30 a person licensed to practice under this chapter;
- 31 10. Using any false or fraudulent statement in connection with the
 32 practice of traditional Chinese medicine or any branch thereof;
- 33 11. Violating or attempting to violate, or assisting or abetting the
 34 violation of, or conspiring to violate any provision of this chapter;
- 35 12. Being adjudicated incompetent or insane;
- 36 13. Advertising in an unethical or unprofessional manner;
- 37 14. Obtaining a fee or financial benefit for any person by the use
 38 of fraudulent diagnosis, therapy or treatment;
- 39 15. Willful disclosure of a privileged communication;
- 40 16. Failure of a licensee to designate his school of practice in the
 41 professional use of his name by the term traditional Chinese doctor,
 42 doctor of acupuncture, doctor of herbal medicine or acupuncture assist-
 43 ant, as the case may be;
- 44 17. Willful violation of the law relating to the health, safety or wel-
 45 fare of the public or of the rules and regulations promulgated by the
 46 state board of health; and
- 47 18. Administering, dispensing or prescribing any controlled substance
 48 as defined in chapter 453 of NRS, except for the prevention, alleviation
 49 or cure of disease or for relief from suffering.

50 SEC. 20. The board shall not refuse to issue, refuse to renew, suspend

1 or revoke any license for any of the causes enumerated in section 21, of
2 this act, unless the person accused has been given at least 20 days' notice
3 in writing of the charge against him and a hearing by the board.

4 SEC. 21. Traditional Chinese doctors and doctors of acupunctu-
5 re shall observe and be subject to all state and municipal regulations relative
6 to reporting all births and deaths in all matters pertaining to the public
7 health.

8 SEC. 22. This chapter does not apply to:

9 1. Chinese physicians who are called into this state for consultation.

10 2. This chapter does not prohibit:

11 (a) Gratuitous services of druggists or other persons in cases of emer-
12 gency;

13 (b) The domestic administration of family remedies;

14 (c) Any person from assisting any person in the practice of the healing
15 arts licensed under this chapter, except that such person may not insert
16 needles into the skin or prescribe herbal medicine.

17 SEC. 23. 1. The board may maintain in any court of competent juris-
18 diction a suit for an injunction against any person or persons practicing
19 Chinese medicine or any branch thereof without a license.

20 2. Such an injunction:

21 (a) May be issued without proof of actual damage sustained by any
22 person, this provision being understood to be a preventive as well as a
23 punitive measure.

24 (b) Shall not relieve such person from criminal prosecution for prac-
25 ticing without a license.

26 SEC. 24. A person who represents himself as a practitioner of tradi-
27 tional Chinese medicine, or any branch thereof, and who engages in the
28 practice of traditional Chinese medicine, or any branch thereof, in this
29 state without holding a valid license issued by the board is guilty of a
30 gross misdemeanor.

31 SEC. 25. This act shall become effective upon passage and approval.

4-6-73

has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

TOM HICKEY, *Chairman*

GENERAL FILE AND THIRD READING

* Senate Bill No. 448.

Bill read third time.

Remarks by Messrs. Bennett, McNeel, Craddock, Barengo, and Hickey.

Messrs. Hayes, Demers, and Jacobsen moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 448.

Roll call on Senate Bill No. 448:

YEAS—34.

NAYS—Broadbent, Capurro—2.

Absent—Bickerstaff, Hafen, Schofield, Wittenberg—4.

Senate Bill No. 448 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 3.

Bill read third time.

Remarks by Mr. Capurro.

Roll call on Senate Bill No. 3:

YEAS—33.

NAYS—None.

Absent—Bickerstaff, Bremner, Dini, Fry, Hafen, Schofield, Torvinen—7.

Senate Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Smith moved that Senate Bill No. 5 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Mr. Smith.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 7.

Bill read third time.

Remarks by Mr. Capurro.

Roll call on Senate Bill No. 7:

YEAS—32.

NAYS—McNeel.

Absent—Bennett, Bickerstaff, Bremner, Dini, Fry, Hafen, Schofield—7.

Senate Bill No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 77.

Bill read third time.

73

Senate Concurrent Resolution No. 34.
 Senator Monroe moved the adoption of the resolution.
 Resolution adopted.

Assembly Concurrent Resolution No. 19.
 Senator Monroe moved the adoption of the resolution.
 Resolution adopted.

Assembly Concurrent Resolution No. 48.
 Senator Foley moved the adoption of the resolution.
 Remarks by Senator Foley.
 Resolution adopted.

Senate Concurrent Resolution No. 24.
 Senator Walker moved the adoption of the resolution.
 Remarks by Senators Walker, Young, and Gibson.
 Senators Lamb, Brown, and Monroe requested a roll call on Senator Walker's motion.

