

# **ANME-Symposium**

## ***Legal practice of CAM***

**Goethe – Institute  
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**BE- 1040 Brüssel**

**25. – 26.09-2013**

## ***Actual voluntary education for German Heilpraktiker***

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Before lightening up the education to become a *Heilpraktiker* (non medical practitioner), we have to define what is a *Heilpraktiker*?  
And what is marking his profession?

Therefore first I'll give you a short abstract of the history of the Heilpraktiker-Profession.

There have been healers since the beginning of history.  
The development of the doctor's state began about 500 years ago with the foundation of the first occidental universities. Beside the doctors who worked above all at prince's courts and in big towns, non-medical experts acted furthermore.

In the 18th and 19th century this was possible with approval and on incentive of the governments. They had to guarantee an exhaustive health care of the population. At this time ruled the system of the so-called *Kurierfreiheit* (*curing freedom*). It means the coexistence of doctor and non-medical expert. At this time the basic images of medical science in both groups have been widely the same.

With the formulation of the *cellular pathology* by Rudolf Virchow in 1858, the philosophical basic views of medical science have separated.

On the one hand the new and so-called *school medicine* developed. On the others rested the existing concept of Traditional Medicine, the naturopathy.  
In 1903 the first association for *Heilpraktiker* has been founded at Berlin, called *Protective Alliance of Healing Experts* (*Schutzbund der Heilkundigen*).

In 1936 the first training centre for professional *Heilpraktiker* has been founded at Munich. Today it bears the name *Josef-Angerer -Berufsfachschule für Naturheilweisen* (*Josef Angerer Technical High School for Naturoropathy*).

A law especially for non-medical practitioners – the *Heilpraktikergesetz* (*HPG*), has been remitted in 1939. For the first time the profession of *Heilpraktiker* there has been defined. For this reason I cite the section 1 of this law.

- (1) Who wants to exercise the medical science without being appointed as a doctor, needs a permission.
  - (2) Exercise of medical science for spirit and purpose of this law is every professional or commercial carried out activity to diagnosis, to healing or palliation of diseases, sufferings or physical injuries of people, even if it is exercised in the service by others.
  - (3) Who has exercised the medical science up to now professionally and wants to exercise furthermore, receives the permission in accordance with the implementing regulations; he bears the job title *Heilpraktiker*.
- End of the cite.

Nowadays the licensing to the occupation of a *Heilpraktiker* only can be received by a successfully taken written and verbal-practical examination carried out by the responsible health authorities.

Two aspects of the law are important.

First: The *Heilpraktiker* is - beside the doctor - the only medical profession which treats independently. He is not instructed by a doctor, but makes independently his diagnosis and treats in own responsibility.

This distinguishes him from all other occupations in the health service. Without exception they treat patients on medical occasion and under medical supervision, by a so-called delegation procedure (*Delegationsverfahren*). Therefore, only the doctor and the *Heilpraktiker* belong to the medical professions. All the other professional groups belonging to health service are so-called medical auxiliary occupations (*Heilhilfsberufe*).

Second: The HPG serves as a so-called *collecting law*. (*Auffanggesetz*).

This means specifically that every new activity in the health service can be subsumed under this law. New or own legal regulations are not necessary.

The health care naturally is in a steady change. During the last years and decades varied new procedures of treatment have developed. And with them groups of therapists which have not existed earlier. As keywords I designate here the well known ones: osteopathy, acupuncture and ayurveda, but also kinesiology, neuro-linguistic programming, aura-soma therapy and many other ones. All these activities are grasped with the HPG and they are regulated without needing any other legal measures for each isolated case.

Each of these methods is recordable under the regulations of the HPG and everybody who would like to treat people with these procedures is able to do this only if he is *Heilpraktiker*. So the HPG guarantees that new methods can be integrated into the health system and it also guarantees that no split-up of the professional groups will happen.

Only if somebody acts independently as a HP, such new procedures can be led by him into treatment.

The underlying model of thought puts out the difference between doctor and HP. This is important for the education and for leading to the respective occupation. Therefore at this point I'll go a little to detail.

The doctor subjects to the model of the natural sciences based on a physical-chemical world view.

Since the beginning of the apprenticeship of *cellular pathology* it is the aspiration to understand the function of the smallest life units and to attain thereby knowledge for the treatment of diseases. As a recording I call the works on decoding the DNA and the research about messenger's material functions.

