

Your Health

VOL. 9 / NO. 3 / SUMMER 2003

SAFE CHOICES OR NO CHOICES?

PRESS CLIPS, PARLIAMENTARY DEBATE & CONSTITUTIONAL QUESTIONS

Scope of practice issues for NDs remain "up in the air" in BC.

A deluge of letters from patients across the province to Premier Campbell, Minister Hawkins, and other MLAs, have helped bring the government to the table. Ministerial staff have met with both the BCNA and the regulatory and licensing body for NDs in BC, the CNPBC.

As Dr. Garrett Swetlikoff, BCNA President says in a quote from the Capital News on page two, "we are cautiously optimistic." But there is still much work to be done.

In May Joy MacPhail presented nearly 12,000 signed petitions to Minister Hawkins on the naturopathic medical issue. Additionally, MacPhail asked Hawkins during the spring parliamentary session "Why does the government support a reduction in the scope of practice for naturopaths?"

Hawkins responded that "none of those changes go forward [sic] without full consultation not only of the naturopaths but of all the colleges."

We might ask why colleges (regulatory boards) from other professions need to be consulted, but nevertheless, that's the government's intention.

Hawkins also stated in parliament that "patient safety is paramount." We find this hard to believe given the record of safety amongst NDs, as is found in the lack of malpractice claims over nearly a century of practice in this province, especially in relation to the

volume of patients treated. Hawkins concerns regarding safety must be taken with a grain of salt; it's well-documented that the fourth leading cause of death in North America is properly-prescribed medication in a hospital setting.

As for the time frame to complete consultation? Hard to say. Initially we were led to believe the regulations regarding scope would be pushed through this year. But when questioned by Paul Nettleton in parliament, Minister Hawkins responded "that work is going to start this fall. I'm sure it's going to go on for a period of months and months, perhaps for a couple of years. I don't know. I'm not going to judge it. I want to make sure we get it right before we change it."

In closing, Hawkins reiterated her concerns about safety: "We want to make sure that patients have the choice of health care providers and that those choices are safe practitioners." So does the BCNA.

Help us help Hawkins "get it right" by sending a letter to the premier with a copy to her office. Address it to: Premier Gordon Campbell, Parliament Buildings, Victoria, V8V 1X4, with a copy to The Honourable Sindi Hawkins, Minister of Health Planning, at the same address.

Read more of MacPhail and Nettleton's questions in Hansard, from Tuesday, May 13, morning and

afternoon session, by linking to: www.legis.gov.bc.ca/hansard/8-2.htm

Read more about this issue inside: Recent press on pages two and three, editorial comment on page five, and an opportunity to receive a pamphlet explaining the issues on page seven.

[And please see our feature article on page seven regarding the Constitutional validity of "Safe Choices" by Anne O'Neil.](#)

Of course we have a lot of other relevant news too: Clarification on accessing medical records, recent health snippets, the topical mercury amalgam issue, and more.

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“
 We're not the guys
 killing 10,000 patients
 a year in B.C.
 Dr. Garrett Swetlikoff
 Kelowna naturopath
 ”

The head of the BC Naturopathic Association says he's cautiously optimistic about recent talks with the provincial government about its plan to reduce their scope of practice.

Yet at the same time Dr. Garrett Swetlikoff can barely conceal his anger at what he sees as the government's attempt to push his profession back 80 years.

"It's like they want us to go back to the 1920s," said Swetlikoff, a Kelowna-based naturopathic physician.

He said the actions the government wants to take, including limiting the schedule of drugs and compounds naturopaths can prescribe and functions they can perform, will not eliminate naturopath[ic] physicians but it will gut the profession.

"This will threaten people's livelihood to the point where they will just leave the province," Swetlikoff said.

At the same time the government's proposal will allow mainstream physicians to practice alternative medicine, something Swetlikoff said they are not trained to do.

"They have no training yet [the government proposals] allow them to practice anything we do," he said. "How can that be safe?"

He rejects an assertion made last week by Health Planning Minister Sindi Hawkins that safety of patients is the motivation for the move.