Roll call on Senator Walker's motion:

YEAS—11.

NAYS—Brown, Close, Dodge, Gibson, Hecht, Herr, Lamb, Monroe, Pozzi—9.

The motion having received a majority, Mr. President declared it carried.

Resolution adopted.

Assembly Concurrent Resolution No. 43.
 Senator Walker moved the adoption of the resolution.
 Resolution adopted.

Senator Gibson moved that Senate Bill No. 622 be taken from the Secretary's desk and be placed on the General File.

Motion carried.

Senator Wilson moved that Assembly Bill No. 860 be taken from the General File and be placed on the General File for the next legislative day.

Motion carried.

Senator Gibson moved that Senate Bill No. 340 be taken from the Secretary's desk and be placed on the General File.

Motion carried.

Senator Brown moved that Senate Bill No. 228 be returned from enrollment.

Motion carried.

Senator Brown moved that the action whereby Senate Bill No. 228 was passed be rescinded.

Motion carried.

Senator Brown moved that Senate Bill No. 228 be taken from the General File and be placed on the Secretary's desk.

Motion carried.

GENERAL FILE AND THIRD READING

* Senate Bill No. 448.
 Bill read third time.

The following amendment was proposed by Senator Walker:

Amendment No. 5295.

Amend sec. 5, page 2, by deleting lines 30 through 32.

Amend sec. 5, page 2, line 33, by deleting "4." and inserting: "3."

Amend sec. 5, page 2, line 35, by deleting "5." and inserting: "4."

Amend sec. 6, page 2, by deleting lines 38 through 50 and inserting:

"Sec. 6. All members of the board shall be citizens of the United States and residents of the State of Nevada."

Amend sec. 6, page 3, by deleting lines 1 through 3.

Amend the bill as a whole by adding a new section designated as sec. 10.5.

"Sec. 10.5. 1. The Chinese medicine advisory committee, consisting of 5 members appointed by the governor, is hereby created.

2. The governor shall appoint the members of the advisory committee as soon as feasible after the effective date of this act. Their terms shall be as follows:

- (a) Two members shall hold office for 1 year;
- (b) Two members shall hold office for 2 years;
- (c) Two members shall hold office for 3 years; and
- (d) Thereafter, all terms shall be for 3 years.

3. Members of the advisory committee shall be selected with special reference to their ability and fitness to advise with respect to the duties assigned by this chapter to the board.

4. The advisory committee shall advise the board regarding licensing, curriculum of a school or college of Chinese medicine established pursuant to section 4 of this act, or any other duties of the board created by this chapter.

5. The advisory committee may receive, if authorized by the board, the same salary, subsistence, and travel expense provided by section 7 of this act."

Amend sec. 22, page 6, by deleting lines 8 and 9 and inserting:

"Sec. 22. 1. This chapter does not apply to Chinese physicians who are called into this state for consultation."

Senator Walker moved the adoption of the amendment.

Remarks by Senator Walker.

Amendment adopted.

Senator Walker moved that rules be suspended, that the reprinting of Senate Bill No. 448 be dispensed with, and that the Secretary be authorized to insert the amendment adopted by the Senate.

Motion carried unanimously.

Roll call on Senate Bill No. 448:

YEAS—20.

NAYS—None.

Senate Bill No. 448 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered reprinted, re-engrossed, and to the Assembly.

Senate Bill No. 218.

Bill read third time.



SENATE BILL NO. 448—SENATOR WALKER

MARCH 13, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Regulates separately practice of Chinese medicine.

Fiscal Note: No. (BDR 54-1396)



EXPLANATION—Matter in *italics* is new, matter in brackets [] is material to be omitted.

AN ACT relating to Chinese medicine; regulating its practice separately; providing standards, qualifications and licensing of practitioners; providing a penalty; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. Title 54 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 24,
3 inclusive, of this act.

4 SEC. 2. The practice of Chinese medicine and any branch thereof is
5 hereby declared to be a learned profession, affecting public safety and
6 welfare and charged with the public interest, and therefore subject to
7 protection and regulation by the state.

8 SEC. 3. Unless the context otherwise requires, the words, phrases and
9 derivatives thereof employed in this chapter have the meanings ascribed
10 to them in this section.

11 1. "Acupuncture" means the insertion of needles into the human
12 body by piercing the skin of the body, for the purpose of controlling and
13 regulating the flow and balance of energy in the body.

14 2. "Board" means the state board of Chinese medicine.

15 3. "Doctor of acupuncture" means a person who has been licensed
16 under the provisions of this chapter to practice the art of healing known
17 as acupuncture.

