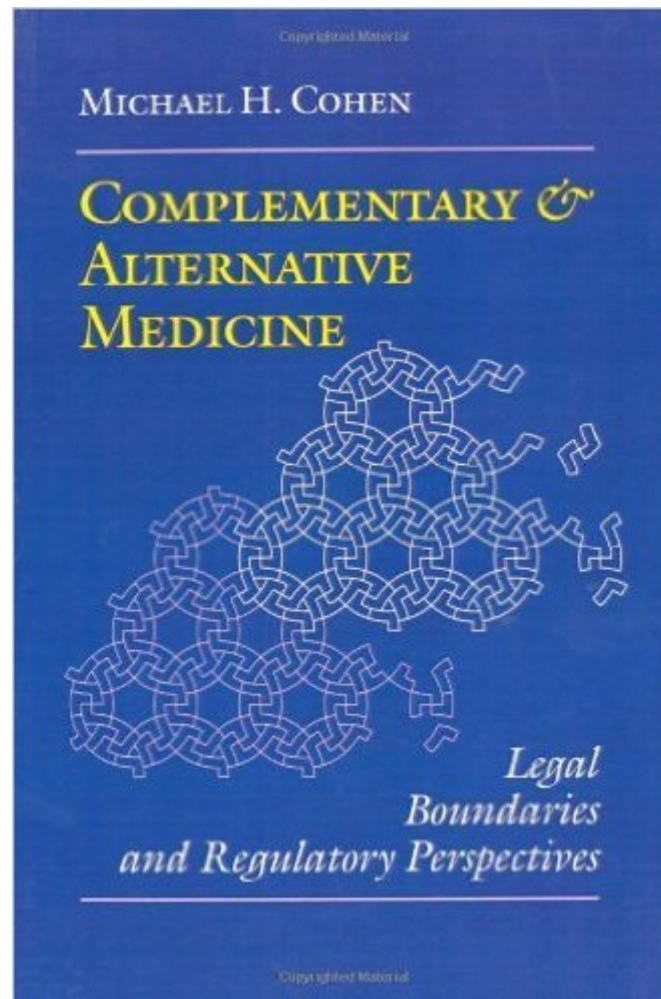


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# Complementary And Alternative Medicine: Legal Boundaries And Regulatory Perspectives



## Synopsis

A third of all Americans use complementary and alternative medicine—including chiropractic, acupuncture, homeopathy, naturopathy, nutritional and herbal treatments, and massage therapy—even when their insurance does not cover it and they have to pay for such treatments themselves. Nearly a third of U.S. medical schools offer courses on complementary and alternative therapies. Congress has created an Office of Alternative Medicine within the National Institutes of Health, and federal and state lawmakers have introduced legislation authorizing widespread use of such therapies. These institutional and legislative developments, argues Michael H. Cohen, express a paradigm shift to a broader, more inclusive vision of health care than conventional medicine admits. Cohen explores the legal issues that health care providers (both conventional and alternative), institutions, and regulators confront as they contemplate integrating complementary and alternative medicine into mainstream U.S. health care. Challenging traditional ways of thinking about health, disease, and the role of law in regulating health, Cohen begins by defining complementary and alternative medicine and then places the regulation of orthodox and alternative health care in historical context. He next examines the legal ramifications of complementary and alternative medicine, including state medical licensing laws, legislative limitations on authorized practice, malpractice liability, food and drug laws, professional disciplinary issues, and third-party reimbursement. The final chapter provides a framework for thinking about the possible evolution of the regulatory structure. This book is the first to set forth the emerging moral and legal authority on which the safe and effective practice of alternative health care can rest. It further suggests how regulatory structures might develop to support a comprehensive, holistic, and balanced approach to health, one that permits integration of orthodox medicine with complementary and alternative medicine, while continuing to protect patients from fraudulent and dangerous treatments.

## Book Information

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## Customer Reviews

Review from the Integrative Medicine Consult: In this compact and lively analysis, Michael Cohen sums up the history and current status of the legal underpinnings of complementary and alternative medicine vis-a-vis conventional medicine. His language is moderate, falling into neither the caricature of the strident establishment nor the dreaded flowerchild-like New Age interlopers. Cohen covers the areas of regulation, scope of practice, informed consent and malpractice, and describes some of the more widespread alternative providers and treatment. A comprehensive notes section gives the inquisitive reader an in-depth resource of case studies and related literature. Cohen argues that the challenge to the court system is to regulate providers of medicine and healing treatments, protecting patients from unscrupulous practitioners, and yet giving enough leeway to preserve an individual's freedom of choice. Laws and regulatory bodies governing medicine in the United States are geared to the reigning biomedical model, which views the human body as an elaborate machine that operates with many distinct functioning parts. Alternative medicine adopts a broader definition of disease, one that is more holistic. Rules now in place tend to favor conventional medicine and punish other healing practices. Cohen describes what he understands as the inevitable bias of the law toward biomedicine: these laws and this view of medicine evolved together. Slowly the laws are changing in response to the integration of a new medical paradigm. But it will be some time, Cohen points out, before the legal structure can fully adjust, expand the definitions to encompass other forms of healing, and still safeguard the patient population.

Like many books regarding CAM and the law, the information herein is interesting and full of examples of the past and where we are going towards the future regarding medical philosophies which in essence, in this case, is nature (holism) versus "science/mechanisms". I think a lot of emphasis is placed on laws that are there in our face, but what is missing, I found in a book by a

biomagnetic practitioner that talks about private membership medical associations. This book will be completed when you learn about private associations. *How to Grow Your Alternative Medicine Business Without Government Interference*

This book is the best of its kind in describing the new terrain covered by the intersection of modern medicine and complementary therapies from a variety of traditions. It should be on the bookshelf of every doc and every CAM provider.

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