Excerpted from the Capital News

...Barb Cates, a patient of [Dr. Ingrid] Pincott, said she still sees medical doctors for health issues, but sees naturopathic physicians as a complementary health choice for her and her family. She said she and her husband are healthier under a naturopath's care.

"My husband Bruce and I are both guided by Dr. Pincott and she educates us as a family and that has improved our eating habits," Cates said. "We've both kicked the coffee addiction for one year by boosting our energy level naturally by nourishing out systems.

"I don't have any fears about my health. I feel empowered by the knowledge I've gained and the choice is mine whether to follow through in that knowledge. Isn't that really what it's all about?"

Excerpted from the Campbell River North Islander

While NDs have long been treating patients just as any family physician would, restricting their scope of practice could be devastating to those patients who rely on alternative medicine...Langley naturopathic physician Dr. Stephanie Trenciansky said if the [government's *Safe Choices*] report is approved, naturopaths will no longer be able to...treat food allergies or use many chiropractic techniques. Trenciansky, who has started a petition, is baffled why a government that based its health care campaign on preventative medicine would go against naturopaths. What is even more confusing is naturopathic medicine doesn't impact an already overburdened MSP plan.

Excerpted from the Langley Times

Naturopaths angry
 at Liberal proposals

YOUR HEALTH

Back step

Naturopathic medicine hurt by new policy

Naturopaths face loss of exam rights

Naturopaths feel the squeeze

Naturopaths concerned about reduction in scope of practice

The British Columbia government is preparing to reduce the scope of practice for naturopathic physicians based on the government's document... *Safe Choices*.

[*Safe Choices*] represents a huge step backwards for naturopathic medicine and health care in British Columbia.

The proposed changes will only serve to limit access to hundreds of thousands of existing patients seeking complementary medical care from qualified naturopathic physicians (NDs).

NDs have been providing safe, effective health care for over a century.

[*Safe Choices*] will limit ND's ability to perform...physical therapies, naturopathic manipulation, allergy testing and limit access to medicines that NDs are trained and educated to use.

...The government claims to believe in preventive health care yet they plan to implement a scope of practice that would limit the patient choice and decrease health care options, eliminate safe, effective, economical preventive health care options for residents that conventional medicine does not provide, and disregard the precedents and past agreements regarding scope of practice.

NDs place no fiscal burden on the government. In fact, NDs save the government money by healing patients who might otherwise take costly drug regimes and undergo expensive surgeries.

Excerpted from the Campbell River Weekender

46 CAMPBELL RIVER MIRROR FRIDAY, MAY 16, 2003

Naturopathic doctors worried about future of their practices

Some naturopathic doctors are worried their practices will suffer from government plans to limit the scope of what they are allowed to do. "Certainly my livelihood is at stake," said Dr. Ingrid Pincott, a naturopathic physician in Campbell River." However, she said, she's more concerned about what will happen to her patients. "It really limits the choice," she said, pointing out some safe, proven and effective naturopathic treatments [which] will no longer be available to patients. Hundreds of thousands of British Columbians visit naturopathic physicians, where would these patients go if the [new proposals] are adopted by the Campbell government?" said Dr. Christoph Kind [of Courtenay].

Excerpted from the Campbell River Mirror

Naturopathic Shakedown: Show Your Support

You want irony? At the same time that natural products fly off the shelves and Canadians embrace complementary practitioners, BC's naturopathic physicians must protect their scope of practice from government [interference].

In its report *Safe Choices*, BC's Liberal leaders propose that naturopathic physicians be unable to perform many techniques that fall within their historical expertise, such as naturopathic diagnosis, allergy testing, certain dietary techniques, blood tests and other intravenous work.

What does this mean for consumers? The move may limit our access to safe, proven preventative medicine in BC, and sets a worrisome precedent for the future of naturopathic medicine elsewhere in Canada. To support your right for freedom of choice in health care, contact the BCNA.

Excerpted from Alive magazine, July 2003 (www.alive.com)

ACCESS TO MEDICAL RECORDS

Can patients access their own medical records? Yes (and no). In broad strokes, the courts have determined that access is allowed, but with caveats and exceptions.