18 4. "Doctor of herbal medicine" means a person who has been
19 licensed under the provisions of this chapter to practice the art of healing
20 known as herbal medicine.

21 5. "Doctor of traditional Chinese medicine" means a person who has
22 been licensed under the provisions of this chapter to practice the art of
23 healing through traditional Chinese medicine.

24 6. "Herbal medicine" and "practice of herbal medicine" mean sug-
25 gesting, recommending, prescribing or directing the use of herbs for the

1 cure, relief or palliation of any ailment or disease of the mind or body, or
2 for the cure or relief of any wound, fracture, bodily injury or deformity.
3 7. "Herbs" means plants or parts of plants valued for medicinal qual-
4 ities.

5 8. "Licensed acupuncture assistant" means a person who assists in
6 the practice of acupuncture under the direct supervision of a person
7 licensed under the provisions of this chapter to practice traditional Chi-
8 nese medicine or acupuncture.

9 9. "Traditional Chinese medicine" means that system of the healing
10 art which places the chief emphasis on the flow and balance of energy in
11 the body mechanism as being the most important single factor in main-
12 taining the well-being of the organism in health and disease and includes
13 the practice of acupuncture and herbal medicine.

14 SEC. 4. 1. A school or college of Chinese medicine may be estab-
15 lished and maintained in this state only if:

16 (a) Its establishment is approved by the board.

17 (b) Its curriculum is approved annually by the board for content and
18 quality of instruction in accordance with the requirements of this chapter.

19 2. The board may prescribe the courses of study required for the
20 respective degrees of doctor of acupuncture, doctor of herbal medicine
21 and doctor of traditional Chinese medicine.

22 SEC. 5. 1. The state board of Chinese medicine, consisting of five
23 members appointed by the governor, is hereby created.

24 2. The governor shall appoint the members as soon as feasible after
25 the effective date of this act. Their terms shall be as follows:

26 (a) Two members shall hold office for 1 year;

27 (b) Two members shall hold office for 2 years;

28 (c) One member shall hold office for 3 years; and

29 (d) Thereafter, all terms shall be for 3 years.

30 3. The governor shall appoint persons to fill vacancies for the
31 remainder of an unexpired term.

32 4. Each member of the board shall, before entering upon the duties
33 of his office, take the oath of office prescribed by the constitution before
34 someone qualified to administer oaths.

35 SEC. 6. All members of the board shall be citizens of the United
36 States and residents of the State of Nevada.

37 SEC. 7. Each member of the board shall receive:

38 1. A salary of not more than \$25 per day, as fixed by the board,
39 while engaged in the business of the board.

40 2. Actual expenses for subsistence and lodging, not to exceed \$25 per
41 day, and actual expenses for transportation, while traveling on business
42 of the board.

43 SEC. 8. The board shall annually elect from its members a president,
44 vice president and secretary-treasurer, and may fix and pay a salary to
45 the secretary-treasurer.

46 SEC. 9. The board may:

47 1. Employ attorneys, investigators and other professional consultants
48 and clerical personnel necessary to discharge its duties. For the purpose
49 of conducting its examinations, the board may call to its aid persons of
50 established reputation and known ability in Chinese medicine;

1 2. Maintain offices in as many localities in the state as it finds neces-
2 sary to carry out the provisions of this chapter;

3 3. Promulgate rules and regulations, or either of them, not inconsis-
4 ent with the provisions of this chapter; and

5 4. Compel the attendance of witnesses and the production of evi-
6 dence by subpoena and the board may administer oaths.

7 SEC. 10. The board shall:

8 1. Hold meetings at least once a year and at any other time at the
9 request of the president of the majority of the members;

10 2. Have and use a common seal;

11 3. Deposit in interest-bearing accounts in the State of Nevada all
12 moneys received under the provisions of this chapter, which shall be used
13 to defray the expenses of the board;

14 4. Operate on the basis of the fiscal year beginning July 1, and end-
15 ing June 30; and

16 5. Keep a record of its proceedings which shall be open to the public
17 at all times and which shall also contain the name and business address of
18 every registered licensee in this state.

19 SEC. 10.5. 1. The Chinese medicine advisory committee, consisting
20 of 5 members appointed by the governor, is hereby created.

21 2. The governor shall appoint the members of the advisory committee
22 as soon as feasible after the effective date of this act. Their terms shall be
23 as follows:

24 (a) Two members shall hold office for 1 year;

25 (b) Two members shall hold office for 2 years;

26 (c) Two members shall hold office for 3 years; and

27 (d) Thereafter, all terms shall be for 3 years.

28 3. Members of the advisory committee shall be selected with special
29 reference to their ability and fitness to advise with respect to the duties
30 assigned by this chapter to the board.

