

The Healthcare Medicine Institute presents

Ethics In Acupuncture #5



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Ethics in Acupuncture #5

“I have just three things to teach: simplicity, patience, compassion. These three are your greatest treasures.” — Lao Tzu

Definition

Ethics are moral principles that act as guidelines for behavior. They act as a guiding philosophy, impart moral importance, and help discern right from wrong. Although ethics correlate to legality, ethical obligations are often greater than what is legally required. Conversely, simply because something is legal does not necessarily make it ethical. The following is an excerpt from the American Medical Association’s website on the topic of the relation of law and ethics:

Ethical values and legal principles are usually closely related, but ethical obligations typically exceed legal duties. In some cases, the law mandates unethical conduct. In general, when physicians believe a law is unjust, they should work to change the law. In exceptional circumstances of unjust laws, ethical responsibilities should supersede legal obligations.

The fact that a physician charged with allegedly illegal conduct is acquitted or exonerated in civil or criminal proceedings does not necessarily mean that the physician acted ethically.¹

While it is ethical to practice acupuncture, it is not legal to practice it in many jurisdictions and settings. Likewise, there are acupuncture procedures that are ethical to perform but lack legal and regulatory support in state scope of practice definitions.

1. http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/opinion102.page?_r=1-1-16.

Private company policies present equally challenging conduct issues in addition to regulatory concerns. For example, access to acupuncture is often inhibited by hospital policies barring licensed acupuncturists. This presents ethical and legal issues when an acupuncturist is asked to provide acupuncture services by a patient or family member in the hospital setting, but is denied the right to provide the service by the private institution's policies.

The same quandaries apply to the use of herbal medicines. Herbs may be illegal that are determined both safe and effective by modern research. There are gray areas as well. For example, Ma Huang may be legal for use in some areas but the use of Ma Huang may not be covered by an acupuncturist's medical malpractice insurance. In all cases, acupuncturists must abide by the law, but ethics imparts the responsibility of working towards changing the laws for the betterment of humanity.

Confucianism

Basic principles of medical ethics have their roots in ancient traditional Chinese medicine. Daqing Zhang and Zhifan Cheng note in "Medicine Is a Humane Art: The Basic Principles of Professional Ethics in Chinese Medicine":

The value system of medical ethics in China has a long tradition that can be traced back to ancient times. Those values are reflected in the (Confucian) precept that "medicine is a humane art." That is, medicine is not only a means to save people's lives, but also a moral commitment to love people and free them from suffering through personal caring and medical treatment. Although this precept has been well accepted as the basic principle of professional ethics as a general principle that emphasizes doctors' self-accomplishment and self-restraint, there has never been a universally accepted

professional code and binding principles in Chinese medicine comparable to the *Hippocratic Oath* in western.²



Confucian Temple (Taichung, Taiwan)

Hippocratic Oath

Hippocrates (460–375 BCE) was an ancient Greek physician. Authorship of the *Hippocratic Oath*, an ancient ethical code, is attributed to Hippocrates. To this day, classical and contemporary versions of the *Hippocratic Oath* are included in some medical school graduation ceremonies. By today's standards, there are several aspects of the *Hippocratic Oath* that are considered significantly controversial. The following is a translation of the *Hippocratic Oath* from the original Greek by Francis Adams in 1849:

2. Zhang, Daqing, and Zhifan Cheng. "Medicine is a humane art the basic principles of professional ethics in Chinese medicine." *The Hastings Center Report* 30, no. 4 (2000): S8-S12.

I swear by Apollo the physician, and Aesculapius, and Health, and All-heal, and all the gods and goddesses, that, according to my ability and judgment, I will keep this Oath and this stipulation—to reckon him who taught me this Art equally dear to me as my parents, to share my substance with him, and relieve his necessities if required; to look upon his offspring in the same footing as my own brothers, and to teach them this Art, if they shall wish to learn it, without fee or stipulation; and that by precept, lecture, and every other mode of instruction, I will impart a knowledge of the Art to my own sons, and those of my teachers, and to disciples bound by a stipulation and oath according to the law of medicine, but to none others.

I will follow that system of regimen which, according to my ability and judgment, I consider for the benefit of my patients, and abstain from whatever is deleterious and mischievous. I will give no deadly medicine to any one if asked, nor suggest any such counsel; and in like manner I will not give to a woman a pessary to produce abortion. With purity and with holiness I will pass my life and practice my Art.

