

## The CAM Legislative Scorecard

Elizabeth Sommers, PhD, MPH, LAc; Kristen E. Porter, PhD, MS, MAc, LAc

The process of reforming health care is complex and will need to consider all stakeholders - the public, providers, institutions, third-party payers and public insurers. Each of these entities has its own vested interest and issues, which may result in confusion and challenges. This article will attempt to unravel some of these complexities and address areas of interest to acupuncturists.

The late Sen. Ted Kennedy (D-Mass.) was working with the U.S. Senate Committee on Health, Education, Labor and Pensions (HELP) to promote the Affordable Health Choices Act (<http://help.senate.gov>). This act includes an expanded definition of "health professionals" to include licensed CAM providers and integrative health practitioners. Strongly supported by the Integrated Healthcare Policy Consortium, this amendment has also **garnered the backing** of the National Certification Commission for Therapeutic Massage and Bodywork, the American Massage Therapy Association, National Center for Homeopathy, Bastyr University, and a number of colleges of acupuncture and Oriental medicine.<sup>1</sup>

The Kennedy-HELP bill also covers community health teams that may include a variety of specialists, nurses, nutritionists, dieticians, social workers, behavioral and mental health providers, and licensed CAM practitioners. This bill also continues inclusive language that is music to the ears of integrative health providers. Key phrases include "whole person orientation," "coordinated and integrated care" and "continuum of health care services."

Section 301 focuses on establishing a national prevention, health promotion and public health council: "The Council shall provide coordination and leadership at the Federal level, and among all Federal departments and agencies, with respect to prevention, wellness and health promotion practices, the public health system, and integrative health care in the U.S."

This Council would also be positioned to make recommendations to improve federal efforts relating to prevention, health promotion, public health and integrative health care practices to ensure federal efforts are consistent with available standards and evidence.

Funding for such an ambitious national project could come from the proposed Prevention and Public Health Investment Fund, which would provide \$10 billion each year from 2010 to 2019. This funding would "provide for expanded and sustained national investment in prevention and public health promotion to improve health and to restrain the rate of growth in private and public sector health care costs." (Section 302) This bill is still in the process of being drafted, but supporters are optimistic about the process and coalition efforts to promote it. Allies such as Senators Bernie Sanders (I-Vt.), and Barbara Mikulski (D-Md.) have demonstrated continued support for passing this legislation. In the U.S. Senate, another bill is seeking coverage for complementary and integrative therapies. Furthermore, the legislation would not allow third-party insurers to discriminate against any health care provider who has a license from the state in which he or she practices.

The American Public Health Association (APHA) supports the Affordable Health Care Act and the

Kennedy-HELP legislation. In its monthly newspaper, the *Nation's Health*, APHA Executive Director Georges Benjamin MD, FACP, FACEP, states that APHA is "pleased that your legislation addresses many of the critical changes we believe are needed to improve the public's health and specifically to start moving from a system that focuses on treating the sick to one that focuses on keeping people healthy."<sup>2</sup>

Supporters state that integrative care could save tens of billions of dollars. Details of this bill are still being debated in the Senate.

Another potential piece of legislation is Bill 646 in the House of Representatives. If passed, this bill would approve coverage of qualified acupuncturists under Medicare and Federal Employees Health Benefit Plan. Claudette Baker and Harvey Kaltsas published an excellent and enlightening article in the *American Acupuncturist* that details how this legislation is congruent with President Obama's principles of health.<sup>3</sup> Briefly summarized, these [eight principles](#) address the following issues:

- Forms of care that result in cost-saving to the U.S. health care system are priorities.
- These forms of care should also be affordable.
- AOM is consistent with universal coverage.
- Portability of coverage would be assured; individuals would not lose benefits by changing health plans.
- Consumers are always given a choice of services.
- To be comprehensive, health care must include prevention and wellness services.
- Safety and quality of care issues have been documented.
- AOM contributes to fiscal sustainability.

HR 646, also called the Federal Acupuncture Act, was introduced to Congress in early 2009 by Representative Maurice Hinchey (D-NY). It is currently being discussed by the Committee on Energy and Commerce, the Committee on Ways and Means, and the Committee on Oversight and Government Reform.

The AAAOM has energetically supported this bill and has issued a report entitled [AAAOM Fact Book for HR 646 and Lobbying Activities](#), which explains the background of the bill as well as providing answers to acupuncturists' concerns. Passage of this bill would expand the base of patients who would have access to acupuncture services, as well as broaden the options for reimbursement. Having acupuncture nationally recognized as a legitimate form of care would place acupuncturists solidly within the team of health care providers, as well as create new opportunities for access and reimbursement from other insurers and third-party payers that already work within the Medicare framework. Further information about AAAOM's position on the proposed legislation can be accessed at [www.aaaomonline.org](http://www.aaaomonline.org).

Deborah Lincoln, RN, Dipl. Ac., president of AAAOM, cites in her "Message from the President" that HR 646 would provide access to acupuncture to over 54 million people. She calls this a

["fortuitous time to include acupuncture and Oriental medicine in national health care reform."](#)<sup>4</sup>

In an interview with AAAOM President Emeritus Dr. Harvey Kaltsas, AP, Dipl. Ac., he discussed the change in perspective of supporters of acupuncture and herbal medicine. Although these forms of care have traditionally been considered to be beneficial for patients individually, he states, "[Now] acupuncture and herbal medicine are good for the country." From a cost-effectiveness point of view, these forms of care offer promising approaches. He notes the potential savings that could accrue if AOM become more fully integrated into our health care system. Projected estimates of the national deficit, approaching \$36 trillion, may likely be incurred by unfunded health care costs resulting from future Medicare and Medicaid costs. Like-minded Americans, such as the National

Foundation of Women Legislators, support comprehensive legislation that addresses the need for prevention and wellness promotion.

Individual acupuncturists can become involved in a variety of ways, both locally and on the national level. Contact your state's professional organization for details and information on the local level. The AAAOM also offers suggestions for activating your ideas and support. Our profession is at an exciting cross-road where health care in the U.S. could actually include wellness services. These services, furthermore, would be rights and not privileges. Issues raised by health care reform can't be attributed to exclusively blue-state or red-state concerns; these are truly universal American issues that require all of our vision, determination and *qi*.

## References

1. Weeks J. [Update: IHPC, others, place CAM, integrative practices/care in U.S. health care reform legislation](#). Integrator Blog 7/15/09.
2. APHA Advocates. Public health key to health reform. *The Nation's Health* 2009 August, p. 2.
3. Baker C, Kaltsas H. [How passing HR 646 and including acupuncture and Oriental medicine \(AOM\) in HR 646 support President Obama's 8 health principles](#). *American Acupuncturist* 2009 Summer;48:16-31.
4. Lincoln D. [Message from the President](#). *American Acupuncturist* 2009 Summer;48:6-7.

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