

February 28, 2009

The Honourable David Caplan, M.P.P.
Minister of Health and Long-Term Care
Government of Ontario
10th Floor, Hepburn Block
80 Grosvenor Street
Toronto, ON M7A 2C4

Re: Submission of the undersigned (see list of participating organizations below ⁱ) regarding Recommendations regarding prescribing in the profession of Naturopathy recommended to the Minister of Health and Long-Term Care in “Critical Links: Transforming and Supporting Patient Care, January 2009” - the Health Professions Regulatory Advisory Council (HPRAC)

Dear Minister Caplan:

The undersigned respectfully requests the Minister of Health and Long-Term Care to set aside any recommendations by the Health Professions Regulatory Advisory Council (HPRAC) in respect to regulations for the **Naturopathy Act 2007** on the practice of homeopathy by the naturopaths until the Transitional Council for Homeopathy has provided the Minister with advice on regulations (designed to protect the public) as is their role as set out in the **Homeopathy Act, 2007**.

We the undersigned wish to convey our concern to the Minister that he be properly advised by experts in the homeopathic profession before making decisions that could have significant impact on the health of the people of Ontario.

The Regulation of Homeopathy – A New Era for Ontario

The passing into law of the **Homeopathy Act, 2007** in June 2007 was a watershed event for Ontario homeopathic practitioners. It heralded a new era of cooperation between the Government of Ontario and the homeopathic health profession.

Since the passing of Bill 171 in June 2007, the Government of Ontario has yet to proclaim into force either the **Homeopathy Act, 2007 or the Naturopathy Act, 2007**. The government has delayed the putting in place of a Transitional Council for Homeopathy as required by the **Homeopathy Act, 2007**. The only apparent progress that has been made was in May 2008 when HPRAC advertised for the positions of the transitional council registrar and transitional council board members. However these positions have not yet been filled.

This delay on the part of the government leaves the homeopaths of Ontario without the institutional structure required to establish uniform standards of education and practice for homeopathic medicine in Ontario.

Meanwhile, key members of the Ontario homeopathic community have been monitoring developments on the regulatory front. Our primary concern is to provide the Minister of Health and Long-Term Care with the best possible advice in respect to the protection of the public and the provision of the best possible homeopathic care to the people of Ontario.

Concern Over the HPRAC Critical Links Report

When the Homeopathy Act, 2007 was passed, no apparent restrictions on the use of homeopathic medicines existed other than federal regulations prohibiting homeopathic medicines made from controlled substances and medically prohibited materials, and low potencies of homeopathic medicines derived from natural toxic substances.

However, recently contemplated changes to the federal Food and Drug Act introduced the concepts of “prescription therapeutic product” and “practitioner,” the latter defined as a person authorized by provincial law to prescribe or dispense prescription therapeutic products.

It is not clear that any restrictions on naturopathic doctors’ (NDs) ability to prescribe what they have in the past will be imposed by future changes to federal law or regulations. Nonetheless, Ontario NDs are sufficiently concerned that they have requested an amendment to the Naturopathy Act, 2007 (prior to its coming into force in June 2009) guaranteeing NDs practitioner status so they will be able to continue using the products they have traditionally used.

The NDs also have requested an amendment explicitly allowing them to dispense, compound and sell prescription therapeutic products, as their patients might otherwise have difficulty accessing products necessary to their health.

HPRAC is in sufficient agreement with the NDs’ concerns in these regards that it has recommended that the Ministry add certain regulations to the **Naturopathic Act, 2007**.

We feel that HPRAC has been remiss in not considering that if NDs have cause to be concerned in this regard, so do homeopaths. We are not sure why this omission has occurred, but it is a major one and should be remedied by the Minister if he chooses to follow these particular HPRAC recommendations.