31 4. The advisory committee shall advise the board regarding licensing,
32 curriculum of a school or college of Chinese medicine established pur-
33 suant to section 4 of this act, or any other duties of the board created by
34 this chapter.

35 5. The advisory committee may receive, if authorized by the board,
36 the same salary, subsistence, and travel expense provided by section 7 of
37 this act.

38 SEC. 11. An applicant for examination for a license to practice tradi-
39 tional Chinese medicine or any branch thereof, shall:

40 1. Submit an application to the board on forms provided by the
41 board;

42 2. Submit satisfactory evidence that he is 21 years or older and meets
43 the appropriate educational requirements; and

44 3. Pay a fee of \$100.

45 SEC. 12. 1. Examinations shall be given at least twice a year at a
46 time and place fixed by the board.

47 2. Applicants for licenses to practice acupuncture, herbal medicine
48 and traditional Chinese medicine and to practice as an acupuncture assist-
49 ant shall be examined in the respectively appropriate subjects as deter-
50 mined by the board.

1 SEC. 13. Persons licensed pursuant to this chapter are not subject to
2 the provisions of chapters 629 and 630 of NRS.

3 SEC. 14. The board may waive examination and grant a certificate of
4 doctor of traditional Chinese medicine to any applicant who:

5 1. Has applied in writing to the board not later than 120 days after
6 the effective date of this act;

7 2. Obtained a certificate from the Republic of China, the People's
8 Republic of China, Korea or Japan acknowledging that the applicant was
9 qualified to practice Chinese medicine;

10 3. Has practiced traditional Chinese medicine for at least 20 years
11 immediately prior to the effective date of this act; and

12 4. Submits with his application a filing fee of \$100.

13 SEC. 15. The board shall issue a license for the practice of tradi-
14 tional Chinese medicine or a license for the practice of acupuncture
15 where the applicant:

16 1. Has a license or certificate from the government of the Republic
17 of China, People's Republic of China, Korea or Japan which acknowl-
18 edges that the applicant has the qualifications to practice Chinese medi-
19 cine or acupuncture, or has successfully completed a course of study of
20 48 months in Chinese medicine or 36 months in acupuncture at a college
21 in Hong Kong;

22 2. Has practiced traditional Chinese medicine or acupuncture for
23 10 years; and

24 3. Passes the examination of the board.

25 SEC. 16. An applicant for a license for acupuncture assistant shall be
26 issued a license by the board if he:

27 1. Has successfully completed a course of study in acupuncture in
28 any college or school in any country, territory, province or state requir-
29 ing an attendance of 36 months;

30 2. Practiced acupuncture for not less than 3 years; and

31 3. Passes the examination of the board for acupuncture assistant.

32 SEC. 17. It is unlawful for any person licensed under the provisions of
33 this chapter to prescribe herbal medication unless the herbs prescribed
34 have been approved by the Food and Drug Administration for use for the
35 prevention or alleviation or cure of illness or disease or for relief from
36 suffering.

37 SEC. 18. 1. Every person holding a license authorizing him to prac-
38 tice traditional Chinese medicine, acupuncture, herbal medicine or to
39 serve as an acupuncture assistant in this state shall record his license in
40 the office of the county clerk of the county of his office and residence.
41 Every licensee upon a change of residence or office shall have his certifi-
42 cate recorded in like manner in the county to which he has changed.

43 2. Every license shall be displayed in the office, place of business or
44 place of employment of the holder thereof.

45 3. Every person holding a license who is a resident of the state shall
46 pay an annual registration fee of \$20 to the secretary-treasurer of the
47 board on or before February 1. If the holder of a license fails to pay the
48 registration fee his license shall be suspended. The license may be rein-
49 stated by payment of the required fee within 90 days after February 1.

1 4. A license which is suspended for more than 3 months under the
2 provisions of subsection 3 may be canceled by the board after 30 days'
3 notice to the holder of the license.

4 5. Every person holding a license who is not a resident of the state
5 shall pay an annual registration fee of \$5 to the secretary-treasurer of the
6 board on or before February 1.

