

## • Global Views

# Nevada: the first state that fully legalized acupuncture and Chinese medicine in the United States

— In memory of Arthur Steinberg, Yee Kung Lok and Jim Joyce who made it happen

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**Keywords:** acupuncture; Chinese medicine; legislation; United States; Nevada; history of medicine; Arthur Steinberg; Yee Kung Lok; Jim Joyce

**Citation:** Fan AY. Nevada: the first state that fully legalized acupuncture and Chinese medicine in the United States — In memory of Arthur Steinberg, Yee Kung Lok and Jim Joyce who made it happen. *J Integr Med.* 2015; 13(2): 72–79.

### 1 Introduction

In the United States, the largest groups of acupuncture or traditional Chinese medicine (TCM) practitioners settled and still remain in California and New York, as these two states historically have the largest, most concentrated Asian populations. The TCM practitioners originally worked in a legal gray-zone, sometimes even being treated as illegal practitioners by the local governments, since TCM licensing laws did not exist until late 1973<sup>[1]</sup>. The first legal acupuncture clinic was established in Washington, D.C. in 1972<sup>[2]</sup>, but Nevada was the first state that passed a full practicing law for acupuncture and TCM<sup>[3]</sup>. Understanding the legal history of acupuncture in the U.S. will help us to see the road ahead more clearly.

There are several review articles focusing on the acupuncture and TCM legislation in Nevada in 1973<sup>[4–8]</sup>. Most of the articles or government commemoration for that time period mainly honor Dr. Yee Kung Lok for helping to establish TCM as a credible field in Nevada, which may be true, but not the entire picture. Recently, I encountered Ms. Marilee Joyce, daughter of Jim Joyce, who was another key person and witness to that legislation. She shared some stories about her father and gave me a book entitled *The Gentle Giant*, a tribute to her father, in which

there are articles written by Dr. Lok and a past Nevada law-maker about the contributions of Mr. Joyce to that legislation<sup>[9,10]</sup> (Figure 1). Based on my research, overall, there were three main individuals who made big contributions to the legalization of acupuncture and Chinese medicine in Nevada — Arthur Steinberg, Yee Kung Lok, and Jim Joyce. In order to more accurately document the history of this legalization, I extensively researched published literature and newspaper articles, in an attempt to write a neutral article that presents the original facts.



**Figure 1** Dr. Arthur Fan (left) interviewed Ms. Marilee Joyce (right), the daughter of Jim Joyce  
Photo is provided by Arthur Fan.

[http://dx.doi.org/10.1016/S2095-4964\(15\)60158-3](http://dx.doi.org/10.1016/S2095-4964(15)60158-3)

Received July 18, 2014; accepted October 15, 2014.

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## 2 Arthur Steinberg: a semi-retired lawyer and Chinese medicine lover who wanted acupuncture legalized in the US

One of the earliest men involved in the legalization of acupuncture in Nevada was Arthur Steinberg (Oct 10, 1908 – Oct 16, 1994), a semi-retired lawyer and a real estate developer. He traveled between New York and Las Vegas over a 20-year period as a real estate tycoon whose business included shopping center developments; he was also the owner of the biggest casino in Las Vegas at the time. Eventually, he moved his whole family from New York to Las Vegas. His wife Shirley Bia Steinberg, often described as an elegant and traditional Chinese lady<sup>[11]</sup>, suffered from migraines for many years, which were unsuccessfully treated despite seeing numerous doctors and trying many therapies. Arthur himself suffered from hearing loss for many years.

In the summer of 1972, the Steinberg couple traveled to Hong Kong, China and visited a famous TCM doctor, Professor Yee Kung Lok (**Dr. Fan notes:** Dr. Lok's original name is 陆易公, Yigong Lu, or Benjamin Yee Kung Lok in English; at that time, Dr. Lok was 59 years old), who was the president of the Hong Kong College of Acupuncture and also had a thriving acupuncture business<sup>[12]</sup>. After Dr. Lok's diagnosis and treatment with TCM and acupuncture, both Bia and Arthur's conditions had significant improvement. While there, Arthur witnessed many cases with seemingly magical results achieved through acupuncture treatment. These treatments showed such effective results that were almost unimaginable for Arthur, while for Dr. Lok it was a normal part of his clinical practice. Arthur believed that acupuncture would also benefit the people of America and wanted to bring it back to the United States (U.S.), so he made a 2-plus hour documentary film in Dr. Lok's clinic on acupuncture and the treatments being performed there.