I will not cut persons laboring under the stone, but will leave this to be done by men who are practitioners of this work. Into whatever houses I enter, I will go into them for the benefit of the sick, and will abstain from every voluntary act of mischief and corruption; and, further from the seduction of females or males, of freemen and slaves. Whatever, in connection with my professional practice or not, in connection with it, I see or hear, in the life of men, which ought not to be spoken of abroad, I will not divulge, as reckoning that all such should be kept secret.

While I continue to keep this Oath unviolated, may it be granted to me to enjoy life and the practice of the art, respected by all men, in all times! But should I trespass and violate this Oath, may the reverse be my lot!

Taoism & Buddhism

In addition to Confucianism, Chinese medicine ethics has its roots in both Taoist and Buddhist values:

Taoism and Buddhism also influenced the development of medical ethics in China, themselves vigorously promoting the practice of

medicine as a means of doing good. Taoism favors life and resents death. It regards being alive as the happiest thing and pursues immortality. Taoists pursue long life in either of two ways: by taking special medicines made from plants, animals, or minerals and by doing good deeds that benefit others. Five commandments are at the heart of Taoist religious codes. A Taoist is forbidden to kill any living thing, eat any meat or drink any alcohol, behave dishonestly, steal, or be sexually promiscuous. Central values in Taoism include loyalty, filial piety, politeness, trust, and humanity.

Buddhism is also a very important thread in the fabric of traditional Chinese medical ethics. To alleviate suffering and transcend the cycle of fate (karma) and rebirth, many Buddhists practiced good deeds by means of practicing medicine. Among China's early physicians were many well-known Buddhist monks, like Jianzhen of the Tang Dynasty who was not only a famous monk but also an outstanding doctor of great attainments.³



Taoist Temple Garden at Weibao Mountain (Yunnan, China)

3. Zhang, Daqing, and Zhifan Cheng. "Medicine is a humane art the basic principles of professional ethics in Chinese medicine." *The Hastings Center Report* 30, no. 4 (2000): S8-S12.

Codes Of Ethics

Most states mandate a code of conduct for medical professionals, including acupuncturists. In addition, many medical organizations maintain an explicit code of ethics.

NCCAOM Code Of Ethics

The NCCAOM® (National Certification Commission for Acupuncture and Oriental Medicine) has a code of ethics for all diplomates. The following is the official NCCAOM® Code of Ethics as of 2020:

Respect the rights, privacy and dignity of my patients and maintain confidentiality and professional boundaries at all times.

Treat within my lawful scope of my practice and training and only if I am able to safely, competently and effectively do so.

Allow my patients to fully participate in decisions related to their healthcare by documenting and keeping them informed of my treatments and outcomes.

Accept and treat those seeking my services in a fair and nondiscriminatory manner.

Render the highest quality of care and make timely referrals to other health care professionals as may be appropriate.

Continue to advance my knowledge through education, training and collaboration with my colleagues to maintain excellence and high ethical standards in our profession.

Support my medicine's access to all people and its growth in the broad spectrum of U.S. health care.

Assist in the professional development and advancement of my colleagues. Participate in activities that contribute to the betterment of my community.

3. A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.
4. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.
5. A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.
6. A physician shall, in the provision of appropriate patient care, except in emergencies, be free to choose whom to serve, with whom to associate, and the environment in which to provide medical care.
7. A physician shall recognize a responsibility to participate in activities contributing to the improvement of the community and the betterment of public health.
8. A physician shall, while caring for a patient, regard responsibility to the patient as paramount.
9. A physician shall support access to medical care for all people.

WMA Code of Ethics

The following is the World Medical Association's code of ethics.⁴ The WMA is an international organization founded in 1947 by physicians from 27 countries. The WMA ensures the independence of physicians and sets standards of excellence and ethics.

Duties of Physicians in General

4. . wma.net/en/30publications/10policies/c8/index.html. 03-26-2017.