Two rulings at the Supreme Court of Canada provide the basis for access to records. They are *Reibl v. Hughes* (1980) and *McInerney v. MacDonald* (1992). In these cases the court stated very clearly that it is not up to the medical profession to decide what should be revealed and what may be withheld from a patient.

In *McInerney v. MacDonald*, the Supreme Court stated in its ruling that “in the absence of legislation, a patient is entitled, upon request, to examine and copy all information in her medical records which the physician considered in administering advice or treatment, including records prepared by other doctors that the physician may have received.”

It's important to note that this ruling does not infer that a patient owns their medical file. The patient is not entitled to the records themselves as the physical medical records of the patient belong to the physician.

At the same time, a doctor can hold back portions of a patient's file, but only if the doctor “believes it is not in the patient's best interests to inspect the medical records.” The Supreme Court ruled that when this exception was employed the doctor must justify why that information is being withheld.

From a legal perspective, ethics and case law dictate that it is not up to the medical profession to decide what should or should not be revealed to a patient.

There are exceptions to these rules: They do not apply to hospitals or pharmacists. Further, most provincial legislation does not mandate that hospitals or pharmacists keep records longer than 10 years.

Hospitals are, however, under provincial *Freedom of Information* legislation. *FOI* legislation clearly outlines which public bodies are by law required to comply with *FOI* requests; unfortunately, *FOI* legislation dictates a formal request be made following *FOI* protocol—and this can take time. Therefore, patients seeking their files through a hospital must request their personal information formally using the *FOI* procedures and this can take weeks or months.

Further, BC's *FOI* legislation includes one section (19.1 and 19.2) which states when a public body (e.g., a hospital) may refuse to release patient information. The legislation states that records may be withheld if such disclosure could reasonably be expected to: “(a) threaten anyone else's safety or mental or physical health, or (b) interfere with public safety.”

Section 19 also states: “The head of a public body may refuse to disclose to an applicant personal information about the applicant if the disclosure could reasonably be expected to result in immediate and grave harm to the applicant's safety or mental or physical health.”

Read BC's Freedom of Information legislation at: www.oipcbc.org

Search the Supreme Court of Canada Judgments at: www.scc-csc.gc.ca

This information was gathered from the public record and is not meant as legal advice or counsel.

Most Colleges (i.e., a regulatory body for a licensed health profession) recommend doctors retain patient records a minimum of six years from the date of the last patient entry. Some professional associations recommend their members keep records for at least 10 years. Chapter 266 of the provincial *Limitation Act* could be interpreted to imply that doctors must keep records in perpetuity. Common sense, space constraints and general practice customs are that patient records are not held on file longer than a decade.

LIBS PROPOSE RADICAL CHANGES TO ND'S SCOPE...

This editorial by Dr. Asifa Maherali originally appeared in Choices Markets public newsletter.

The BC Liberal Government is preparing to reduce the scope of practice for naturopathic physicians. The proposed changes, as outlined in the government's document entitled *Safe Choices: A New Model for Regulating Health Professions in British Columbia*, would limit access to hundreds of thousands of patients seeking complementary medical care from qualified health professionals. Oddly, this comes at a time when preventative medicine is being regarded as an essential component in addressing health care issues. Even Federal Health Care Minister Anne McLellan recognizes the benefit of complementary care. In recent correspondence she referred to naturopathic medicine approaches as well placed to play an important role in advancing health living strategies, preventing illness and improving health. The Federal and BC Liberals couldn't be further apart in their political views.

Naturopathic physicians (or NDs) are preventative medicine specialists. Statistics and research shows that naturopathic protocols are safe, effective and cost-effective. In fact, NDs save the government money in three ways: the government does not pay for visits to NDs; patients who see NDs often change their lifestyle, preventing further or future illness, easing the burden on MSP; and, patients who might undergo surgery or take costly drug regimes at a cost to the government often get better through an NDs proactive intervention. The BC Liberals' proposals do not serve the interests of taxpayers, patients, NDs or the government.

The government will limit the scope of naturopathic practice by using "Reserved Acts." This is in direct conflict with the precedents and previous agreements regarding the scope of naturopathic practice.