Bia warned her husband that medical doctors (MDs) in the U.S. would not be interested in acupuncture, but Arthur was very confident that the local MDs would also be interested in acupuncture after seeing his documentary film. Unfortunately, his hopes were soon dashed. Arthur sent invitations to many doctors to watch his documentary, but most of them did not come, especially the more well-known doctors. Not giving up, Arthur made a decision that he would personally import acupuncture to the U.S. in order to better serve his fellow Americans. Arthur felt Nevada was an appropriate place to start because despite being a geographically large state, it has a relatively small population, so it would be easier to communicate with the residents. Nevada's Senators and House of Representatives were also known to like listening to their constituents. Additionally, despite the rigorous legislative process, passing legislation was thought to be easier in

Nevada than in other states. Arthur recognized that he had chosen a difficult path. Since 1971, the year that "acupuncture fever" caught on in the U.S. after President Nixon's China trip, the American Medical Association (AMA) had worked on acupuncture legislation in each state, trying to limit the use of acupuncture only to licensed MDs (**Dr. Fan notes:** however, there was not any actual Western medical school teaching MDs acupuncture, as there were so few MDs truly interested in performing acupuncture. At that time, AMA's true agenda was to put acupuncture into a legal "cage" and not allow its practice by anyone), which essentially deprived the practice rights of acupuncturists or Oriental medicine practitioners. In fact, acupuncturists in the U.S. almost completely lost space for their profession. Many states, such as New York, California, New Jersey and Kansas, announced that it was illegal for acupuncturists to treat patients. The authority of New York forced a newly opened acupuncture clinic in Manhattan to shut down<sup>[2]</sup>. Many acupuncturists were arrested due to "practicing medicine without a license"<sup>[13]</sup>.

In September 1972, four months before Nevada's Biennial Legislature's first working day (the first Monday of February following the election), Arthur felt there was little time left to achieve their goal. He began by hiring the best advertising and public relations agency *May Advertising* (**Dr. Fan notes:** at that time, there were no lobbyists in Nevada). Until mid-November of 1972, Arthur still naively dreamed that his proposal for legalizing Chinese medicine practice might be supported to some extent by the local Western medicine community; or, at least, MDs would not block his proposal. He wanted to invite Dr. Lok from Hong Kong to Nevada in order to do a demonstration for the local medical community as a way of garnering the community's support. After getting consent from Dr. Lok, Mr. Bob Brown, the president of *May Advertising*, submitted an application to the Nevada State Board of Medical Examiners for a special temporary permit for Dr. Lok's demonstration of acupuncture. However, on the meeting held on December 5, 1972, the board members voted against the acupuncture demonstration.

The Board's denial letter stated that "the lack of Western scientific literature on acupuncture and Chinese medicine, which the Board agreed was a medical practice, led to a lack of understanding by scientists and medical practitioners about the possible benefits and risks of acupuncture and that this lack of understanding is why the Board will not accept acupuncture as an acceptable practice of medicine in Nevada at this time<sup>[3]</sup>." The lawyer for the board even very bluntly told Mr. Brown, "We are not going to license your Chinaman" (**Dr. Fan** noted that "Chinaman" is a pejorative term with a strong racist connotation). Arthur felt extremely humiliated and decided to completely abandon the fantasy of acceptance by the Western medical field.



His next move was to bypass the control of the Western medicine community, submitting a proposal for legalizing Chinese medicine directly through the legislature<sup>[11]</sup>.

