

## **Pulse of Health Freedom**

Below you will find the current issue of our AAHF Pulse of Health Freedom.

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CURRENT ARTICLES December 17, 2007

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### **Press #1 for Health Freedom**

Dr. Jonathan Wright and his telephone system under attack by the state medical board. Read the unbelievable story.

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### **State Activities Heating Up This Winter**

AAHF is contacted every week about another piece of state legislation or activity. We're developing state chapters to address these issues but we need you. Your experience, financial support, and involvement are crucial. These are just a few of state happenings.

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### **Congressional Briefing Series**

Because the feedback was so tremendous to our September Congressional Briefing, "*Using Dietary Supplements in Patient Care*" we will be presenting more briefings in 2008. The series is meant to highlight the science, history, and hands-on experience of doctors, pharmacists, scientists, and other practitioners using integrative medicine and dietary supplements and their impact on the health of American citizens. Read about upcoming topics and download the Using Dietary Supplements presentation.

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### **Our Comments to the FDA**

We are finishing our latest response to the FDA and will publish it shortly. In the meantime, here are some of our responses to the FDA in the past year.

**AAHF Pulse of Health Freedom, December 17, 2007**  
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### **Press #1 for Health Freedom**

Dr. Jonathan Wright is one of AAHF founding members, and is on the board of directors of our Washington state chapter, WA CHOICE. Dr. Wright is known for his battle with the FDA in the early 90s over the raid on his Tahoma Clinic practice. ([Click here to read the story](#)).

Fifteen years later, there is another investigation. But this time, it's his telephone system causing the "trouble."

Dr. Wright received a letter from his state medical board, the Washington State Medical Quality Assurance Commission (MQAC) which stated that they had "received a complaint alleging that your office procedure of having all incoming telephone calls go to voice mail resulted in considerable physician-patient communication problems with the potential of harm to patients..."

The letter went on to demand a "written summary discussing the above allegation" within 14 days, but contained no allegation of harm to any patient caused by Tahoma Clinic's telephone system.

For the record, here's what you hear after dialing Tahoma Clinic:

*"Good Morning. Thank you for calling the Tahoma Clinic. Our normal office hours are 9-5, Monday through Friday, Pacific time. If this is an emergency, please hang up and dial 911. If you know your party's extension, please enter it now. To schedule an appointment please press 1. To speak to a physician's office, please press 2. For referral to a doctor in your area please press 3. For billing questions press 4. For our fax number and directions to the Clinic press 5. For all other inquiries please press 6."*

### **No Patient Harm or Even Patient Involvement**

Last year, the MQAC investigated Tahoma Clinic when—with no patient complaint and no allegation of patient harm—MQAC went after the Tahoma Clinic website for what they apparently considered heresy and unacceptable deviation from the mainstream party line. Now it's their telephone system. Dr. Wright asks, "What's next? Our HVAC system? Inadequate parking? Perhaps our full-spectrum fluorescent lighting?"


### **Fair and Balanced?**

In November, you might have read about MQAC's "gentle" treatment of the "mainstream" physician whose patient apparently died after surgery because the physician couldn't be reached, by telephone or otherwise. If you recall, that physician was fined \$1,000 and required to write a new policy regarding post-operative follow up procedures, along with a 1,000 word paper.<sup>[1]</sup>

Dr. Wright wonders if the MQAC investigator will be as lenient with the Tahoma Clinic, since no one has died—or been harmed in any way at all—by the allegations against their telephone system. If they propose settling the investigation for a 1,000 word paper about phone systems, and a \$1,000 fine, they might even consider it....after checking with their attorney, of course.

Considering they're demanding a written summary now, before even issuing charges, holding hearings, or determining a "sanction"—and considering the "sanctions" imposed on integrative practitioners such as Dr. Stephen Smith and Dr. Geoff Ames for equally harmless "violations"—it's obvious that "mainstream" practitioners receive "special" treatment in Washington state – as every other state.

### **This Is Why AAHF Is Here**

Our bill to protect licensed practitioners (particularly in the absence of patient harm or complaint) will be reintroduced in Washington state beginning of 2008. This is a bill that we wrote last year that addresses the unfair attacks on health care providers simply because they are using a procedure (treatment, diagnostic, philosophy) that someone disagrees with or in cases where there is no patient harm or even patient complaint.   
[Click here to read a bill draft.](#)

This bill has real "teeth" to it and will offer stronger protection to licensed practitioners from needless investigations and "fishing expeditions" – simply because they are integrative practitioners. This is model language (along with our process) that we intend on using with our growing state chapters.

This bill passed the Washington Senate unanimously and was held up in the House by the Health chairwoman. Our Washington chapter has been working furiously in the past few months to build support for this bill. As soon as it is introduced we will let you know so you can help support the bill.

In the meantime, your financial support is more important than ever. No matter where you live, please consider [joining AAHF \(or making a donation\)](#) to help us with our efforts in Washington and in other states.

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[1] "Appendix J: Performance Audit Report, Department of Health, Health Professions Quality Assurance—Executive Summary, Report #1000002," Washington State Auditor's Office, 8/21/07 (full Audit Report available at <http://www.sao.wa.gov/Reports/AuditReports/AuditReportFiles/ar1000002.pdf>)

## State Activities Heating Up This Winter

AAHF is dedicated to protecting the consumer's right to choose and the practitioner's right to practice; nowhere is this truer than in the states themselves. A simple review of one state's laws regarding the practice of medicine revealed that the medical board is legally allowed to conduct investigations in total secrecy- even after the practitioner is charged; leaving no opportunity for the practitioner to question or dispute the investigation results. Some states even allow anonymous, unsigned complaints to be lodged against practitioners, with no allegation or mention of harm.