- A physician shall always exercise his/her independent professional judgment and maintain the highest standards of professional conduct.
- A physician shall respect a competent patient's right to accept or refuse treatment.
- A physician shall not allow his/her judgment to be influenced by personal profit or unfair discrimination.
- A physician shall be dedicated to providing competent medical service in full professional and moral independence, with compassion and respect for human dignity.
- A physician shall deal honestly with patients and colleagues, and report to the appropriate authorities those physicians who practice unethically or incompetently or who engage in fraud or deception.
- A physician shall not receive any financial benefits or other incentives solely for referring patients or prescribing specific products.
- A physician shall respect the rights and preferences of patients, colleagues, and other health professionals.
- A physician shall recognize his/her important role in educating the public but should use due caution in divulging discoveries or new techniques or treatment through non-professional channels.
- A physician shall certify only that which he/she has personally verified.
- A physician shall strive to use health care resources in the best way to benefit patients and their community.
- A physician shall seek appropriate care and attention if he/she suffers from mental or physical illness.
- A physician shall respect the local and national codes of ethics.

Duties of Physicians to Patients

- A physician shall always bear in mind the obligation to respect human life.

- A physician shall act in the patient's best interest when providing medical care.
- A physician shall owe his/her patients complete loyalty and all the scientific resources available to him/her. Whenever an examination or treatment is beyond the physician's capacity, he/she should consult with or refer to another physician who has the necessary ability.
- A physician shall respect a patient's right to confidentiality. It is ethical to disclose confidential information when the patient consents to it or when there is a real and imminent threat of harm to the patient or to others and this threat can be only removed by a breach of confidentiality.
- A physician shall give emergency care as a humanitarian duty unless he/she is assured that others are willing and able to give such care.
- A physician shall in situations when he/she is acting for a third party, ensure that the patient has full knowledge of that situation.
- A physician shall not enter into a sexual relationship with his/her current patient or into any other abusive or exploitative relationship.

Duties of Physicians to Colleagues

- A physician shall behave towards colleagues as he/she would have them behave towards him/her.
- A physician shall NOT undermine the patient-physician relationship of colleagues in order to attract patients.
- A physician shall when medically necessary, communicate with colleagues who are involved in the care of the same patient. This communication should respect patient confidentiality and be confined to necessary information.

Reusable Needles

Globally, some regions allow reusable needles that have been sterilized with autoclave equipment. However, many areas allow only single-use acupuncture needles. For example, in the United States, California only allows for single-use needles. The ethical standard for use of autoclaves has been met only if the process ensures complete sterilization; regardless, this standard is superseded by law. In addition, many acupuncturist malpractice insurance and health insurance policies forbid the use of reusable needles. Let's take a look at two examples:

California & Florida Single-Use

The State of California specifically prohibits the reuse of acupuncture needles:

1399.454. Single Use Needles.

An acupuncturist shall use needles labeled for single use only that meet the requirements of federal regulations 21 CFR Part 880.5580 (61 FR 64617, December 6, 1996). It shall constitute unprofessional conduct for an acupuncturist to use a needle more than once.

This is a general trend in laws and regulations for filiform needles. The State of Florida has a similar provision:

457.1085 Infection control.—Prior to November 1, 1986, the board shall adopt rules relating to the prevention of infection, the safe disposal of any potentially infectious materials, and other requirements to protect the health, safety, and welfare of the public. Beginning October 1, 1997, all acupuncture needles that are to be used on a patient must be sterile and disposable, and each needle may be used only once.

Chinese Medicine Physicians

A famous 7th century physician, Sun Simiao, wrote a treatise entitled "On the Absolute Sincerity of Great Physicians." This was a section of the work entitled *The Important Prescription Worth a Thousand Pieces of Gold*. The treatise is sometimes referred to as the Chinese Hippocratic Oath, although there are significant differences between the *Hippocratic Oath* and the values documented by Sun Simiao. The treatise "requires the physician to develop first a sense of compassion and piety, and then to make a commitment to try to save every living creature, to treat every patient on equal grounds, and to avoid seeking wealth because of his expertise."⁵ Dr. Daniel Fu-Chang Tsai writes:

Ancient Chinese medical ethics basically focuses its moral doctrines of beneficence on humaneness (en) and compassion (t'zu). Sun Szu-miao's medical ethics professed that: "The object is to help, not to gain material goods", and a "great physician" should "commit himself with great compassion to save every living creature". Kung Hsin in AD1556 wrote: "The good physician of the present day cherishes humaneness and righteousness He cares not for vainglory, but is intent upon relieving suffering among all classes. He revives the dying and restores them to health: his beneficence is equal to that of Providence." Kung Ting-Hsien (AD 1615) also said, in his Ten maxims for physicians, that: "Firstly, they should adopt a disposition of humaneness; this is a justified demand. They should make a very special effort to assist the people and to perform far-reaching good deeds."⁶

Sun Simiao commented on relations with colleagues, "it is inappropriate to emphasize one's reputation, to belittle the rest of the physicians and to praise only one's own virtue."⁷ He also wrote:

...a Great Physician should possess a clear mind, in order to look at himself; he should make a dignified appearance, neither luminous nor somber. It is his duty to reduce diseases and to diagnose sufferings and for this purpose to examine carefully the external indications and

5. . Veatch, Robert M. Cross-cultural perspectives in medical ethics. Jones & Bartlett Learning, p 320-321, 2000.