### 3 Jim Joyce: the guiding hands behind the “curtain” in acupuncture and Chinese medicine legislation

It was during this time that Mr. Jim Joyce (Sep 23, 1937 – Mar 2, 1993) came onto the scene, taking over Mr. Brown’s job because Mr. Brown felt Jim had a stronger background in political activities. Dr. Lok recalled, remembering his first impression of Jim, “Arthur Steinberg arranged the first meeting between Jim and me..... The meeting took place at *May Advertising* in Las Vegas, where Jim served as the Vice President. He struck me as a very young and gentle man. In fact, he was so young that I wondered if he had the ability and necessary experience to help us in our endeavor to seek legislation for Chinese medicine and acupuncture. After talking with him, I found him to be sensitive to, and understanding of, our needs. My doubts were relieved after hearing his careful and thoughtful assessment of our situation. He gave us information and ideas on how to create ways to reach our goal. He gave me the feeling that I was watching the curtain go up on a play. Jim was the director, Arthur was the producer and I was the actor.”<sup>[9]</sup>

The initial step was to find people who supported the team’s mission. Jim managed to enlist 30 000 Nevada residents who believed in Arthur’s cause. The team presented information regarding acupuncture and convinced its supporters to sign a petition. Arthur’s home-made acupuncture documentary films were edited by *May Advertising* from 150 min to a more succinct 30 min, and telecasted on paid television in Las Vegas, Reno and the capital Carson City for a total of four hours. Arthur himself delivered many public speeches in libraries and country clubs in Las Vegas and on the television to introduce acupuncture and Chinese medicine, and told the public the frustration he encountered, calling on everyone to support his proposal. Jim and his firm also initiated the American Society of Acupuncture, Inc. (ASA) to help spread the word. Arthur Steinberg served as the president. The ASA registered as a corporation for the convenience in registration time and also for flexibility in the ability to lobby. Due to all of the publicity, more than 1 000 applications came in from people seeking membership to the ASA. Letters and phone calls from people interested in acupuncture treatment swamped the offices of doctors and lawyers. As a way of increasing the appeal of acupuncture to the public, Dr. Lok also attended a medical conference held at the Americana Hotel in New York, where he introduced acupuncture to more than 1 500 MDs in February 1973<sup>[6]</sup>.

Governor Mike O’Callaghan gave Arthur’s team a small

room where they could collect signatures. When the Legislature session began on January 3, 1973, they got 17 000 signatures and the Governor said: “That’s enough.” Unfortunately, they met a big challenge in the legislative assembly. According to Jim, when he went to the legislative assembly and introduced the team’s proposal on acupuncture and Chinese medicine, it often led to all kinds of ridicule, which made him very depressed. The Nevada State Medical Association forwarded to the Governor and all legislators: “Be it resolved that the Nevada State Medical Association hereby petitions the Legislature to enact laws which will prohibit the use of acupuncture except by, or on the prescription of, a licensed doctor of medicine who is trained and equipped to diagnose and treat disease, illnesses, injuries, and symptoms by means which are currently accepted by modern Western medical science.”

Jim felt that “if acupuncture is really as fantastic as I described, why can we not give these legislators an on-scene demonstration?” So he immediately talked about this proposal to his old friend Mr. Lee Walker, a democratic Senator; at that time Mr. Walker was the chairman of the Senate Committee on Health, Welfare and State Institutions. Jim arranged Dr. Lok to do a private acupuncture demonstration for Mr. Walker. Jim persuaded Mr. Walker to sponsor an “Emergency Bill” drafted by Arthur Steinberg. The contents of the Bill included: to overturn the decision of the Board of Medicine and to give Dr. Yee Kung Lok a two-week permit for an acupuncture demonstration, in which the media and lawmakers were welcome to visit. Fully supported by Mr. Walker, this Emergency Bill — Senator Bill (SB) 420 was introduced on March 12, passed in both the Senate and the Assembly, and signed by the Governor into effect on March 15, 1973, the third day.

At this time, MDs began to become very concerned over the progress of acupuncture legalization. The only MD legislator, state Republican Rep. Robert Broadbent, quickly introduced a bill – to legalize the use of acupuncture in research, so long as it is supervised under a licensed Western doctor, which clearly represented the AMA’s policy already implemented in California. Dr. Broadbent seemingly had made a concession, as his original view regarding acupuncture had been close to one of seeing acupuncture as nonsense, similar to the rubbing of feet or hypnosis. However, this proposed change came too late, and before Dr. Broadbent’s bill left the Senate Committee on Health, Welfare and State Institutions, Dr. Lok had already begun his acupuncture demonstration.