Currently, AAHF has three state chapters and is working in several others to form state chapters. We have been contacted by concerned individuals in more than 20 states that are asking for our help in their state. Below are a few examples of the kinds of things AAHF is working on in the various states.

**Ohio-** The Ohio Health Freedom Coalition, a state chapter of the AAHF, has been working diligently all year to change the laws in Ohio to allow a non-licensed practitioner to practice in their field of training and subject to certain restrictions. The Coalition, working with State Representative Lynn Watchman, introduced House Bill 148 this past spring; thus far the bill has received a hearing and the coalition is meeting with all members to rally support around this legislation

**Michigan-** The Michigan Legislature passed a law last year that requires a license to practice dietetics in Michigan. The bill closely mirrors similar laws in other states that have served only to target those practitioners who are competently trained in areas other than dietetics. Importantly, the Michigan bill did include language for some flexibility based on the rules developed by the newly created Michigan Board of Dietetics and Nutrition. AAHF is working to ensure that as the rules are created they allow the maximum flexibility while still protecting the consumer. During our continuing efforts in Michigan, we have come across interested individuals who are now actively working towards creating a state chapter permanently.

**Maryland-** You may have recently read about an evolving situation in Maryland where parents of school age children are being threatened with jail for not having their children properly immunized. This situation involved more than 2,000 students in Prince George's County and their parents' who were forced to vaccinate their children or face jail time. There is a current exemption process in place for parents to opt out of the otherwise mandatory vaccinations for religious reasons or other medical reason, but parents must apply before the requirements can be waived. This shocking attempt by the state to force their will on parents has underscored the need for a watchdog organization in Maryland and AAHF has received much interested in starting a state chapter.

These are just a few of the many situations that citizens across the country find happening in their states. As we continue our work in more states, it's becoming obvious that taking action at the state level is going to be essential for the health freedom movement to effect change. **YOU CAN HELP by joining the American Association for Health Freedom at both the National and State levels.**

If you are interested in becoming involved at the state level or have information that you want to share, please contact Carrie Haughawout, our Director of Development for State Chapter. You can reach Carrie at 614.888.7351 or [carrie@healthfreedom.net](mailto:carrie@healthfreedom.net).

### **Congressional Briefing Series**

According to the 129-page annual report of the American Association of Poison Control Centers published in the journal *Clinical Toxicology* (Feb 2007), the National Poisoning and Exposure Database showed that there was not even one death cause by vitamins in 2005 yet dietary supplements are increasingly attacked and scrutinized. The media, allopathic medicine, and Quackbusters, among others, continue to criticize, mislead, and misinterpret the safety, effectiveness, and even regulations of dietary supplements.

Whether it's using dietary supplements as an alternative to drugs or surgery, finding relief when there is no other option, or saving the patient or taxpayer money, dietary supplements are a misunderstood but vital component of our healthcare system.

It's time to get the true facts.

Because the feedback was so tremendous, "*Using Dietary Supplements in Patient Care*" is in fact the first in a series of Congressional Briefings. The series is meant to highlight the science, history, and hands-on experience of doctors, pharmacists, scientists, and other practitioners using integrative medicine and dietary supplements and their impact on the health of American citizens.

Upcoming briefings will include:

Diabetes – Over 90% of cases never have to happen

Brain – The Effect of Integrative Medicine

Heart – The Impact of Integrative Medicine and Dietary Supplements

Obesity - What's its doing to our children

If you would like to know more information or have any suggestions, please contact Terri Tucker at [terri@healthfreedom.net](mailto:terri@healthfreedom.net) or 703.294.6244.

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The first in the series was "Using Dietary Supplements in Patient Care" with the following speakers:

Dietary Supplements – an Integral Component of Medical Care. Robban Sica, M.D., Practitioner of Integrative Medicine

The Inside View from Academia on Integrative Medicine and Dietary Supplements. Woodson C. Merrell, MD, Sc.D.(hc), Chairman, Dept of Integrative Medicine, Beth Israel Medical Center, NYC

Mitigating Side Effects of Drugs with Dietary Supplements. James B. LaValle, R. Ph., C.C.N., M.S., Author of *Drug-Induced Nutrient Depletion Handbook* and *The Nutritional Cost of Prescription Drugs and Natural Therapeutics Pocket Guide*.

Moderated by Sherri Tenpenny, D.O.

 [Click here to view the PowerPoint presentation](#)

## **AAHF Comments**

For over 15 years, the American Association for Health Freedom has been a government watchdog on behalf of health freedom.

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### **FDA**


Responding to the Food and Drug Administration's (FDA) "guidances" are one way that we ensure that the health freedom position is being heard by the government.

Below are a few of our recent comments to the FDA.


#### ***Functional Foods***

As the AAHF/ANH representative, our General Counsel, Mike Ruggio made an oral presentation to the FDA on its functional food debate on December 5, 2006 and made clear our position, as well as pointing out a possible way forward. This way forward is elaborated in the AAHF/ANH's written response, [070104\\_AAHF\\_ANH\\_FDA\\_Functional\\_food\\_submission.pdf](#).

#### ***CAM Position***

American Association for Health Freedom and the Health Freedom Foundation were very concerned with the FDA document 2006D-0480 - Draft Guidance for Industry on Complementary and Alternative Medicine Products and Their Regulation by the Food and Drug Administration ([see FDA Summary](#)). The full text of the CAM Guidance can be [read here](#). (Adobe Acrobat required).  [Click here to read our response](#).

#### ***Evidence-Based Medicine***

AAHF Comments to FDA on Draft Guidance for Industry: Evidence-Based Review System for the Scientific Evaluation of Health Claims; Availability .  [Click here to read our response](#).