7 SEC. 19. The board may either refuse to issue or may suspend or
8 revoke any license for any one or any combination of the following
9 causes:

10 1. Conviction of a felony, conviction of any offense involving moral
11 turpitude or conviction of a violation of any state or federal law regulat-
12 ing the possession, distribution or use of any controlled substance as
13 defined in chapter 453 of NRS, as shown by a certified copy of record of
14 the court;

15 2. The obtaining of or any attempt to obtain a license or practice in
16 the profession for money or any other thing of value, by fraudulent mis-
17 representations;

18 3. Gross malpractice;

19 4. Advertising by means of knowingly false or deceptive statement;

20 5. Advertising, practicing or attempting to practice under a name
21 other than one's own;

22 6. Habitual drunkenness or habitual addiction to the use of a con-
23 trolled substance as defined in chapter 453 of NRS;

24 7. Using any false, fraudulent or forged statement or document, or
25 engaging in any fraudulent, deceitful, dishonest or immoral practice in
26 connection with the licensing requirements of this chapter;

27 8. Sustaining a physical or mental disability which renders further
28 practice dangerous;

29 9. Engaging in any dishonorable, unethical or unprofessional conduct
30 which may deceive, defraud or harm the public, or which is unbecoming
31 a person licensed to practice under this chapter;

32 10. Using any false or fraudulent statement in connection with the
33 practice of traditional Chinese medicine or any branch thereof;

34 11. Violating or attempting to violate, or assisting or abetting the
35 violation of, or conspiring to violate any provision of this chapter;

36 12. Being adjudicated incompetent or insane;

37 13. Advertising in an unethical or unprofessional manner;

38 14. Obtaining a fee or financial benefit for any person by the use
39 of fraudulent diagnosis, therapy or treatment;

40 15. Willful disclosure of a privileged communication;

41 16. Failure of a licensee to designate his school of practice in the
42 professional use of his name by the term traditional Chinese doctor,
43 doctor of acupuncture, doctor of herbal medicine or acupuncture assist-
44 ant, as the case may be;

45 17. Willful violation of the law relating to the health, safety or wel-
46 fare of the public or of the rules and regulations promulgated by the
47 state board of health; and

48 18. Administering, dispensing or prescribing any controlled substance
49 as defined in chapter 453 of NRS, except for the prevention, alleviation
50 or cure of disease or for relief from suffering.

1 SEC. 20. The board shall not refuse to issue, refuse to renew, suspend
2 or revoke any license for any of the causes enumerated in section 21, of
3 this act, unless the person accused has been given at least 20 days' notice
4 in writing of the charge against him and a hearing by the board.

5 SEC. 21. Traditional Chinese doctors and doctors of acupuncture
6 shall observe and be subject to all state and municipal regulations relative
7 to reporting all births and deaths in all matters pertaining to the public
8 health.

9 SEC. 22. 1. This chapter does not apply to Chinese physicians who
10 are called into this state for consultation.

11 2. This chapter does not prohibit:

12 (a) Gratuitous services of druggists or other persons in cases of emer-
13 gency;

14 (b) The domestic administration of family remedies;

15 (c) Any person from assisting any person in the practice of the healing
16 arts licensed under this chapter, except that such person may not insert
17 needles into the skin or prescribe herbal medicine.

18 SEC. 23. 1. The board may maintain in any court of competent juris-
19 diction a suit for an injunction against any person or persons practicing
20 Chinese medicine or any branch thereof without a license.

21 2. Such an injunction:

22 (a) May be issued without proof of actual damage sustained by any
23 person, this provision being understood to be a preventive as well as a
24 punitive measure.

25 (b) Shall not relieve such person from criminal prosecution for prac-
26 ticing without a license.

27 SEC. 24. A person who represents himself as a practitioner of tradi-
28 tional Chinese medicine, or any branch thereof, and who engages in the
29 practice of traditional Chinese medicine, or any branch thereof, in this
30 state without holding a valid license issued by the board is guilty of a
31 gross misdemeanor.

32 SEC. 25. This act shall become effective upon passage and approval.

Amendment No. 5327.

Amend sec. 43, page 14, by deleting line 25 and inserting: "be payable monthly. The [superintendent] *institute director* or chief may require that such payments be made in advance. The note shall approximate the actual per".

Amend sec. 43, page 14, line 46, by inserting "any" before "advance" and after "of".

Amend sec. 84, page 28, line 19, by deleting "12:01" and inserting: "12:02".

Mr. Dreyer moved the adoption of the amendment.

Remarks by Mr. Dreyer.

Amendment adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

* Senate Bill No. 448.

Bill read third time.

Roll call on Senate Bill No. 448:

YEAS—29.

NAYS—Bickerstaff, Capurro, Lowman, McNeel—4.

Absent—Bennett, Bremner, Broadbent, Getto, Hickey, Huff, Young—7.

Senate Bill No. 448 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 309.

Bill read third time.

Remarks by Messrs. Torvinen and Jacobsen.

Roll call on Senate Bill No. 309:

YEAS—26.

NAYS—Bickerstaff, Broadbent, Jacobsen, Lowman, Prince, Torvinen, Mr. Speaker—7.

Absent—Bennett, Bremner, Getto, Hafen, Hickey, Huff, Young—7.