Although confident with Dr. Lok’s demonstration, Jim still had some worry – “The thing we plan to do in Carson City, is equivalent to sending our best surgeon to Hong Kong, letting him do 25 heart transplant cases in a hotel for two weeks, in order to prove that Western medicine is effective,” he said<sup>[11]</sup>.

#### 4 Dr. Yee Kung Lok: an ironman of acupuncture demonstration, who made history

“The legislation (initially) allowed me only three days to complete my demonstrations. I realized that was inadequate; I would not be able to thoroughly explain acupuncture and achieve optimal results in such a short period of time. Jim again worked on my behalf, working intensely to get me more time. He was successful. When Jim was done, my three days had been turned into three weeks,” Dr. Lok recalled<sup>[9]</sup> (Figure 2).



**Figure 2** Dr. Yee Kung Lok  
Photo is provided by Arthur Fan who got permission for use by Las Vegas Chinese Newspaper.

A temporary clinic was set up in a large, new hotel and casino called the Ormsby House in Carson City, which was just across the street from the State Legislature. Dr. Lok demonstrated the healing art of acupuncture from March 19 through April 6, 1973 (**Dr. Fan notes:** in SB 420, signed by the Governor on March 15, 1973, the demonstration was for two weeks; actually it lasted for almost three weeks). Legislators and newsmen and people from all walks of life began to request treatments. The original plan estimated that treatment would be given to 40 patients, but popularity gave rise to the inclusion of 700 additional patients.

The clinic opened at 8:00 am and closed at 10:00 pm, operating six days a week. Patients were sent by hospitals, doctors and politicians. They would line up outside the hotel, many in wheelchairs and on crutches. They each brought records of their prior medical histories along with them and none of the cases were deemed easy to treat. Some of the patients already had undergone 20 operations. Dr. Lok's wife, Ms. Chien-ching Chan, was the only assistant. They treated more than one hundred patients a day; on some days, the number of patients treated even reached 120.

Some of the opponents launched accusations against the clinic; the opponents claimed that the patients being treated were fake patients hired by ASA and that the efficacy of

the treatments was also falsified. However, the seemingly magical effects of acupuncture proved these accusations to be unfounded. For example, one woman from Las Vegas had had two surgeries for a femoral fracture, had not been able to walk for more than seven months, and her surgeon had told her a third surgery was needed. In front of more than thirty legislators and television, radio and newspaper reporters, she got an acupuncture treatment — the older woman was very excited and able to walk without any help, so much so that people had to ask her to stop. As another example, a man flew in from Chicago in order to see Dr. Lok. He had constant spastic head-shaking, an involuntary movement disorder. Based on his description, his medical expenses were up to \$23 000 (an estimated modern-day equivalent of around \$230 000) during the past 10 years; he said acupuncture would be his last chance. His spasm was relieved significantly a few minutes after Dr. Lok inserted the needles. These are just two of the many successful cases in the demonstration<sup>[11]</sup>.