What are the changes being proposed? First, the government is refusing to allow NDs access to the medicines they are trained and educated to use in practice. Additionally, they are proposing changes to limit the use of physical therapies (e.g., TENS, ultrasound, and other forms of energy), manipulation and restricting the ability to conduct allergy tests—among other things.

Although the provincial government does claim to believe in preventative care, they are set to implement a scope of practice that would severely limit patient choice and eliminate valid and effective health care alternatives. However, as residents of British Columbia, this decision must be your choice. After all, patients should have a legitimate right to access safe and effective health care options—it is not the government's place to decide that for us.

If you have previously sought naturopathic care or expect to in the future, the care you have received is about to be compromised. The BC Naturopathic Association is urging past and present patients to handwrite a short letter to the Premier. Contact the BC Naturopathic Association or your naturopathic physician for more information. Send letters to:

The Honourable Gordon Campbell, Premier
Room 156, Parliament Buildings
Victoria, BC V8V 1X4

On behalf of the BCNA, I would like to thank the thousands and thousands of individuals across the province who have taken the time to write to the Premier, to the Minister of Health Planning, to their MLA, to meet their MLA and/or to sign our petition on the "scope" issue. In respect of our petitions, 12,000 signatures were presented by Joy MacPhail to Minister Hawkins in May. We are continuing to collect signatures over the summer and hope to have double that number to present when parliament reconvenes this October. We have also met with staff at the ministry of health on this issue. Although we are far from reaching a resolution on outstanding issues, we are grateful for the opportunity to meet and are cautiously optimistic that we can come to an agreement on all facets of this very important matter.

Dr. Garrett Swetlikoff, BCNA President

HEALTH SNIPPETS

It is estimated that 14% of all deaths from cancer in men and 20% of all deaths from cancer in women are due to patterns of being overweight and obese in the US population.

Cancer & Obesity

N Engl J Med, April 2003

Seropositivity for *Chlamydia pneumoniae* has been shown to be strongly associated with risk of progressive multiple sclerosis.

MS

Epidemiology, March 2003

A UK study of 12,000 women during pregnancy showed that 40% had unhealthy diets. The study also showed that those women who ate diets rich in fruits and vegetables prior to conception helped their children prevent heart disease and diabetes.

Pregnancy & Diet

Nutrition Week, April 2003

Acupuncture to the ear and body as part of an alcohol withdrawal protocol has been shown in a randomized, single-blind, placebo-controlled study over 14-days to result in better patient outcomes and significantly fewer withdrawal symptoms.

Alcoholism

Addict Biol, July 2002

In a study of men and women with either Crohn's disease or ulcerative colitis, patients who were administered seal oil showed reductions in joint pain, disease activity and serum cholesterol levels.

Colitis & Crohn's

Lipids, October 2002

Non-drug therapies can lower blood pressure. In one study of type 2 diabetes patients with hypertension, patients were given oral L-arginine with a corresponding reduction in systolic and diastolic blood pressure. In another group of mild hypertensive subjects aged 20 to 60 years, one group received 200 IU/day of vitamin E for 27 weeks, while another received placebo. Those receiving vitamin E had a 24% reduction in systolic blood pressure and a 12.5% reduction in diastolic blood pressure.

Hypertension

Int J Vitamin Nutr Res, May 2002

Parkinson's sufferers may benefit by taking the supplement coenzyme Q10. In 16 placebo-treated Parkinson's disease patients compared with 64 receiving doses of 300, 600 or 1200 mg/day of coenzyme Q10, results showed that Q10 was safe and well-tolerated up to the 1200 mg dose. There was a slowing of the deterioration in function of the disease in those with the highest versus lowest levels of Q10 supplementation, but all the Q10 groups had less disease progression compared with the placebo group.