By contrast the Traditional Medicine (TM) – so named by the WHO – forms the basis of the work of the HP. Our basis in Europe is the so-called *Traditional European Medicine (TEM)*. This is the model of medicine known since time immemorial. It has been developed on the ground of antique natural philosophy.

As an ontological whole model the TM – or Naturopathy – offers an absolutely independent theory to

- life and physiology
- pathology (to the origin and the procedure of diseases)
- self-healing (salutogenesis)
- prevention and
- therapy.

On account of these basic theories, TM is a carefully and highly complicated model developed during many centuries. Its signs are its ability to integrate, to renew and to increase - and all this without giving up its basic acceptances. Though TM is extremely complex, but at the same time, however, it is permeable and able to assimilate. These qualities turn it to a dynamic model.

(Sidekick: therefore, the HPG makes sense as a legal rule too; it corresponds formal-legally as the fact of collecting and ideally to the dynamic contents of TM)

Methods of *Complementary and Alternative Medicine (CAM)* are used on ground and base of TM. These are the tools of Naturopathy!

There are many different methods and technologies of CAM: But to all TM is the only one and single underlying working model!

Methods and technologies perhaps can be regulated and limited. We agree how painful this would be. If danger threatens it should be prevented to such an extend as possible.

But the underlying model of TM would not be concerned by it.

Naturopathic thinking and naturopathic philosophy cannot be limited or even forbidden!

I have already indicated that this philosophical model is very old. To show you how old, here in addition a few nucleus data:

The TM has developed at the most different times and at the most different places:

- From 5000 to 538 B.C. Sumer, Assyria, Babylon
- From 3300 to 332 B.C. Egypt
- In 2000 - in 50 B.C. Greece
- In 2000 B.C. till 1000 A.D. India
- In 2000 B.C. till 400 A.D. Teutons / Celt
- In 6000 B.C. till 1400 A.D. Arabia

Medicine schools, which taught TM, can be found all over Europe and Asia. For example:

- Montpellier (1137)/1220 by town council decision
- Naples (1224)
- Padua (15th and 16th century)
- Salerno (10th and 13th century)

So, TM acts until the 19th century as the medical guiding principle. The separation by the *cellular pathology* of Virchow and the beginning of the scientific-chemical thinking has been the end of the philosophical dimension in European medicine.

As seen before, the *Heilpraktiker* only exists since 1939 as an independently regulated professional group. And nevertheless nowadays he works as the only medicinal occupation on the ground and with help of a medicine model which is

millenniums old and which was dominating in the biggest part of the history of mankind.

By the way: Under global view TM also is furthermore a basic element of public health. In most countries of this earth a sufficient health care would not be guaranteed without TM, absolutely never mind to finance! Always on new the WHO stresses this importance of TM in esteeming judgements.

How to become a *Heilpraktiker*?

The licensing to the occupation occurs in a successful examination through the health authorities. The education itself is not legally regulated. It is organised by the HP associations, in schools belonging to the associations. I am representing the *Fachverband Deutscher Heilpraktiker* (Association of German Non-Medical Practitioners). This is the oldest and member-strongest HP professional association in Germany.

In the Bavarian land association the education is carried out to the Josef-Angerer-Berufsfachschule für Naturheilweisen (Josef Angerer Technical Highschool for Naturopathy) at Munich. This school is a paradigm for education to become a *Heilpraktiker*. The Technical High School is based on the first German Heilpraktiker school of 1936 and therefore it is the oldest non-medical practitioner's school of the world.

Around the own responsibility of the HP occupation the education must fulfil different criteria:

- apprenticeship of the medical bases and the scientific approach
- instruction of the complicated model of TM
- induction training in the methods of CAM basing on TM
- practical exercises of CAM and beginning treatment sequences at the patient.

The JAS is an all-day school. The education to become an HP lasts 3 years. It is split in six semesters and encloses more than 3000 teaching hours with presence duty for the trainees.

Beginning and first base of the education are the medical bases: embryology, anatomy, physiology, general and specific pathology, medical biochemistry, microbiology, infectious diseases, emergency medicine, lab diagnostics etc.

In the higher semesters the specialist and specific instruction for the occupation occurs. Here are taught the model of TM and the methods of CAM being based on it, legal knowledge and occupational science as well as the basic aspects of practise guidance.

Among others in this period the instruction occurs in iris diagnosis and reflex zone diagnostics, phytotherapy, homoeopathy, Schüssler's biochemistry and spagyrik. Classical lead procedures like cupping-treatment, Baunscheidtismus, Röder-Verfahren (Röder-Practice), Catharidenpflaster (Canthariden-Tape) and therapy with leeches are taught too.