In Jim's view, the real breakthrough happened during the second evening; Democratic Senator Stanley Drakulich unexpectedly asked Prof. Lok if Prof. Lok could give him a treatment, because Mr. Drakulich's shoulder had been a problem area for many years and he could not raise the arm above the shoulder level. A moment later, people found that he was quickly lying on the acupuncture table, looking like a pin cushion. The next day, Mr. Drakulich felt much better and showed off the improvement in his shoulder to everyone in the Legislative building. After four acupuncture treatments, his years of shoulder pain disappeared<sup>[11]</sup>. Assembly Representative Robert Smith reported that his 20-year sinus allergy or sinusitis disappeared after the needles were stuck in his forehead and sides of his nose. Equally as satisfying to his wife, the treatment silenced his snoring. Another lawmaker claimed he had been cured of the pain of a childhood knee injury, and a fourth said that acupuncture had relieved a number of his leg problems, although it was only temporarily. Mr. Armstrong, a news reporter, had suffered from Meniere's disease for seven years and improved from the acupuncture. He published his acupuncture experience on the front page of his newspaper to support the *Chinese Medicine Bill*. Armstrong's brother-in-law had hearing loss due to a coal mine explosion a few years ago and, after twelve sessions of acupuncture, he threw away the hearing aids. During the acupuncture demonstration, there were more than 20 legislators who received acupuncture treatments, their illnesses varying from back pain to ulcers. Jim recalled he suddenly found himself in the position of conversion, as a lot of legislators approached him for help, asking whether Dr. Lok could treat their wife, wife's mother or the less fortunate. He said, “I came to Carson City as a lobbyist, I did not expect later became a ‘charity priest’.”<sup>[4]</sup>



Jim arranged politicians, reporters and television camerapersons to follow Dr. Lok around from early morning through the night. Dr. Lok was extremely exhausted, and was also discouraged; his wife felt the same as well. One night, at about 10:30 pm, after they finished the last treatment, Ms. Chan fainted<sup>[7]</sup>. “If it were not for Arthur and Jim pushing me on, I think I would have quit. Sometimes they would come as many as three times a day to offer me their encouragement. If not for them, I do not think I would have had the courage or stamina to go on,” Dr. Lok said<sup>[9]</sup>.

The ice was broken.

## 5 Legalizing acupuncture and Chinese medicine is the people’s will: an almost unanimous vote

In contrast to the previous legislative support for Dr. Lok’s acupuncture demonstration, the cases made by MDs against Chinese medicine were coldly received by the lawmakers. The representatives of the Nevada State Medical Association appeared before the Senate Health, Welfare, and State Institutions Committee in regard to the Final Bill, SB 448, in which a summary of their position was expressed by Dr. John Sande, President of the Nevada State Medical Association: “The physicians of the State of Nevada feel that before legislation should be passed on acupuncture, it would be in the best interest of potential patients of acupuncture if medical research was done on the practice in order to better understand the potential benefits and risks of the practice.”<sup>[14]</sup> Dr. Sande recalled that he initially felt pretty good, but when he emphasized the above statement, a senator suddenly interrupted him and said, “you medical doctors have intentionally delayed the legislature, we will show you how things should be run,” and the Chairman of the meeting also chimed in with, “you only have 30 minutes to talk, hurry up.” The State Senate passed the bill to legalize Chinese medicine quickly on March 28, 1973<sup>[15]</sup>, while Prof. Lok was still busy creating his acupuncture “miracles” for public demonstration in his temporary clinic across the street from the Legislative building. The final outcome of the Senate vote was an unbelievable 20:0, in favor of legalizing acupuncture.

It is worth mentioning that the members of the National Acupuncture Association (NAA)<sup>[1]</sup>, which was formed by the teacher and students of the first classes of acupuncture and Chinese medicine in the U.S., were also actively involved in this legislation as the professional witnesses. “The only thing we really know about it is that it (Chinese medicine) has existed for 4 000 years,” in recommending SB 448 for approval. Members of the Senate Committee on Health, Welfare and State Institutions gave great weight to testimony from a master acupuncturist from Hong Kong, and an American acupuncturist Dr. Gim Shek Ju, who was at

that time working at the University of California at Los Angeles (UCLA). Dr. Ju was Prof. Lok’s colleague at the Hong Kong College of Acupuncture for many years. Due to poor literacy in English, he gave his testimony through his American student, Steve Rosenblatt. He told the lawmakers that “acupuncture is the will of the people. So many times things get in the way of the will of the people and progress.” Rosenblatt then countered contentions by MDs that “nobody knows anything about the ancient healing art in this country, because it hasn’t been tested scientifically”. He said controlled experiments, such as the research being conducted at the UCLA, were being done with monkeys and that brain wave tests were fed into computers; the studies “will be informative and should please you.” However, he said he could not disclose publicly all the details at this time. He also explained “acupuncture...can be proven the same way you prove electricity; you can’t see it, but the lights go on.” California had legalized acupuncture for experimental use in medical schools by persons under supervision of MDs, but Rosenblatt said a licensing procedure is needed because allowing just any doctor to practice creates problems. “At UCLA we have doctors who’ve attended a few of our sessions and now they say they can do acupuncture. These doctors are harming their patients. I’ve seen horrendous cases of doctors’ misuse of acupuncture.” The bill passed by the Senate required three years of training before a person could practice, and only persons with an MD degree and holding a license to practice in some state, district or territory could apply for the training. “If this bill passes, Nevada will have the most progressive legislation in the country,” Rosenblatt said<sup>[15]</sup>.