Parkinson's

Arch Neuro, Oct 2002

Worth Repeating: "They [antioxidants] represent one pro-active positive health behavior by which people can easily and inexpensively empower themselves to help achieve optimal health. But they may only reduce the risk of some chronic disease by 10, 20 or 30%—an important benefit but not a guarantee of never getting ill. A rational approach to nutritional supplementation, particularly antioxidant supplements, is akin to wearing a seat belt—it provides a degree of protection against injury but it doesn't give you license to drive recklessly. You cannot eat a diet high in fat, salt and sugar, never exercise, smoke cigarettes and practice unsafe sex and think that taking a nutritional supplement will provide you with optimal health. It's interesting to note that positive health behaviors cluster together—people who take supplements generally eat better, exercise more and smoke less than those who do not."

Prevention

Jeffrey Blumberg, PhD, USDA Human Nutrition Center on Aging, Tufts University

SAFE CHOICES MAY BE UNCONSTITUTIONAL

BY ANNE O'NEIL, BSc, LLB

Having reviewed "Safe Choices", it occurs to me that the BC Government's proposed actions under "Safe Choices" may violate our rights as naturopathic patients under the Charter of Rights and Freedoms.

In other words "Safe Choices" as it stands may be unconstitutional.

After a period of lengthy illness I have regained my health, largely through the use of naturopathic Medicine. As a naturopathic patient, I am very concerned about the effects that "Safe Choices" will have on the rights of naturopathic patients, and the corresponding negative impact it will have upon our collective health. I am also frustrated by the inadequate attention and response to date by the government, despite thousands of letters by naturopathic patients and nearly 12,000 signatures on the petition presented to government to reconsider its proposed limits to naturopathic scope of practice.

I would like to meet with other patients to explore how we might act as a group to have our voices heard, and take steps to ensure that the government does not violate the collective rights of current and future naturopathic patients.

"Safe Choices" as it stands will operate in contradiction to its own objectives.

Under section 7 of the Charter, everyone has the right to life, liberty and security of the person. As individuals we have the basic right to make decisions that are of fundamental importance to us, free from state interference.

The government's proposed actions under "Safe Choices" drastically limit the choices we have as naturopathic patients and there is no evidence that this is necessary in the interest of public safety. In fact, as many of us have expressed, the limits proposed by government actually put us at risk.

Furthermore, "Safe Choices" raises serious issues in terms of its methodology, the discriminatory effects it will have and whether it meets its own intended objectives. For example, the laudable objectives of increasing patient choice and autonomy, increasing accessibility to health care services, and reducing the paternalism that operates in the field of health care have clearly not been met. In fact "Safe Choices" as it stands will operate in contradiction to its own objectives.

Section 15 of the Charter guarantees equal protection and benefit of the law to all, without discrimination based on certain grounds. "Safe Choices" may violate this section of the Charter as well, by preferentially treating patients (and maybe even doctors) who use Allopathic Medicine over those who respond to Naturopathic Medicine.

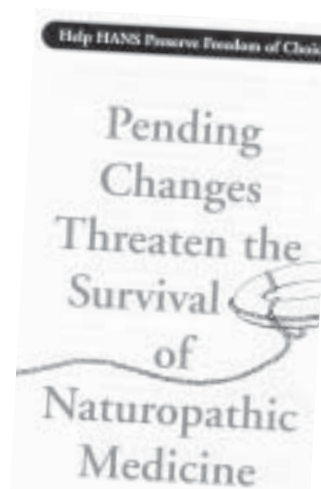
I would like to meet with other naturopathic patients who are interested in protecting our rights through forming a Naturopathic Patients Rights Group to ensure that our voices are indeed heard in relation to this very important matter. We are far stronger as a group than we are as individuals and we cannot leave it up to NDs to advocate on our behalf. So I am inviting anyone who is interested in exploring this issue, and any other ways to protect our rights, to contact me so that we can explore our options together.

I can be contacted at anne85@telus.net

Confused by all the naturopathic medical scope of practice news? Need a road map which will simply and in a straightforward manner explain the proposed changes? Request a copy of "Pending Changes."

"Pending Changes" is a very useful pamphlet compiled by the Health Action Network, a registered non-profit charity that works to promote complementary and alternative medicine.

The pamphlet is free: Most NDs across the province have copies in their clinic. If you can't get a free copy, phone or write to the BCNA for one (contact info on back page).