“Without specific authorized acts granted under the *Naturopathy Act, 2007*, NDs will not be able to practice to their full scope of practice, and their patients will not be able to receive the treatments that they choose and prefer. The *RHPA* was designed to enable patient choice in primary care provider, the therapeutic options available, and the modality options available, including the option of natural health products and botanical medications as a first choice in a treatment regime. The proponents state that:

Without the controlled act of prescribing, NDs scope of practice will be less than their professional competencies, patients would not be able to access many natural substances from the ND or be able to receive appropriate primary care, and **patient choice and quality of care would be curtailed.**” [BDDT-N, OAND, CCNM and CAND. *Review of Non-Physician Prescribing and Administration of Drugs*. November 2008: 50.]ⁱⁱ

Obviously these points hold true for homeopathy with respect to homeopathic medicines. However patients choosing homeopathy may be even *more* vulnerable, in the event that a future federal government decides to designate homeopathic medicines *as a class* of prescription therapeutic products. HPRAC notes:

CAND [Canadian Association of Naturopathic Doctors] has been engaged in discussions with Health Canada and expect that additional natural health products and botanical medicines are likely to be considered prescription therapeutic products under the federal and National Association of Pharmacy Regulatory Authorities (NAPRA) schedules, requiring a prescription from an authorized prescriber. Ontario's NDs themselves, in discussions with federal regulators, have urged that some botanical medications and natural health products should be restricted to prescription by those who have been granted authorized acts of prescribing.ⁱⁱⁱ

It is critical that the provincial government's intent to allow qualified members of regulated health professions to practice to the full scope of their profession for the good of their patients not be thwarted by future federal legislation and regulations. However, allowing regulated health practitioners to perform certain controlled acts in respect to restricted therapeutic products puts the onus on the Minister of Health and Long-Term Care to ensure that the practitioners of these regulated health professions are fully qualified to perform such acts.

Key Differences Between Homeopathy and Naturopathy

In order for the Minister to better understand the nature of the Ontario Homeopathic Coalition's objections to the recent proposal by the naturopaths, it is important to understand the key differences between our two health professions.

The History and Practice of Naturopathy

The naturopathic health profession is a relatively young profession compared to Homeopathy. "The modern form of naturopathy can be traced to 18th- and 19th-century natural healing systems. Such systems include hydrotherapy (water therapy), which was popular in Germany and nature cure, developed in Austria, and based on the use of food, air, light, water, and herbs to treat illness.

Benjamin Lust, a German immigrant, first introduced naturopathy to the United States in 1902 when he founded the American School of Naturopathy. The school emphasized the use of natural cures, proper bowel habits, and good hygiene as the essential tools for health. This was the first time that dietary principles, like increasing fiber intake and minimizing saturated fats, became popular.

From the mid-1920s to 1940, while allopathic medical training and pharmaceuticals and medical technologies gained notoriety, the use of naturopathic medicine declined. It was not until the 1960s that naturopathic-style holistic medicine regained popularity. Today, naturopaths are licensed care providers in many states offering information and a variety of alternative and complementary therapies, including homeopathy, vitamin and mineral supplements, Traditional Chinese Medicine, relaxation techniques, and herbal remedies."^{iv}

The naturopathic profession is a composite of six health disciplines: Asian medicine/acupuncture, botanical and herbal medicine, clinical nutrition, homeopathic medicine, physical medicine, and lifestyle counseling. Naturopaths also study the medical sciences and clinical practices.

This eclectic mix of disciplines means that the naturopathic school cannot provide in-depth training in each of these healing modalities equivalent to the levels mandated by schools specializing in any one of these disciplines, for instance, homeopathy or Asian medicine/acupuncture.

The History and Practice of Homeopathy

Homeopathy was first expounded by Samuel Hahnemann in Germany in 1796 and is codified in his book, “The Organon of Medicine”^v, Homeopathy has taken deep roots in Europe (for instance, members of the British Royal Family seek homeopathic treatment), North America, South America, India, and other parts of the world. Homeopathy has benefited from considerable clinical research and innovation including advances in theory and computerized aids for prescribing.

Homeopathy is based on a fundamental principle “Similia Similibus Curantur” (likes cure likes). This is the doctrine that a disease is cured by those remedies that produce effects resembling the disease itself. Homeopathy holds to this fundamental coherent principle in all aspects of practice and thus is not eclectic (as is naturopathy). Though homeopaths believe healing professions can be complementary, we focus our efforts on achieving profound and long-lasting homeopathic cures.

There are some 4,000 different homeopathic medicines available, but even mastery of the 200 most commonly used ones requires years of study as each has a complex and lengthy symptom-picture comprising symptoms affecting every part of the body as well as the mind and emotions. Competent practice of Asian medicine/acupuncture relies on a thorough knowledge of Chinese Five Element Theory and how each herbal or needle treatment relates to it—again, requiring years of study. HPRAC and the Ministry should understand that offering the public complete access to comprehensive practitioner competence in complementary/alternative medicine requires multiple specialized professions.

