

# MAINE STATE LEGISLATURE

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August 27, 1973

Thomas P. Downing  
Legislative Staff Assistant  
State House  
Augusta, Maine

Dear Mr. Downing:

I have your letter dated August 17, 1973, requesting an opinion of whether the study or practice of acupuncture by licensed physicians in Maine is prohibited.

Our examination of the law (32 M.R.S.A. §§ 3263 et seq.) and of the Rules adopted by the Board of Registration in Medicine reveals nothing prohibiting the practice or study of acupuncture. Such practice or study is unquestionably permissible.

Thank you for writing.

Very truly yours,

s/ Jon A. Lund

Jon A. Lund  
Attorney General

JAL/mf

JK

7/5/73  
**Acupuncture Not Covered, AHS Says**

By TOM SINCLAIR  
Staff Writer

Acupuncture is not covered by Blue Cross and Blue Shield in Maine, though the Health Insurance Institute in New York reports it is covered by most private insurance company health policies.

"At this stage of the game in the U.S. acupuncture is still an experimental technique," said

Richard F. Nellson of Associated Hospital Services of Maine.

"We normally do not extend coverage to include something like this until it becomes an accepted procedure of the medical profession."

Nellson said there have been inquiries, but no requests yet for coverage for acupuncture treatment in Maine.

There have been requests in some parts of the country, how-

ever, and they have been met by insurance companies.

"While the debate as to the true value of this ancient Chinese medical art continues," reported the institute, "insurance companies have been paying for this procedure when performed by a licensed practitioner.

"Although acupuncture is not specifically included in the vast majority of health insurance

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policies, it is being covered like any other expense prescribed by a doctor."

Blue Cross and Blue Shield, said Nellson, will wait for official approval of acupuncture by the Maine Medical Association and the Maine Osteopathic Association before it decides on extending its coverage.

Dr. Roswell P. Bates, executive director of the Maine Osteopathic Association, said, "If it (acupuncture) continues to demonstrate value I can foresee that it will be accepted."

He added, however, that Maine is more conservative than other parts of the country and wouldn't speculate on how long it might be before Maine's doctors utilize the technique.

"THERE HASN'T BEEN much interest shown around here," he said. "I don't know of a single D.O. or M.D. in the state who has become interested in it."

Dr. Daniel F. Hanley, executive director of the Maine Medical Association, doubted that acupuncture would ever come into use in Maine.

"It will be a long time before we consider using acupuncture as a treatment in Maine," he said. "Personally, I don't think we ever will."

DR. HANLEY SAID HE FELT that extending health insurance to cover such treatment isn't practical because "the number of people using it in this state would be very small." At the same time, he said, it would raise the cost of insurance for everyone.

Meanwhile, the Internal Revenue Service has ruled that acupuncture costs are deductible medical expenses — when a licensed practitioner is involved. But many medical people remain highly skeptical.

The American Society of Anesthesiologists called acupuncture "a potentially valuable technique, which has been developed over thousands of years in China" but warned that it "is being hastily applied with little thought to safeguards or hazards."

THE FOOD AND DRUG Administration has ordered that all acupuncture devices and needles be labeled for "experimental use only" in medical and dental research centers.

The American Medical Association has gone along with the ruling.

It's going to take four or five years before we can tell how acupuncture is going to fit into the medical picture," said AMA president Charles Hoffman.

Paul Dudley White, a noted heart specialist, summed up the medical profession's viewpoint:

"It it were the world's best technique we'd all be using it. If it were useless it would have been dropped thousands of years ago."

PPH 7/3/73  
**Acupuncture  
Is Permitted  
In Maine**

AUGUSTA, Maine (UPI) — Attorney General Jon A. Lund said Tuesday acupuncture is "unquestionably permissible" in Maine under present law.

Lund issued the opinion in response to a request by the Maine Legislative Council which is responsible for assigning subjects for study between sessions.

An order has been introduced at the legislative session earlier this year requesting a study of the ancient art of healing.

Lund was asked specifically whether the study or practice of acupuncture by licensed physicians in Maine.

"Our examination of the law and of the rules adopted by the Board of Registration in Medicine reveals nothing prohibiting the practice or study of acupuncture," the Attorney General said. "Such practice or study is unquestionably permissible."

Legislative Council  
Study was never made.