Senate Bill No. 309 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Mr. Speaker pro Tempore announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 3:56 p.m.

ASSEMBLY IN SESSION

At 3:59 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 359.

Bill read third time.

The following amendment was proposed by Mr. Hayes:

Amendment No. 5239.

Amend sec. 4, page 1, delete line 21 and insert:



Senate Bill No. 448—Senator Walker

CHAPTER 441

AG

AN ACT relating to Chinese medicine; regulating its practice separately; providing standards, qualifications and licensing of practitioners; providing a penalty; and providing other matters properly relating thereto.

[Approved April 19, 1973]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Title 54 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 24, inclusive, of this act.

SEC. 2. The practice of Chinese medicine and any branch thereof is hereby declared to be a learned profession, affecting public safety and welfare and charged with the public interest, and therefore subject to protection and regulation by the state. 634A.010

SEC. 3. Unless the context otherwise requires, the words, phrases and derivatives thereof employed in this chapter have the meanings ascribed to them in this section. 634A.020

1. "Acupuncture" means the insertion of needles into the human body by piercing the skin of the body, for the purpose of controlling and regulating the flow and balance of energy in the body.

2. "Board" means the state board of Chinese medicine.

3. "Doctor of acupuncture" means a person who has been licensed under the provisions of this chapter to practice the art of healing known as acupuncture.

4. "Doctor of herbal medicine" means a person who has been licensed under the provisions of this chapter to practice the art of healing known as herbal medicine.

5. "Doctor of traditional Chinese medicine" means a person who has been licensed under the provisions of this chapter to practice the art of healing through traditional Chinese medicine.

6. "Herbal medicine" and "practice of herbal medicine" mean suggesting, recommending, prescribing or directing the use of herbs for the cure, relief or palliation of any ailment or disease of the mind or body, or for the cure or relief of any wound, fracture, bodily injury or deformity.

7. "Herbs" means plants or parts of plants valued for medicinal qualities.

8. "Licensed acupuncture assistant" means a person who assists in the practice of acupuncture under the direct supervision of a person licensed under the provisions of this chapter to practice traditional Chinese medicine or acupuncture.

9. "Traditional Chinese medicine" means that system of the healing art which places the chief emphasis on the flow and balance of energy in the body mechanism as being the most important single factor in maintaining the well-being of the organism in health and disease and includes the practice of acupuncture and herbal medicine.

SEC. 4. 1. A school or college of Chinese medicine may be established and maintained in this state only if: 634A.090

(a) Its establishment is approved by the board.

(b) Its curriculum is approved annually by the board for content and quality of instruction in accordance with the requirements of this chapter.

2. The board may prescribe the courses of study required for the respective degrees of doctor of acupuncture, doctor of herbal medicine and doctor of traditional Chinese medicine.

634A.030 SEC. 5. 1. The state board of Chinese medicine, consisting of five members appointed by the governor, is hereby created.

2. The governor shall appoint the members as soon as feasible after the effective date of this act. Their terms shall be as follows:

- (a) Two members shall hold office for 1 year;
- (b) Two members shall hold office for 2 years;
- (c) One member shall hold office for 3 years; and
- (d) Thereafter, all terms shall be for 3 years.

3. The governor shall appoint persons to fill vacancies for the remainder of an unexpired term.

4. Each member of the board shall, before entering upon the duties of his office, take the oath of office prescribed by the constitution before someone qualified to administer oaths.

634A.040 SEC. 6. All members of the board shall be citizens of the United States and residents of the State of Nevada.

634A.050 SEC. 7. Each member of the board shall receive:

1. A salary of not more than \$25 per day, as fixed by the board, while engaged in the business of the board.

2. Actual expenses for subsistence and lodging, not to exceed \$25 per day, and actual expenses for transportation, while traveling on business of the board.

634A.060 SEC. 8. The board shall annually elect from its members a president, vice president and secretary-treasurer, and may fix and pay a salary to the secretary-treasurer.

634A.070 SEC. 9. The board may:

1. Employ attorneys, investigators and other professional consultants and clerical personnel necessary to discharge its duties. For the purpose of conducting its examinations, the board may call to its aid persons of established reputation and known ability in Chinese medicine;

2. Maintain offices in as many localities in the state as it finds necessary to carry out the provisions of this chapter;

3. Promulgate rules and regulations, or either of them, not inconsistent with the provisions of this chapter; and

4. Compel the attendance of witnesses and the production of evidence by subpoena and the board may administer oaths.

634A.080 SEC. 10. The board shall:

1. Hold meetings at least once a year and at any other time at the request of the president of the majority of the members;

2. Have and use a common seal;

3. Deposit in interest-bearing accounts in the State of Nevada all moneys received under the provisions of this chapter, which shall be used to defray the expenses of the board;

4. Operate on the basis of the fiscal year beginning July 1, and ending June 30; and

5. Keep a record of its proceedings which shall be open to the public

at all times and which shall also contain the name and business address of every registered licensee in this state.

