

Moving Forward: Regulation Of Acupuncture and Traditional Chinese Medicine in Canada

Alfie Vente, RMT, D. Ac (Cand.)

Is the regulation of acupuncture and Traditional Chinese Medicine in Ontario, Canada a positive move for the profession? According to George Smitherman, the Minister of Health, "Regulating traditional Chinese medicine will help ensure that Ontarians are receiving safe, quality care from practitioners who have achieved a certain level of skill and training."¹ Currently the provincial government has committed towards a professional regulatory body called "The College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario." At this moment there is a government appointed transitional council in place to establish the formal college. The transitional council may take between two to three years before the establishment of the formal regulatory college.²

In 2006 Bill 50 was enacted, the Traditional Chinese Medicine Act (TCM Act). This Act falls under The Regulated Health Professions Act (RHPA), 1991.² All regulated health professions fall under the RHPA and it is governed at the provincial level. This includes chiropractors, medical doctors, nurses, physiotherapists, massage therapists and a number of other healthcare professions. Within the professions there is a separate act that guides providers as to standards of practice and protects the public such as the above named Traditional Chinese Medicine Act, Massage Therapy Act, Chiropractic Act, Physiotherapy Act etc.

All practitioners of Traditional Chinese Medicine and acupuncture must register with the college. There are a few exceptions such as regulated healthcare professionals that are allowed to perform acupuncture as part of their scope of practice.³ The enactment of Bill 50 reinforces the legitimacy of acupuncture and Traditional Chinese Medicine to the public.



Regulation is strict. There are currently two titles that are protected under the TCM Act. "Traditional Chinese medicine practitioner" or "acupuncturist" are titles that are protected. In other words, the only individuals by law to use these titles and any abbreviations or variation or any equivalent in any other languages are individuals registered with the college. It is punishable by law for any individual using these titles or "hold" himself or herself out as a practitioner in Ontario, if they are unregistered. The convictions include, for the first offense a fine of not more than \$25,000 and not more than \$50,000, for a second or subsequent offense.³

Both the RHPA and the TCM Act are in place to protect the public. It gives a positive "make over" to an industry that has been regarded as "fringe" by the public and other healthcare professions.

Numbers Relating to the Increase Demand

The Ministry of Health and Long-Term Care understand that there is a growing interest by the public in "alternative" healthcare and that one of these approaches is Traditional Chinese Medicine.⁴ In the Executive summary of "Traditional Chinese Medicine and Acupuncture in Ontario," the government has made this statement regarding TCM, "The government understands the value of these alternative choices to the public and importance of having access to safe, quality services.⁴ This is a powerful statement by the government that will likely build trust with the public.

According to the World Health Organization, acupuncture can treat 28 diseases or symptoms through data from clinical trials.⁵ There are also 63 diseases and conditions that show to be treatable with acupuncture but require further studies.⁵

In 2005, 13 percent of the population(1.2 million) of Ontario aged 18 and over consulted alternative

healthcare professionals (massage therapists, chiropractors, naturopaths, acupuncturists etc...)⁶ At a national level, according to Park, 20 percent of Canadians over the age of 12 had consulted an alternative health care practitioner in 2003. This number in the same article suggested that this number has increased from 15 percent of Canadians over 18 having consulted a practitioner in 1994/957. Park's conclusion is that there is an increasing trend toward alternative healthcare.⁶

Over the upcoming years there will be an increase in usage. Accessibility of information on the Internet, the growing interest and research in alternative/complementary medicine and the network effect produced by satisfied users will do this. Add to this, the support of the provincial government and you have a "perfect storm" for the success of the industry.

Road to Registration with the College

A large issue that regulated healthcare professional colleges must encounter during its infancy is which individuals can apply to become members of the college. Before regulation there were many ways an individual could become an "acupuncturist" or "TCM Doctor." It was noted by the report to the Minister of Health and Long-Term Care entitled, "Traditional Chinese Medicine and Acupuncture in Ontario," that there is a wide range of program lengths for training. The ranges are from 600 hours to over 3,000 hours.⁴

Organizations such as the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM), the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) and the State of California were researched to help in the process of outlining requirements for education and registration.⁴

Canadian provinces were also researched. In particular Alberta, Quebec and British Columbia. British Columbia's own regulatory body, The College of Traditional Medicine and Acupuncture, was noted for outlining criteria for education and training hours as a requirement for writing the BC examinations.⁴

Below are the recommendations by the authors of the report⁴:

1. That, given TCM practitioners have a diverse range of education and experience in TCM, different classes of practitioners be developed by a future regulatory college for TCM based on the practitioner's level of education, acquired competencies, and experience.
2. That the classes of TCM practitioners include TCM practitioners with general TCM education, acquired competencies, experience, and who focus on one or more TCM treatment modalities; and a Doctor of TCM with advanced TCM education, acquired competencies, experience, and who practise the full range of TCM treatment modalities.
3. That a future regulatory college for TCM consider, among other things, the experience of British Columbia and other jurisdictions that have recently regulated TCM when determining regulatory issues such as, classes of registration, education and the acceptance of individuals currently practising in Ontario (grandparenting).
4. That a future regulatory college for TCM develop and implement an appropriate, fair and transparent grandparenting process for the different classes of registration to facilitate the registration of qualified individuals currently practising TCM in Ontario.

The examination guidelines are being drafted for implementation. It looks like the first group to write the provincial exams will be graduates in the year 2012.

Conclusion

In the year 2000, according to a prominent instructor at the renowned massage institution, Sutherland-Chan School and Teaching Clinic, approximately two percent of Ontario's population used massage therapy. In 2003 showed eight percent of Canada's population aged 12 or older consulted with a massage therapist.⁷

There has been growth in the use of Alternative/Complementary Medicine. Acupuncture and TCM should mirror the growth of massage therapy. From an empirical perspective there are more patients in clinic speaking of the benefits of first-hand experience with acupuncture.

Since the enactment of the Massage Therapy Act in 1991, massage therapy has grown as a legitimate and a respected profession in Canada. The regulation of Acupuncture and TCM will parallel the growth of massage therapy. Regulation protects the public and provides standards of practice, codes of ethics and guidelines for practitioners that can only enhance the industry.

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