Homeopathic education therefore is focused on the theory and practice of homeopathy with sufficient study of the medical sciences to ensure protection of the public.

Ensuring the Minister is Properly Advised Prior to Enacting Regulations

The current request of the naturopaths to add regulations to the **Naturopathy Act, 2007** to allow them to prescribe, dispense, sell or compound restricted homeopathic preparations must be assessed solely from the standpoint of protection of the public.

The Minister must be assured that naturopaths, in proposing to expand their scope of practice, have established the proper educational prerequisites to practice homeopathy to an acceptable professional standard.

The **Regulated Health Professions Act, 1991 (RHPA)**^{vi} is intended to allow health professions to self-regulate on the basis of their members' body of knowledge and expertise through an elected College Council, or an appointed transitional Council in the case of newly-regulated professions, the appointments made using knowledge and expertise of the profession as a criterion. Thus it places responsibility for setting educational standards for the profession on the Council.

The College of Homeopaths, and the transitional Council which will be created to assist the government in establishing the College, will be able to provide the Minister with the necessary advice as to the requirements a homeopathic practitioner must meet to ensure the protection of the public and provide the best possible standard of homeopathic care.

It is important to note that the various homeopathic schools and organizations both in Ontario and internationally require approximately the same number of hours of study of homeopathic theory and supervised clinical practice. Naturopaths, on the contrary, have set a much lower educational standard for their homeopathic studies, which is understandable given the eclectic nature of their profession.

The undersigned wish to raise a caution with the Minister that the addition of controlled acts to the regulations of the **Naturopathy Act, 2007** to prescribe, dispense, sell or compound homeopathic preparations among other prescription therapeutic products has the potential of risk of harm, given that naturopathic doctors are not required to meet homeopathic educational standards commonly accepted throughout the homeopathic community.

In its argument for recommending that NDs be permitted use of all homeopathic remedies through controlled acts under the **Naturopathy Act, 2007**, HPRAC states (*emphasis added*):

Many natural substances that would be considered “prescription therapeutic products” are essential therapeutic agents used in the general course of naturopathic practice. Examples of these products include amino acids, injectable vitamins, vitamin A or niacin over specified doses, bioidentical hormones, botanical medicines that are not suitable for consumer self-selection and **restricted homeopathic medicines**. [*Critical Links*, p. 258]

If restricted homeopathic medicines are essential to naturopathic practice, they are most certainly essential to homeopathic practice, and homeopaths have more extensive training in how to use them—thus it is homeopaths who should be granted controlled acts with respect to homeopathic medicines first and foremost, once uniform standards of education for the safe use of them are established.

In light of all of the above, the Ontario Homeopathic Coalition feels the best course of action would be that the Minister temporarily set aside the HPRAC recommendations with respect to prescribing, compounding, dispensing and/or selling homeopathic medicines by naturopathic

doctors. Once the transitional Council for homeopathy has been constituted, the Minister can be assured of a consensus-based assessment of the required qualifications, standards of practice and education required to equip a health practitioner to prescribe, compound, dispense and sell homeopathic medicines safely and efficaciously.

In Conclusion

We the undersigned, representing a broad cross section of homeopathic practitioners in the Province of Ontario, respectfully request that the Minister:

1. Set aside recommendations by the Health Professions Regulatory Advisory Council (HPRAC) in respect to regulations for the **Naturopathy Act 2007** on the practice of homeopathy by the naturopaths with respect to the practice of homeopathy by the naturopaths until the transitional Council for homeopathy has provided the Minister with advice on standards of education and practice for homeopathy (designed to protect the public) as is its role as set out in the **Homeopathy Act, 2007**;
2. Allow the Ontario homeopathic community to fully partner with the Government of Ontario in our mutual commitment to protecting the public and ensuring the highest standards of care, by proclaiming into force the **Homeopathy Act, 2007** and put in place the transitional Council for homeopathy as soon as possible.

We look forward to your decision on this matter of significant importance to the health and well being of the people of Ontario.

Signed by:

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ⁱ List of Members

ⁱⁱ *Critical Links*, pp. 255-256 (emphasis added)

ⁱⁱⁱ *Critical Links*, p. 254

^{iv} <http://www.umm.edu/altmed/articles/naturopathy-000356.htm>

^v <http://www.homeopathyhome.com/reference/organon/organon.html>

^{vi} <http://www.canlii.org/on/laws/sta/1991c.18/20050211/whole.html>