

## Complementary Health Law

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Complementary medicine (CM), which includes a range of self-directed and practitioner-directed health practices (eg, meditation and yoga, chiropractic, naturopathy) and products (eg, herbal medicine, homeopathy, nutritional supplements), forms an increasingly significant component of the contemporary health sector in many developed countries.<sup>1</sup> In Australia, although there remains much contention and controversy around what role CM *should* play in the contemporary Australian health system, the significance of the CM sector in contemporary Australian health care cannot be disputed, as Australian studies indicate that: out of pocket spend on CM services and products is roughly equivalent to out-of-pocket spend on conventional health services;<sup>2</sup> the number of consultations with CM practitioners nearly matches the number of consultations with conventional health providers;<sup>3</sup> and CM practitioners may even outnumber conventional primary care physicians in some areas of Australia.<sup>4</sup> Studies also indicate that CM utilisation is highest in patients with more chronic or complex conditions.<sup>5</sup> The popularity of CM – both in Australia and internationally – shows little sign of abating, with its utilisation increasing consistently over the past few decades with growth forecast to continue over the coming decade.<sup>6</sup>

### The extraordinary complexities in defining complementary medicine

CM is somewhat unique among recognised health specialisations in that its definition is based solely on exclusion, rather than on a set of unified professional traits. CM's

1 For data on global utilisation and increases in that utilisation, see World Health Organization (WHO), *WHO Traditional Medicine Strategy: 2014-2023* (WHO, Geneva, 2014) 25.

2 See Charlie Xue et al, 'Complementary and alternative medicine use in Australia: a national population-based survey' (2007) 13 *Journal of Alternative and Complementary Medicine* 643 for data which suggests patient out-of-pocket costs and number of consultations with complementary medicine providers are now comparable to those of conventional medical products and conventional medical providers.

3 *Ibid.*

4 See Jon Wardle et al, 'Distribution of complementary and alternative medicine (CAM) providers in rural New South Wales, Australia: a step towards explaining high CAM use in rural health?' (2011) 19 *Australian Journal of Rural Health* 197.

5 See Rebecca Reid et al, 'Complementary medicine use by the Australian population: a critical mixed studies systematic review of utilisation, perceptions and factors associated with use' (2016) 16 *BMC Complementary and Alternative Medicine* 176.

6 *Ibid.*

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