

IN THE NEWS

NIH AND ACUPUNCTURE

As Americans turn more and more to alternative medicine, the snail's pace endorsement of these modalities by the "medical establishment" gradually continues. A mighty leap, however, occurred last fall.

On November 5, 1997, a National Institutes of Health (NIH) Consensus Panel concluded that acupuncture may be an acceptable adjunctive treatment, a useful part of a comprehensive treatment program, and indeed, an effective therapy in its own right. The effectiveness of acupuncture when biomedical intervention fails or has no solution, as in chronic pain, was highlighted. The NIH Offices of Alternative Medicine and Medical Applications of Research sponsored the panel, along with the following co-sponsors: the NIH Office on Women's Diseases; the Heart, Lung and Blood Institute; and the National Institutes of Cancer, Allergy and Infectious Diseases, Arthritis and Musculoskeletal Diseases, Dental Research and Drug Abuse.

After three days of literature review, scientific presentations and public discussion, the twelve member panel concluded that acupuncture is a viable treatment of choice for a number of medical conditions including:

- addiction
- stroke rehabilitation
- headaches
- dysmenorrhea
- epicondylitis
- carpal tunnel syndrome
- fibromyalgia
- low back pain
- asthma
- osteoarthritis
- nausea (secondary to cancer medication, anesthesia or pregnancy).

Other conclusions and recommendations of the panel regarded the safety, cost-effectiveness and "extremely low" incidence of side effects of acupuncture compared to drugs, surgery and hospitalization. Acupuncture can reduce the need for medication and duration of stay in costly facilities. One example cited was a saving of \$63,000 in surgery costs for seven elderly osteoarthritis patients who responded favorably to acupuncture.

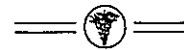
The panel encouraged both improved communication between licensed acupuncturists and other medical personnel, and wider public access to acupuncture. Coverage for acupuncture was recommended to all insurance companies including Medicaid

and Medicare. Further research and more uniform training and certification of acupuncturists were identified as future goals.

According to the FDA, Americans make 9-12 million annual office visits for acupuncture. Thirty-four states license non-MD acupuncturists, with 10,000 practitioners in the US. This number is expected to double in the next two years. Forty percent of the drug courts in the US now include acupuncture as part of their detox-rehabilitation programs.

A copy of the NIH Consensus Development Conference on Acupuncture is available by calling 888-644-6226.

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U.S. COURT OF APPEALS REINSTATES WASHINGTON STATE'S "EVERY CATEGORY OF PROVIDER" LAW

On June 18, 1998, The United States Court of Appeals for the Ninth Circuit reinstated Washington's "every category of provider" law. That law requires health plans in the state to provide coverage for treatments by licensed health care providers, as long as the treatment falls within the scope of the Basic Health Plan and is within the provider's scope of practice. The court of appeals decision represents a major victory for the Washington State Chiropractic Association and Washington Association of Naturopathic Physicians, who filed a joint amicus brief urging the court to reinstate the law. The law became effective on January 1, 1996, but was struck down last year by a federal district court in Tacoma. The trial court held that federal employee benefits law, commonly known as ERISA, preempted the state law. The court of appeals disagreed, rejecting every argument advanced by the 12 insurance companies who had challenged the law.

IMPACT ON ALTERNATIVE PROVIDERS

The decision reinstating the law should have a significant impact on alternative providers such as chiropractors, acupuncturists, naturopaths, massage therapists and other licensed providers in the state. The law requires most health plans to offer coverage

for these providers. Thus, a plan may not exclude an entire category of provider from coverage, as a number of plans currently do. Nor may a plan limit coverage by listing a handful of conditions that an alternative provider may treat or cap the dollar amount for treatments by alternative providers without capping the amount for all providers. Rather, if the health plan covers treatment by an MD for a particular condition such as lower back pain, it must also cover the treatment for lower back pain by an acupuncturist, chiropractor, or massage therapist. The Washington law is not an "any willing provider" law, however. While health plans may not exclude entire types of providers from coverage, they may still refuse to cover a particular licensed provider as long as the consumer has reasonable access to other licensed providers in the same category.

IMPACT ON HEALTH INSURERS

Many health plans have systematically refused to provide coverage for or reimburse treatments by alternative providers, even before the law was declared unconstitutional. Those same companies must now rewrite their policies and conform their practices to the law or risk lawsuits from their insureds. Some plans are exempt from the law, including "self-funded" employer plans, such as those offered by Boeing or the State of Washington. The vast majority of health plans, however, must comply with the law.

Jon Meier

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THE AMERICAN BOTANICAL COUNCIL PUBLISHES THE GERMAN COMMISSION E MONOGRAPHS IN ENGLISH

The American Botanical Council (ABC) is proud to announce the eagerly anticipated publication of the *German Commission E Monographs: Therapeutic Monographs on Medicinal Plants for Therapeutic Use*, the English translation of the medicinal herb regulatory guidelines developed by the Commission E of the German Federal Health Agency. Distinguished Professor of Pharmacognosy Emeritus Varro Tyler calls the Commission E Monographs "the most accurate information available in the entire world on the safety and efficacy of herbs and phytomedicines."

In Germany, where medicinal herbs are an integrated facet of modern medicine, doctors and pharmacists rely on the Commission E's guidance to prescribe and dispense herbs confidently. Now this guidance is available in English. "Ignorance of the Commission E monographs is ignorance of a substantial segment of modern medicine," continues Tyler. "The information contained in them is now made readily available in the common language of science to a vast audience worldwide. Without question, their ready availability will benefit all of us, consumers and healthcare practitioners alike."

Dr. Jorg Gruenwald of PhytoPharm Consulting in Berlin adds that the ABC publication "will be an excellent work and has to be translated back into German, because such a structured and indexed version (of Commission E) has never existed."

The Commission E was first convened in 1978. Composed of physicians, pharmacists, pharmacologists, toxicologists, representatives of the pharmaceutical industry and lay persons, the Commission actively researched all available information on more than 300 herbs and approved or disapproved them on the basis of whether absolute safety and reasonable efficacy of the herb's use could be established. The monographs published by the Commission include nomenclature, plant composition and chemical constituents, uses and indications, contraindications, side effects, interactions with other medicines, dosage, and medicinal action of each herb.

ABC's *Therapeutic Monographs* presents 380 herb monographs. The 650-page book is extensively cross-referenced by common, Latin, pharmacopeial and German herb names and includes a general index, a therapeutic index with "Approved Use," "Contraindications" and "Side Effects" tables, and a 20-page glossary of medical, pharmaceutical and technical terms. The hard-bound *German Commission E Monographs: Therapeutic Monographs on Medicinal Plants for Therapeutic Use* is available from the American Botanical Council for \$189.00.

ABC founder and executive director, Mark Blumenthal, the senior editor of the book, believes that the translated *Monographs* "will be an essential reference for the shelves of every pharmacy and medical office in the United States."

"This publication will increase the acceptance of legitimate medical uses of phytomedicines among Congress members, physicians, pharmacists, regulators, journalists, the pharmaceutical and herbal industries, and the general public. The *Commission E Monographs* will have a positive impact on the current need for authoritative and credible information on the proper uses of herbs."

ABC is an independent nonprofit organization whose mission is to investigate and promote the safe and effective use of medicinal plants. Contact information: phone (512) 926-4900; fax (512) 926-2345; e-mail to: custserv@herbalgram.org; website at www.herbalgram.org.