SEC. 10.5. 1. The Chinese medicine advisory committee, consisting ^{634A.100} of 5 members appointed by the governor, is hereby created.

2. The governor shall appoint the members of the advisory committee as soon as feasible after the effective date of this act. Their terms shall be as follows:

- (a) Two members shall hold office for 1 year;
- (b) Two members shall hold office for 2 years;
- (c) Two members shall hold office for 3 years; and
- (d) Thereafter, all terms shall be for 3 years.

3. Members of the advisory committee shall be selected with special reference to their ability and fitness to advise with respect to the duties assigned by this chapter to the board.

4. The advisory committee shall advise the board regarding licensing, curriculum of a school or college of Chinese medicine established pursuant to section 4 of this act, or any other duties of the board created by this chapter.

5. The advisory committee may receive, if authorized by the board, the same salary, subsistence, and travel expense provided by section 7 of this act.

SEC. 11. An applicant for examination for a license to practice tradi- ^{634A.110} tional Chinese medicine or any branch thereof, shall:

1. Submit an application to the board on forms provided by the board;

2. Submit satisfactory evidence that he is 21 years or older and meets the appropriate educational requirements; and

3. Pay a fee of \$100.

SEC. 12. 1. Examinations shall be given at least twice a year at a ^{634A.120} time and place fixed by the board.

2. Applicants for licenses to practice acupuncture, herbal medicine and traditional Chinese medicine and to practice as an acupuncture assistant shall be examined in the respectively appropriate subjects as determined by the board.

SEC. 13. Persons licensed pursuant to this chapter are not subject to ^{634A.190} the provisions of chapters 629 and 630 of NRS.

SEC. 14. The board may waive examination and grant a certificate of ^{634A.130} doctor of traditional Chinese medicine to any applicant who:

1. Has applied in writing to the board not later than 120 days after the effective date of this act;

2. Obtained a certificate from the Republic of China, the People's Republic of China, Korea or Japan acknowledging that the applicant was qualified to practice Chinese medicine;

3. Has practiced traditional Chinese medicine for at least 20 years immediately prior to the effective date of this act; and

4. Submits with his application a filing fee of \$100.

SEC. 15. The board shall issue a license for the practice of tradi- ^{634A.140} tional Chinese medicine or a license for the practice of acupuncture where the applicant:

1. Has a license or certificate from the government of the Republic

of China, People's Republic of China, Korea or Japan which acknowledges that the applicant has the qualifications to practice Chinese medicine or acupuncture, or has successfully completed a course of study of 48 months in Chinese medicine or 36 months in acupuncture at a college in Hong Kong;

2. Has practiced traditional Chinese medicine or acupuncture for 10 years; and

3. Passes the examination of the board.

34A.150 SEC. 16. An applicant for a license for acupuncture assistant shall be issued a license by the board if he:

1. Has successfully completed a course of study in acupuncture in any college or school in any country, territory, province or state requiring an attendance of 36 months;

2. Practiced acupuncture for not less than 3 years; and

3. Passes the examination of the board for acupuncture assistant.

634A.220 SEC. 17. It is unlawful for any person licensed under the provisions of this chapter to prescribe herbal medication unless the herbs prescribed have been approved by the Food and Drug Administration for use for the prevention or alleviation or cure of illness or disease or for relief from suffering.

634A.160 SEC. 18. 1. Every person holding a license authorizing him to practice traditional Chinese medicine, acupuncture, herbal medicine or to serve as an acupuncture assistant in this state shall record his license in the office of the county clerk of the county of his office and residence. Every licensee upon a change of residence or office shall have his certificate recorded in like manner in the county to which he has changed.

2. Every license shall be displayed in the office, place of business or place of employment of the holder thereof.

3. Every person holding a license who is a resident of the state shall pay an annual registration fee of \$20 to the secretary-treasurer of the board on or before February 1. If the holder of a license fails to pay the registration fee his license shall be suspended. The license may be reinstated by payment of the required fee within 90 days after February 1.

4. A license which is suspended for more than 3 months under the provisions of subsection 3 may be canceled by the board after 30 days' notice to the holder of the license.

5. Every person holding a license who is not a resident of the state shall pay an annual registration fee of \$5 to the secretary-treasurer of the board on or before February 1.

