



GENERAL ACUPUNCTURE

News in Brief

Editorial Staff

Five Branches "Branches Out"

Twenty years after it first opened in Santa Cruz, Calif., Five Branches institute has decided to "branch out" by opening a new campus in San Jose. The new campus is located in the heart of Silicon Valley, and includes a patient clinic with eight treatment rooms.



The entrance to Five Branches Institute's new San Jose campus.

"Twenty years ago, we opened in a simple classroom with 18 students and a very small clinic," explained Ron Zaidman, Five Branches' co-founder and president. "Now, we have 200 students, and we see over 100 patients a day. We started with five instructors; now we have 37. At the time we opened, colleges were only offering vocational degrees in acupuncture. Now, we offer a four-year, nationally accredited master's degree in Chinese medicine. San Jose is the likely choice for the school's growth, bringing the opportunity of learning traditional Chinese medicine to a larger population."

Yu-Wen Chiu, LAc, has been named the director of the San Jose campus and clinic. The new facility will begin holding classes and treating patients in January 2005. For more information, call (408) 261-0608.

New York Court Dismisses Lawsuit Alleging Improper Billing for Acupuncture Services

The Supreme Court for Ostego County, New York has dismissed a case brought forth by a Buffalo-based insurance company, which claimed it was illegal for physicians and other health care providers to bill for acupuncture services. The suit dismissed the claim made by the New York Central Mutual Fire Insurance Company (NYCMFIC), which had sought to collect more than \$1.3 million in back insurance payments.

NYCMFIC asserted that between 1998 and 2001, treatment was provided to thousands of people

covered under NYCMFIC's no-fault insurance policies. The patients were treated by licensed acupuncturists, who were employees of 99 defendant medical corporations. The insurance company alleged that the medical corporations were owned and operated by doctors who did not possess a certificate to practice acupuncture, and therefore could not legally employ acupuncturists to provide such services. NYCMFIC also claimed that since the medical corporations operated illegally, they should not be entitled to reimbursement for the acupuncture services they provided.

After reviewing previous litigation, the court ruled that NYCFMIC failed to provide satisfactory evidence that the medical corporations acted fraudulently, and subsequently dismissed the insurance company's complaint. According to the court's decision:

"Plaintiffs received exactly what they paid for - medical services provided by licensed acupuncturists. Allowing plaintiff to disgorge the fees paid for these services would arguably unjustly enrich plaintiff and, despite plaintiff's stated concern for the public health problems associated with the alleged improper practice of medical doctors employing acupuncturists, public policy mitigates most strongly in favor of proper compensation for services rendered ... Accordingly, for the reasons set forth, both the motions of the defendants seeking dismissal of the complaint for failure to state a claim and the motions of the defendants seeking summary judgment dismissing the complaint are granted, and the complaint is dismissed as against all defendants."

PCOM Re-Opens Campus in New York City

On Friday, Nov. 12, Pacific College of Oriental Medicine held a party to celebrate the re-opening of the school's campus in New York. The event featured complementary acupuncture and *qigong* workshops, along with a cocktail reception.

"We are proud to welcome the New York community to visit our newly remodeled and expanded Pacific College in the Flatiron district," expressed PCOM President Jack Miller. "We love this area of New York, and look forward to being a good neighbor here for the next 10 years and beyond."

Several modifications were made to the campus to turn it into a state-of-the-art facility. The college clinic was expanded to include a more extensive herbal dispensary, new treatment rooms, and larger reception and waiting areas. As a result, the clinic will be able to serve more than 600 patients a week. In addition, the college's library was upgraded to include more than 1,000 books and journals.

"We are particularly excited to see our patients' reaction to the new and expanded clinical facilities," Dr. Miller said. "The college is setting a positive example for its students, showing the potential Oriental medicine can have to beneficially impact the community."

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