In accordance with legislature procedures, the next step was to send the bill to the State Assembly. The bill was proposed by Democratic Rep. Marion Bennett, a Reverend from Las Vegas who was the chairman of the State Assembly Health and Welfare Committee. Bennett himself had received acupuncture treatment from Dr. Lok. He said: “Mr. Speaker, the bill we will be discussing is very special, the evidence in supporting this bill represents the will of the people. With personal experience of this therapy, which is the patient’s wish, the dream of the poor, I strongly urge the passage.” Sure enough, the bill passed smoothly. The vote was 34 to 1 (with another member absent). It has been surmised that the one opposition came from a physician Representative. Rosenblatt also offered his testimony again during the Assembly hearing. Testimonies were also heard from some of the sixty persons who had received about 400 individual treatments during Prof. Lok’s demonstrations<sup>[14]</sup>.

“Time” magazine reported that before the bill was discussed in Nevada<sup>[4]</sup>, about half of the 60 state legislators had received acupuncture treatments by Dr. Lok. Most of these lawmakers were highly impressed by the acupuncture demonstration. And, even more importantly, many voters

pleaded their legislators to make acupuncture appointments for them with Dr. Lok. A secretary of one of the lawmakers said, “It looked like a little Lourdes around here.” Criticizing the lawmakers for accepting free acupuncture treatment as inappropriate, some skeptics also claimed that behind the lively acupuncture clinic and vigorous lobbying for the bill, the actual supporter was the company ASA. If the Governor officially signed the bill into law, the company would make a lot of money through acupuncture. Justifying the free acupuncture treatments, Sen. William Raggio explained: “None of us knew much about this thing, and we supposed this was the best way to find out.” Reporters joked that even lawmakers in Nevada check the deck before dealing<sup>[4]</sup>.

Because of Jim’s dedication and hard work, both Senators and Assembly Representatives, from both Democrats and Republicans, almost unanimously voted to pass the bill (SB 448), which established a program of Oriental medicine in Nevada, and won overwhelming support from almost all legislators. Nevada Assembly Speaker Joe Dini recalled, “there were only a handful of ‘no’ votes cast — largely because Jim found an effective way to demonstrate the merits of an unknown program. It was “vintage Jim Joyce”<sup>[10]</sup>.

In April 1973, Arthur and Dr. Lok’s dream came true — the practice of Chinese medicine and acupuncture was legalized. “This came neither easily nor overnight. And it never would have happened at all without the help of Jim Joyce. . . . Together Arthur Steinberg, Jim Joyce and I were like a steel triangle, we were unbreakable as long as we pulled together. Each of us had a job to do. Together we did it well,” Dr. Lok summarized<sup>[9]</sup>.

## 6 The law was in effect on April 20, 1973

On April 5, 1973, Governor Mike O’Callaghan appointed five members to the Board of Chinese Medicine, including Neil Galatz, a Las Vegas attorney, as the Chairman; William M. Edwards, MD, Chief of the Bureau of Community Health Services, of Nevada State Health Division in Carson City, as the secretary; Mrs. Barbara Greenspun, wife of the editor — publisher of the *Las Vegas Sun* newspaper; Robert McQueen, PhD, professor of psychology, University of Nevada, Reno; and John Holmes, MD, Las Vegas general practitioner. He also appointed five members as the Chinese Medicine Advisory Committee (CMSC), most of them speaking Chinese or of Asian descent, or based on their places of education, from California, Taiwan, Beijing and Hong Kong; this included Prof. Yee Kung Lok; Jane Lee, MD; Madam Tom Po Chin; Chester Chin, DC; and Yiu-Wing Choi, MD<sup>[3,16]</sup>.