6. Tsai, D. F. "Ancient Chinese medical ethics and the four principles of biomedical ethics." *Journal of medical ethics* 25, no. 4 (1999): 315-321.

7. . Veatch, Robert M. Cross-cultural perspectives in medical ethics. Jones & Bartlett Learning, 2000.

the symptoms appearing in the pulse. He has to include thereby all the details and should not overlook anything. In the decision over the subsequent treatment with acupuncture or with medicaments nothing should occur that is contrary to regulations. The saying goes: "In case of a disease one has to help quickly," yet it is nevertheless indispensable to acquaint oneself fully with the particular situation so that there remain no doubts. It is important that the examination be carried out with perseverance. Wherever someone's life is at stake, one should neither act hastily nor rely on one's own superiority and ability, and least of all keep one's own reputation in mind. This would not correspond to the demands of humaneness!⁸

In the *Ch'ien-chin i-fang*, Sun Simiao writes about general conduct and ethical principles. Topping the list is the importance of not killing anyone. Other important items listed include never to steal or be deceitful. The writings also include to avoid envy and never to despise the poor. The following summarizes Sun Simiao's view:

He emphasised the necessity of a thorough education, rigorous conscientiousness and self-discipline, and explained that "compassion (tz'u)" and "humaneness (len)" were the basic values of medical practice.



Sun Simiao

8. . Veatch, Robert M. Cross-cultural perspectives in medical ethics. Jones & Bartlett Learning, p 314, 2000.

Fairness

It is maintained by many scholars of Chinese medicine that patients deserve fair and equitable access to healthcare and quality treatments. In this respect, patients must be treated with equal respect. The concept that patients deserve equal access to care has historical roots in Chinese medicine:

Chen Shih-kung (AD1605) also presented the similar idea of treating high or low, rich or poor equally. He particularly mentioned that prostitutes should be treated in the same way as daughters from a good family, which entails both equality and respect. Moreover: "Medicine should be given free to the poor. Extra financial help should be extended to the destitute patients; if possible. Without food, medicine alone cannot relieve the distress of a patient."⁹

Sun Simiao wrote about nondiscrimination:

If someone seeks help because of illness or on the ground of another difficulty, [a great physician] should not pay attention to status, wealth or age, neither should he question whether the particular person is attractive or unattractive, whether he is an enemy or a friend, whether he is Chinese or a foreigner, or finally, whether he is uneducated or educated. He should meet everyone on equal ground.¹⁰

Fairness applies to many access to care issues, which include financial reimbursement policies for medical professionals. The following is an excerpt on financial reimbursement policies in the Zhou Dynasty:

In ancient China, "profession" meant one's duties. During the Zhou Dynasty (from 1065-771 B.C.E.), an independent medical profession and medical system took shape, built around four aspects: dietetic, internal, surgery, and veterinary. Standards for evaluating, and paying, doctors were established. Thus the *Rites of the Zhou Dynasty* records that "at the end of each year, doctors are paid according to their medical performance, the highest payment to those who got 100

9. Tsai, D. F. "Ancient Chinese medical ethics and the four principles of biomedical ethics." *Journal of medical ethics* 25, no. 4 (1999): 315-321.

10. Tsai, D. F. "Ancient Chinese medical ethics and the four principles of biomedical ethics." *Journal of medical ethics* 25, no. 4 (1999): 315-321.

percent cure rate, the payment for 90 percent cure rate ranks the second, 80 percent the third, and so on."¹¹

Excellence Through Education

The NCCAOM code of ethics has specifics on quality care and education, stating:

Render the highest quality of care and make timely referrals to other health care professionals as may be appropriate.

Continue to advance my knowledge through education, training and collaboration with my colleagues to maintain excellence and high ethical standards in our profession.