Mercury Toxicity & Health

Fast Facts on Fillings & Mercury Absorption

- "Silver paste" containing mercury (now called amalgam) used to fill decaying teeth was introduced into North America in the 1830s
- Despite concerns amongst many dentists regarding mercury use and the adverse effects on patient health, advocates for amalgam prevailed over the cautious; the advocates founded the American Dental Association (1859)
- A typical amalgam contains approximately 50% metallic mercury, 35% silver, 9% tin, 6% copper and a trace of zinc
- Estimates of annual mercury used by US dentists range from approximately 100,000 kg in the 1970s to 70,000 kg today
- More than 100 million mercury fillings are placed in patients each year in the US
- Blood mercury levels correlate with the number and total surface area of amalgam fillings
- For an individual with 8 amalgam fillings, a total of 120 ug of mercury can be released daily into the mouth
- By contrast, the absorption of all forms of mercury from fish and seafood is 2.3 ug per day and from other food, air and water is 0.3 ug per day
- Research shows that mercury accumulation can effect function of the immune system, kidneys, intestinal bacteria, reproductive system and brain; amalgam mercury induces autoimmune disease in mice and rats and alters kidney function in sheep
- Mercury vapour inhalation in animals produces a molecular lesion in brain protein metabolism which appears to be identical to a lesion present in 90% of Alzheimer's disease brains
- Female dental assistants who prepare 30 or more amalgam fillings per week show a 40% decline in fertility

A case report in the Canadian Medical Association Journal correlated high mercury levels with multiple sclerosis. Although some studies have shown there is not necessarily a correlation between MS and mercury, this case study suggested otherwise. The patient's mercury levels were 63 nmol/l (0-49 nmol/l are in the "normal" range). The patient had childhood exposure to mercury through her father who was a dentist. She also had recent exposure through exposure to a broken thermostat containing mercury. (It is medically documented that mercury poisoning can occur through exposure to mercury-containing devices such as sphygmomanometers—devices to measure blood pressure.) Upon examination it was also shown that the patient enjoyed fresh fish, particularly sushi, four to five times per week. The patient's boyfriend, who enjoyed fresh fish such as raw tuna and shark and usually accompanied his girlfriend for sushi, also showed elevated mercury levels—59 nmol/l.

CMAJ, July 2002

Source: An interview with Fritz Lorscheider, PhD, professor of medical physiology at the University of Calgary

NATUROPATHIC DOCTORS WORK WITH PATIENTS WHO ARE UNDERGOING OR CONSIDERING HAVING THEIR AMALGAMS REMOVED. THEY CAN ASSESS BLOOD MERCURY LEVELS AS WELL AS CONDUCT TESTS FOR DENTAL COMPATIBILITY. THEY ALSO WORK WITH PATIENTS TO HELP DETOXYFY AND "CHELATE" MINERALS. FOR MORE INFORMATION ON NDS CONDUCTING TESTS AND PROTOCOLS IN THIS AREA CONTACT THE BC NATUROPATHIC ASSOCIATION.

Phone us toll-free: 1-800-277-1128

PHYSICIAN REFERRALS * NATUROPATHIC MEDICAL INFORMATION * STUDENT INFORMATION

Your Health is published quarterly by the British Columbia Naturopathic Association, the professional association for naturopathic physicians in the province. It is compiled and edited by Glenn Cassie. The information provided herein is for educational and reference purposes only; it is not intended as a substitute for consultation and diagnosis nor treatment from a qualified doctor.

Your Health is provided free to BCNA members.

The BCNA offers patients, across the province, referrals to licenced naturopathic doctors (NDs) in their area, as well as student information to persons interested in the profession. It is the BCNA's purpose

to advance the scientific, educational and professional aspects of naturopathic medicine.

The public is welcome and encouraged to join the BCNA. An annual membership fee of \$25 assists the BCNA in its efforts to increase government recognition and heighten the profession's profile. Membership entitles you to a one-year subscription to Your Health and other news and information bulletins.

Contact us online at www.bcna.ca, e-mail us at bcna@bcna.ca, call us at 604/736-6646 or 1-800/277-1128 or write to us at 2238 Pine St, Vancouver, BC, Canada, V6J 5G4.