634A.170 SEC. 19. The board may either refuse to issue or may suspend or revoke any license for any one or any combination of the following causes:

1. Conviction of a felony, conviction of any offense involving moral turpitude or conviction of a violation of any state or federal law regulating the possession, distribution or use of any controlled substance as defined in chapter 453 of NRS, as shown by a certified copy of record of the court;

2. The obtaining of or any attempt to obtain a license or practice in the profession for money or any other thing of value, by fraudulent misrepresentations;

3. Gross malpractice;
4. Advertising by means of knowingly false or deceptive statement;
5. Advertising, practicing or attempting to practice under a name other than one's own;
6. Habitual drunkenness or habitual addiction to the use of a controlled substance as defined in chapter 453 of NRS;
7. Using any false, fraudulent or forged statement or document, or engaging in any fraudulent, deceitful, dishonest or immoral practice in connection with the licensing requirements of this chapter;
8. Sustaining a physical or mental disability which renders further practice dangerous;
9. Engaging in any dishonorable, unethical or unprofessional conduct which may deceive, defraud or harm the public, or which is unbecoming a person licensed to practice under this chapter;
10. Using any false or fraudulent statement in connection with the practice of traditional Chinese medicine or any branch thereof;
11. Violating or attempting to violate, or assisting or abetting the violation of, or conspiring to violate any provision of this chapter;
12. Being adjudicated incompetent or insane;
13. Advertising in an unethical or unprofessional manner;
14. Obtaining a fee or financial benefit for any person by the use of fraudulent diagnosis, therapy or treatment;
15. Willful disclosure of a privileged communication;
16. Failure of a licensee to designate his school of practice in the professional use of his name by the term traditional Chinese doctor, doctor of acupuncture, doctor of herbal medicine or acupuncture assistant, as the case may be;
17. Willful violation of the law relating to the health, safety or welfare of the public or of the rules and regulations promulgated by the state board of health; and
18. Administering, dispensing or prescribing any controlled substance as defined in chapter 453 of NRS, except for the prevention, alleviation or cure of disease or for relief from suffering.

SEC. 20. The board shall not refuse to issue, refuse to renew, suspend ^{634A.180} or revoke any license for any of the causes enumerated in section 21, of this act, unless the person accused has been given at least 20 days' notice in writing of the charge against him and a hearing by the board.

SEC. 21. Traditional Chinese doctors and doctors of acupuncture ^{634A.210} shall observe and be subject to all state and municipal regulations relative to reporting all births and deaths in all matters pertaining to the public health.

SEC. 22. 1. This chapter does not apply to Chinese physicians who ^{634A.200} are called into this state for consultation.

2. This chapter does not prohibit:

- (a) Gratuitous services of druggists or other persons in cases of emergency;
- (b) The domestic administration of family remedies;
- (c) Any person from assisting any person in the practice of the healing arts licensed under this chapter, except that such person may not insert needles into the skin or prescribe herbal medicine.

634A.240 SEC. 23. 1. The board may maintain in any court of competent jurisdiction a suit for an injunction against any person or persons practicing Chinese medicine or any branch thereof without a license.

2. Such an injunction:

(a) May be issued without proof of actual damage sustained by any person, this provision being understood to be a preventive as well as a punitive measure.

(b) Shall not relieve such person from criminal prosecution for practicing without a license.

634A.230 SEC. 24. A person who represents himself as a practitioner of traditional Chinese medicine, or any branch thereof, and who engages in the practice of traditional Chinese medicine, or any branch thereof, in this state without holding a valid license issued by the board is guilty of a gross misdemeanor.

SEC. 25. This act shall become effective upon passage and approval.

Senate Bill No. 610—Committee on Taxation

CHAPTER 442

AN ACT creating a committee to study assessment and tax equities and the structure of the Nevada tax commission; requiring the committee to report to the governor before the next legislative session; making an appropriation; and providing other matters properly relating thereto.

[Approved April 20, 1973]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. A committee to study assessment and tax equities is hereby created. The committee shall be bipartisan in nature and shall be composed of nine members, four of whom shall represent both houses of the legislature. The governor shall appoint the members and shall designate one of their number as chairman.

SEC. 2. The committee shall:

1. Undertake an evaluation study of assessment and tax equities in the area for which the Nevada tax commission is statutorily responsible, including:

- (a) Agriculture and livestock assessment;
- (b) Utility and railroad valuation;
- (c) Taxes on net proceeds of mines; and
- (d) Validity of annual assessment studies within the counties.

2. Review the propriety of the composition of the Nevada tax commission as to providing fair and adequate representation for all the various groups of property taxpayers.

SEC. 3. 1. The committee may request, and shall be furnished staff assistance from the executive agencies of the state, the University of Nevada System and the legislative counsel bureau for the committee's conduct of the study and preparation of a report based thereon.