The personal development of skills as an acupuncturist towards delivery of quality care has historical roots:

Sun Szu-miao [Sun Simiao] (AD581-682), a famous physician, Taoist and alchemist, wrote a monograph entitled *On the absolute sincerity of great physicians*. He emphasised the necessity of a thorough education, rigorous conscientiousness and self-discipline, and explained that "compassion (tz'u)" and "humaneness (len)" were the basic values of medical practice.¹²

Sun Simiao stressed the importance of mastering medicine and working towards delivering quality medicine to others. Prof. Shui Wae, a renown 20th century acupuncturist, noted the importance of education:

To be a practitioner of acupuncture one must have knowledge of diagnosis and physiology. Otherwise, wrongly applying the needles could lead to accidents or prevent a patient from being cured at an early stage of an illness which would later become chronic. In other

11. Zhang, Daqing, and Zhifan Cheng. "Medicine is a humane art the basic principles of professional ethics in Chinese medicine." *The Hastings Center Report* 30, no. 4 (2000): S8-S12.

12. Tsai, D. F. "Ancient Chinese medical ethics and the four principles of biomedical ethics." *Journal of medical ethics* 25, no. 4 (1999): 315-321.

words, it is impossible to cure a disease without diagnosis. Therefore to learn acupuncture one must first possess fundamental knowledge.¹³

He notes that channel theory (Jing Luo, Jing Mo) is an important starting point of education for an acupuncturist:

The Theory of Jing Luo is the fundamental principle of Chinese medicine. It declares that Jing Luo not only has great significance in the physical function of the human body, but also serves as an important guide for diagnosis and treatment. In chapter “Jing Mo Pian” in the “Ling Shu Jing” it was written, “The knowledge of Jing Mo directs us how to treat all illnesses, to regulate the human health condition and even to save a patient’s life. So it must be thoroughly mastered.” Hua Bo Ren [a famous Yuan Dynasty physician] said, “One will never find out the cause of illness if he does not know Jing Luo.” Hence, the Jing Luo theory, in Chinese medicine, governs physiology, pathology, diagnosis, therapy and so on. Whether one is a medical or a surgical practitioner, and especially if one is a acupuncture practitioner, one must grasp the theory of Jing Luo in order to achieve effective treatments in clinical practice.¹⁴

Truthfulness & Sharing Information

Compassionate acknowledgement that an illness may be terminal is consistent with Chinese medicine history.¹⁵ In the book Medical Ethics in China: A Transcultural Interpretation, Jing-Bao Nie writes:

Besides Yi He and Yi Huan, other founding figures of Chinese medicine include Qin Yueren (fl. c. 500 BCE, popularly known as Bian Que, dubbed the “father of medicine” by some historians), Zhang Zhongjing (c. second century AD, renowned as the “sage of medicine”) and Hua Tuo (c. second century AD known as the “father of surgery”). Without exception, their practice was to tell their patients the truth when their illness was diagnosed as terminal. There are no records of any of these great Chinese physicians ever recommending that a doctor should conceal such information from his patients.

13. . Shui, Wae. *A Research Into Acupuncture and Its Clinical Practice [English-Chinese]*. Commercial Press, 1976.

14. . Shui, Wae. *A Research Into Acupuncture and Its Clinical Practice [English-Chinese]*. Commercial Press, pg. 2, 1976.

15. . Nie, Jing-Bao. *Medical ethics in China: A transcultural interpretation*. Routledge, 2013.

Zhongjian once predicted that a patient would die in twenty years' time, and prescribed medicine to prevent it. However, despite the doctor's warning, the patient refused to take the prescribed medication and died exactly as Zhang had foretold.



Bian Que

In the case of a non-compliant patient, an attempt to work with the patient, care givers, or family to encourage compliance with health care advice for the safety of the patient is an ethical choice to advocate for the patient even when they may resist beneficial care. There are other historical examples wherein the attending physician communicated the news of a terminal prognosis truthfully, but may have told the care givers and the patient directly:

In another case, Cang Gong's language was evasive. He first told his patient: "You are suffering from such a grave illness that I should not speak about it (Jun zi bing'e, buke yan ye)." He then disclosed some further medical information and told the patient's brother that he had just eight days to live. In another case, although the truth about a terminal illness was delivered in straightforward terms, it is unclear whether this information was given to the patient or to a third party. In two other cases where the patients were respectively a maid and male servant, it was their masters, not the patients themselves, who were directly informed.¹⁶

HIPAA & Patient Confidentiality

In the USA, HIPAA (Health Insurance Portability and Accountability Act) regulations comprise two parts. The Health Insurance Portability and Accountability Act of 1996 is a federal law that says employees belonging to group health plans must be allowed to purchase insurance for a period of time after they leave their jobs or change employment status. This law also created standards regarding how healthcare providers and third party entities handle patient health information. The standards specify who has authorization to view patient information and how private information, such as a patient's name or date of birth, should be stored.