On April 20, 1973, the Governor signed SB 448 into effect, which meant that the first Chinese medicine law was born in the U.S.<sup>[3,11]</sup>. Between passing the votes on

April 5 and the Governor signing the bill into law on April 20, the AMA announced that Nevada lawmakers completely ignored their bill; Dr. Sande, the President of the Nevada State Medical Association, requested the Governor give a veto, but he failed; the reply was — “there is no reason, too late”.

On May 15, 1973, the Board of Chinese Medicine held the first meeting<sup>[3]</sup>. Although the law allowed for some Chinese medicine practitioners with special qualifications to be awarded licenses without taking an exam, the board unanimously agreed to follow the CMSC’s recommendation that all applicants obtain licenses through the Board-assigned exams. The examinations and licenses were categorized into four types: traditional Chinese medicine, herbal medicine, acupuncture and acupuncture assistant.

On November 13, 1973, the Board of Chinese Medicine reviewed the investigators’ reports on the individual members of the CMSC. Licenses were issued to all of its five members without an exam; four of them received licenses in TCM (Dr. Choi received his on January 31, 1974, due to the delay of his education background investigation), and another member (Jane Lee, an MD) was awarded a license solely in acupuncture<sup>[3]</sup>. Dr. Lok already had gone back to Hong Kong after the demonstration; it was Arthur Steinberg who lobbied the Governor and other law-makers to invite him to come back and practice acupuncture and Chinese medicine in Nevada, because Arthur believed that Dr. Lok was one of the three greatest acupuncturists in the world<sup>[16]</sup>.

From December 6 to 8, 1973, at the University of Nevada, Chinese medicine licensing examinations were held for three days. These examinations included tests on basic Western medicine, Chinese medicine, acupuncture, as well as interviews on clinical practice skills and English fluency. The written examinations were printed either in English or Chinese; all candidates chose Chinese except one Caucasian woman who asked for the papers in both English and Chinese. There were a total of 24 candidates, all of whom were Asian except for one Caucasian; they were mostly from California, with three from Hong Kong and two from Taiwan, China, and two from South Korea. Based on passing the first examinations, on March 13, 1974, the Board of Chinese Medicine awarded 12 candidates the licenses, plus five members of CMSC, so that a total of 17 people received acupuncture licenses in Nevada at that time<sup>[3]</sup>.

Although three states, Nevada, Oregon and Maryland, passed legislation regarding acupuncture and/or Chinese medicine during the same year of 1973<sup>[17]</sup>, which was the earliest time within the USA, the law in Nevada had a few characteristics different from that of the other states:

(1) Established an independent board: Nevada had an independent board, Board of Chinese Medicine, which covered a wide range of Chinese medicine modalities,



including acupuncture, Chinese herbal medicine, etc.; contrary to this, Oregon had an Acupuncture Advisory Committee that existed under the Board of Medicine; Maryland did not seem to have had any committee for acupuncture at that time, under the Board of Medicine<sup>[18]</sup>. In these two states, the law only covered acupuncture similarly as to many other states, where only the scope of acupuncture and not all of Chinese medicine is covered.

(2) Licensing: The Maryland law in 1973 allowed acupuncturists to work under an MD's supervision, just like a technician; however, it did not say how MDs should supervise the acupuncturists<sup>[19]</sup>. The law in both Nevada and Oregon were the licensing law, which required the applicants to meet certain requirements and pass the specific examinations; in Oregon, a licensed acupuncturist could only work under one specific MD's direct supervision — this was very restrictive, although the acupuncturist's social status seemed higher than that in Maryland (or later in many other states); in Nevada, being licensed in Chinese medicine or acupuncture was equivalent to that of a clinical doctor, so the licensee's social status was similar to the MD. Even in the present day, only Nevada and New Mexico give Oriental medicine providers the title of doctor, such as OMD, or DOM; in Florida, they are called acupuncture physician (AP). However, in other states, they are called licensed acupuncturists (LAc).

