

GENERAL ACUPUNCTURE

Governor Terminates A.B.3014

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A.B.3014, a bill that would have more clearly defined the practice of Asian massage in the California Business and Professions Code, has been vetoed by Governor Schwarzenegger, to the dismay of more than one acupuncture organization. "The rest of the profession rallied in united support of this important legislation," said Neal Miller, president of Acupuncture and Integrated Medicine Specialists (AIMS). "A.B.3014 brought the rest of the profession together in healthy discussion, debate and effective political action. We fell just short of having the bill signed into law."

In a written message to the California State Assembly, the governor wrote, "I am unable to support this bill because it fails to establish a clear statutory definition of Asian massage, lacks protections to ensure practitioners are appropriately trained, and may increase the potential for insurance fraud. For these reasons, I am returning Assembly Bill 3014 without my signature."

Despite not being signed into law, supporters of the bill are ready to continue to push for similar legislation. "Although the veto is disappointing and puzzling, CSOMA looks forward to working with the legislature, the governor and the administration to enhance consumer access to reimbursement for the full range of health care services provided by California's licensed acupuncturists." stated CSOMA President Dr. Greg Sperber. "A.B.3014 represented a positive step for California's health care consumer and for the licensed practitioners of Oriental medicine in the state. By defining 'Asian massage,' the bill would have clarified a currently undefined area of the profession's scope while increasing consumer access to insurance reimbursement for these procedures."

"The American Association of Oriental Medicine [AAOM] was very disappointed by the veto by Gov. Schwarzenegger of A.B.3014 ... and we remain committed to supporting other legislation dedicated to accomplish the goals set forth by this bill," said Shane Burras, LAc, DNBAO, Treasurer and Chair of the Insurance Committee for the AAOM. "Supporting and protecting the scope of practice for our profession is a key legislative priority and the AAOM will continue to support our member organizations in this effort. This veto illustrates the need for all acupuncture organizations, both local and national, to come together, combine our strengths to support our profession."

One of the bill's opponents, the Council of Acupuncture and Oriental Medicine Associations (CAOMA), which changed its position only days before the final Assembly vote, ^{1,2} applauded the governor's decision. "CAOMA is delighted that the Governor had the wisdom and foresight to veto, with no fanfare, this measure," said CAOMA representative Sandra Carey. "The governor and his staff clearly saw through the legislation to the concerns that had been made clear time and time again and which the author and the sponsor refused to address. [W]hile CAOMA had lifted its opposition to the bill in the final hours after considerable negotiation with leadership in the legislature, that lifting was done with the understanding that the author would submit certain promises and assurances in a Letter to the Journal. This was not, unfortunately, followed through on and as a consequence, CAOMA was

forced to renew its opposition position."

"We have lost a close battle but not the war," concluded Miller. "We need to regroup and refresh our strategies. In the words of our Governator ... 'We will be back."

References

- 1. "A.B.3014 Moving Forward in Calif. Legislature." Acupuncture Today August 2006.
- 2. "A.B.3014 Awaits Governor's Signature." Acupuncture Today October 2006.

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