As part of their healthcare responsibilities, acupuncturists are legally bound to maintain the confidentiality of patient information and records. Acupuncturists should provide all patients a *Health Information and Privacy Notice* prior to treatment. The US Department of Health & Human Services notes in regards to HIPAA:

General Rule. The Privacy Rule provides that an individual has a right to adequate notice of how a covered entity may use and disclose protected health information about the individual, as well as his or her rights and the covered entity's obligations with respect to that information. Most

16. . Nie, Jing-Bao. Medical ethics in China: A transcultural interpretation. Routledge, 2013, pg 105.

covered entities must develop and provide individuals with this notice of their privacy practices.¹⁷

Confidential Conversations

HIPAA is strict but also accounts for real life situations. HIPAA allows for acupuncturists to speak with patients and doctors concerning the case in many settings. This provides protections for acupuncturists providing treatment in semi-private settings and joint treatment areas. HHS notes:

Can health care providers engage in confidential conversations with other providers or with patients, even if there is a possibility that they could be overheard?

Answer:

Yes. The HIPAA Privacy Rule is not intended to prohibit providers from talking to each other and to their patients. Provisions of this Rule requiring covered entities to implement reasonable safeguards that reflect their particular circumstances and exempting treatment disclosures from certain requirements are intended to ensure that providers' primary consideration is the appropriate treatment of their patients. The Privacy Rule recognizes that oral communications often must occur freely and quickly in treatment settings. Thus, covered entities are free to engage in communications as required for quick, effective, and high quality health care. The Privacy Rule also recognizes that overheard communications in these settings may be unavoidable and allows for these incidental disclosures.

For example, the following practices are permissible under the Privacy Rule, if reasonable precautions are taken to minimize the chance of incidental disclosures to others who may be nearby:

- Health care staff may orally coordinate services at hospital nursing stations.

17. <http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/notice.html>. 1-6-15.

- Nurses or other health care professionals may discuss a patient's condition over the phone with the patient, a provider, or a family member.
- A health care professional may discuss lab test results with a patient or other provider in a joint treatment area.
- A physician may discuss a patients' condition or treatment regimen in the patient's semi-private room.
- Health care professionals may discuss a patient's condition during training rounds in an academic or training institution.
- A pharmacist may discuss a prescription with a patient over the pharmacy counter, or with a physician or the patient over the phone.

In these circumstances, reasonable precautions could include using lowered voices or talking apart from others when sharing protected health information. However, in an emergency situation, in a loud emergency room, or where a patient is hearing impaired, such precautions may not be practicable. Covered entities are free to engage in communications as required for quick, effective, and high quality health care.



Medical Records

Acupuncturists are required by law to maintain medical records for several years in many states, provinces, and countries. Additional requirements for medical record retention may be made by malpractice insurance carriers. Health insurance companies may also require standards of medical records as a prerequisite for reimbursement. The following are two examples. The State of California has this regulation:

1399.453. Record keeping.

An acupuncturist shall keep complete and accurate records on each patient who is given acupuncture treatment, including but not limited to, treatments given and progress made as a result of the acupuncture treatments.

The following is from the State of Florida rules and is representative of standard requirements in many areas:

64B1-10.001 Content and Retention of Medical Records.

(1) Acupuncturists are required to maintain written medical records justifying the course of treatment of each patient. These records must include for each patient at least the following:

- (a) Patient's Medical History;
- (b) Acupuncture Diagnostic Impressions;
- (c) Points Used and/or Treatment Procedures Administered at Each Visit;
- (d) Acupuncturists' Recommendations;
- (e) Patient Progress Notes;
- (f) Laboratory test results when appropriate and medically necessary; and
- (g) Imaging films, reports or test results when appropriate and medically necessary.

(2) All medical records must be maintained by the acupuncturist for a period of five (5) years from the date of the last entry to the record.

Medical records must be maintained for a period of 5 years in the above regulation. In some states and regions, this requirement is significantly longer than 5 years.

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