(3) No Grandfather clause: Unlike the condition in California in 1976<sup>[11]</sup>, in Nevada there was no Grandfather clause for acupuncture and Chinese medicine (which means some existing acupuncturists or Chinese medicine doctors can be exempt from the examinations and automatically be licensed). All applicants had to pass the examination assigned by the Board, except the five members the Governor appointed as the CMSC.

In 1975, the name of the Board of Chinese Medicine in Nevada was changed to the Board of Oriental Medicine, which covers the broader spectrum of traditional, natural medicine in eastern Asian countries. Insurance companies were also required to cover acupuncture<sup>[11]</sup>.

It must be mentioned that all three key people, Arthur Steinberg, Yee Kung Lok and Jim Joyce, allowed for the dramatic and successful legislation in 1973 for Acupuncture and Chinese medicine and that they did so on a completely volunteer-basis; none of them wanted to use the legislation to make money or for other personal interests. Arthur spent enormous amounts of time and effort, as well as \$550 000 (present-day equivalent of about five million dollars) from his personal bank account to telecast the acupuncture film on television, the initial fee at *May Advertising*, and other expenses during the legislation<sup>[15]</sup>. For Dr. Lok, at that time, his practice was in Hong Kong, and he did not plan on operating a practice in Nevada, so he contributed his time and effort to realize the great

dream of many acupuncturists, Chinese medicine doctors and patients. The reason he came back and settled down in Nevada later was that he listened to the will of the Nevada citizens. For Jim, during that time, he made his first big splash as a lobbyist in Carson City, Nevada, moved by Dr. Lok and Arthur. Working on his own time and for no pay, Jim out-lobbied the AMA and pushed through legislation, legalizing Chinese medicine and acupuncture<sup>[19]</sup>.

Later, even at an advanced age, Arthur became a student of Dr. Lok to learn TCM himself<sup>[6]</sup>. Jim also became an acupuncture lover. He and his family members use acupuncture as the primary modality for their own healthcare needs. Dr. Lok practiced acupuncture and Chinese medicine in Las Vegas and passed away in 2004 when he was 90 years old; he and his son Dr. Peter Lok did testimonies in Texas and helped the legislation of legalizing acupuncture there<sup>[7]</sup>. In 2011, the Nevada Assembly unanimously passed Bill ACR 9 which memorializes Nevada's first acupuncturist, Dr. Yee Kung Lok<sup>[5]</sup>.

As mentioned by Dr. Yongming Li, a historian in Chinese medicine, the successful legislation in Nevada for Chinese medicine brought hope to Chinese medicine practitioners in the U.S. who were being plagued by legal issues; it showed the power of the people's will and set a good example for the passing of subsequent laws legalizing Chinese medicine or acupuncture in other states. From 1973 to the present, there have been 44 states and one district in the U.S. that have enacted laws in acupuncture or Chinese medicine. However, each one varies in its coverage and none of them are as full of legend and passion as the legislation of Chinese medicine in Nevada<sup>[11]</sup>. Based on people's will and evidence-based research, acupuncture actually has become one of the most important alternative or complementary medical therapies used in the U.S., and many Western MDs also have started to learn and practice acupuncture. Over the course of the 40 years, since acupuncture was first legalized in the U.S., it has already become a major player in contemporary healthcare practice.

Like Arthur Steinberg initially stated, "Acupuncture is good stuff for America," which benefits millions of American people today. Acupuncture and Chinese medicine provide a good alternative treatment that improves the lives of millions of patients. Additionally, the establishment of acupuncture has created a new profession in the U.S.; today, there are more than 50 000 acupuncturists — including licensed acupuncturists, medical acupuncturists, and the like — serving their fellow Americans<sup>[20]</sup>.

## 7 Acknowledgements

The authors would like to thank Ms. Sarah Faggert for editing support, and Ms. Marilee Joyce providing her father Jim Joyce's stories and reviewing the draft.

## 8 Competing interests

The author declares that he has no competing interests.

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