The education is rounded by theoretical apprenticeship and practical instruction in acupuncture, osteopathy, chiropractic, injection and infusion technologies, neural therapy, bloodletting, hydrotherapy and different massage technologies.

During the whole education practical training takes a high hourly portion. It occurs in small groups. Thereby is guaranteed that the students learn the subject in theory as well as they get knowledge in practical use.

During the last semesters, contents which have been learned, are applied to patients in the school-belonging outpatient clinic. This takes place under control and guidance of the lecturers. The students thereby learn the practical conversion of the TM-Model and the technologies and methods being based on it in a real case scenario.

During the whole education exists present duty for the trainees. Every single specialty is checked with achievement proofs. The education ends with a certified final examination. Its written portion lasts 190 minutes. With existence of this is following the practical-verbal part. Its duration amounts 45 minutes.

This extensive education guarantees that the graduates of the JAS have very good chances to finish the examination successfully at the health authorities and to attain with this examination the licensing for the HP occupation. With the complex education the young occupational colleagues receive a framework which enables them to practice the profession of a Heilpraktiker responsibly and successfully.

The education draught of the JAS is recognized and respected by the politics. Already in the 1950s the JAS therefore has been recognized as a technical school (*Fachschule*). 1996 she has got the state of a Technical High School for Naturopathy (*Berufsfachschule für Naturheilweisen*).

This means that the education and the curriculum of the JAS were checked successfully by the school control. In this connection the title Technical High School has been conferred to her.

This qualification is checked regularly. The school state must be attained every time once more and also must be confirmed. As a private supplement school the JAS is subordinated of the school control of the government of Upper Bavaria.

Many years ago a school flyer carried the subtitle "*JAS a model for Europe*". In the interim there has started an active exchange with European states within and beyond the EU (Switzerland) which are interested in the education draught of the JAS and which consider to orientate their own education of naturopathic therapists on this model.

I would like to stress here expressly: Model for Europe means by no means "*we Germans know like your others have to do it*". We refuse to be teaching-masters. We are looking for an exchange with all European committees, organisations and institutions which are occupied in protecting a healing occupation feeling obliged to the principles of TM. Our aspiration is the construction of a load-bearing network with all European neighbours. It is one of the preoccupations of the schooling that TM is preserved as an entirety-philosophical model and that it will be received still alive by the occupation of the HP.

This indicates exerting ourselves always for the TM, the HP-profession and the special education. Presently the German HPG still offers a certain formal protection. Nevertheless, it does not help us at all against content excavation. To protect us against this, we and our schools ask for common application for the philosophy and the ideals of Naturopathy!

I am working since nearly 30 years in my own medical office. And I still remember well that it was the strict education and the high weighting of TM which have made my decision to take up my studies at the JAS at the beginning of the eighties. I never have regretted this – on the contrary – I am still proud of it.

During all the years many HP came from the European foreign countries to study at the JAS in Munich. Meanwhile they are practising in their homelands all over Europe. So we have – without claim to completeness – colleagues have been trained in the JAS in Spain, Portugal, Italy, France, Switzerland, the Netherlands and in Sweden. Two of my former practice assistants are working in own offices as HP in Switzerland and one colleague in Portugal.

In their homelands these former graduates represent the occupation of HP in specially created occupational associations. These personal connections confirm the European approach of the JAS education.

To reach to this point indicates going a long and stony way. It has started, as I have indicated, nearly eighty years ago.

As wage – and certainly also thanks to the education of own younger generation at schools like the JAS, nowadays *Heilpraktiker* is an absolutely independent, respected and fully integrated profession in German public health!

Permit me to give you a summary of the said.

The *Heilpraktiker* is the only medical occupation active in own responsibility beside the doctor.

The HP acts on the ground of the natural-philosophical model of TM.

In practice he uses methods and technologies of CAM based on TM.

The *Heilpraktiker Association of Bavaria*, member of the *Federation of German Heilpraktiker*, trains his younger generation in the Josef Angerer Technical High School for Naturopathy.

At the very end I permit myself a personal conclusion with an amusing smile but including a serious nucleus too:

The EU is a comparatively young institution, compared to the TM as a millenniums old example of the history of mankind.

So, if the EU would want to carry out regulations concerning the Naturopathy and concerning the occupation of the HP and his education too, I hope that this will happen with enough respect and the distinguished restraint which young persons with good manners generally bring towards venerable, hale wise elder ladies.