

SCIENCE-BASED MEDICINE

Exploring issues and controversies in the relationship between science and medicine

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Electrodermal Testing Part II: Legal and Regulatory Aspects

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Last week I [described electrodermal testing](#). I'm sure many readers thought, "There oughta be a law against that." Well, there are laws. Unfortunately, having laws and enforcing them are two different things.

Some of these devices are not approved at all. Most have received 501(k) approval from the FDA as biofeedback devices so similar to previous devices that they do not require new approval — for biofeedback. It is illegal to use the devices for anything other than biofeedback. The FDA has prohibited their sale or importation for unapproved purposes like electrodermal testing; it has sent warnings to companies, raided clinics, and confiscated machines. States have prosecuted users for practicing medicine without a license. Medical boards have chastised licensed providers. The Quackwatch website lists [these regulatory actions](#) but points out that there has been no systematic effort to drive these devices from the marketplace.

Excuses, Excuses

[One electrodermal testing website](#) admits that what it is doing is illegal and tries to fight back with this specious disclaimer:

It is important to understand that the laws in the USA forbid me from being able to treat, diagnose, cure or prevent disease. The AMA has a patent on those words and only a licensed medical doctor can do that. And although it is legal for a licensed medical doctor to violate the Hippocratic oath and prescribe toxic drugs that cause harm and sometimes even kill patients, it is illegal for me to claim you can be cured using natural, nontoxic remedies, even though thousands of people can testify how they have been healed using natural remedies.

These machines are being used to practice medicine without a license, but they think they can get around the law by offering a disclaimer and by espousing the fiction that they are not diagnosing or treating diseases but only detecting energy imbalances and advising patients about how to restore balance.

Here are [some typical protestations](#):

- *I can only find imbalances that may be causing problems. It would be up to a medical doctor to determine if what I am finding IS the cause.*
- *I wouldn't call EAV biofeedback "treatment". You don't treat anything with EAV. Creating a vial of treated water for a client to take may help balance their energy. Balancing energy is not medical treatment. It is perfectly legal to own one for home usage.*
- *And the reason all these people are spending money on this equipment is what??? Would they continue to invest in something that is "bogus"?*
- *EAV is not anything like the medical tests that we are used to. It works by quantum physics not biology.*
- *Yes, there are a bunch of enforcement actions. I assume that what is listed is about the entire list. Do you also want to list the claims made against regular M.D.s?*
- *Something that shows up energetically does not necessarily mean that it is a physical condition!*
- *We are only just now getting the scientific ability to test these [homeopathic] remedies by quantum physics.*

In the training videos I mentioned in my previous article, the demonstrator answers questions from the audience that reveal more about the way they operate:

Q: *I'm not a doctor. I have to send patients to an MD for IV infusions. What do you say when the doctor questions how you determined the patient needs it?*

A: *Tell him you determined it by electrodermal testing, similar to muscle testing [applied kinesiology] and ask him if what he does is any better. At least we have some monitoring device.*

Q: *One remedy you recommended is acid, but she has an acid problem.*

A: *That seems contradictory but we need it for her circulation, and the body can sort out what it needs.*

Q: *Is the circulation due to blockage in her superior vena cava?*

A: *No.*

Q: *Should she stop other medications or products?*

A: *Bring in the products and put them on the test tray. Medicine is a legal issue, so we can only show her what it does to her pancreas, we can't tell her to stop using it. You might be liable if you told them to go off their meds.*

Q: *Will other medications interfere with our treatment?*

A: *Our treatment will not be as effective if they stay on their meds. Cancer treatments like chemo and radiation will usually interfere with our efforts. If the patient needs to stay on medication, we can give more products to balance out the effect of prescription meds on liver and to reduce med side effects.*

Q: *[Something about] cancer showed up on the readings. Does that mean she has cancer?*

A: *I don't think she has cancer, but if she doesn't correct the problems in her body, I can guarantee you down the road she will have problems like that. Cancer loves miasms, acidosis, poor circulation, emotional issues, and immune dysfunction. She's got 'em all. It's just a matter of time. You can't tell a person they have cancer — just that that matches the picture. Biopsy is needed for medical diagnosis. You can treat it before it gets to the biopsiable stage.*

Q: *What if the patient says "Every time I come in you give me something different."*

A: *Well duh, do you want to be on the same thing all your life if it's not working? If it's fixed, why keep taking it? The body prioritizes all the time, so what it needs today will not be what it needs tomorrow.*



Regulatory Actions

The FDA, state attorney generals, professional licensing boards, and foreign regulatory agencies have all taken action to stop electrodermal testers. Details of many of these cases can be found [on Quackwatch](#).

An examination of 3 cases from my own state, Washington, highlights some of the problems with regulation.

The Ames Case

A licensed physician was using a LISTEN device to diagnose allergies. The findings of fact are interesting:

- After he used the LISTEN machine, he wrapped the probe in tissue paper and had the patient hold the probe with tissue paper wrapped around it. When the patient asked why, he answered that he has done this so long, that he could do what the machine could do, and that he did not need the machine anymore.
- He used the machine not only to diagnose, but to treat allergies.
- He also used [applied kinesiology](#), a phony muscle testing procedure.

- He used dubious hair and urine tests to determine that the patient had a mineral imbalance, and told him he needed treatment for metal poisoning.
- He used what sounds like a chiropractic “activator” device on acupuncture points.
- He prescribed the Metabolic Type Diet, a diet with no scientific justification.

The Washington State Department of Health Medical Quality Assurance Commission suspended his license for 5 years. *Only they didn't*, because the suspension was stayed as long as he (a) stops using the device, (b) undergoes quarterly practice reviews, and (c) pays a \$5,000 fine. The MQAC's decision was appealed but the state Supreme Court upheld the decision, saying that Ames had “led patients to believe that LISTEN could diagnose and treat allergies, when in fact it could do neither.” Note that the board and the courts only considered his use of the device and did not even address any of his other questionable practices or his basic competence to practice medicine.

The Trasker Case

Joyce Trasker was convicted of practicing medicine and veterinary medicine without a license. She used the Orion and the Asyra devices to determine a patient's “energy signature” and to prescribe homeopathic remedies. She offered testing on saliva and blood samples sent to her by mail. Eventually she began taking these samples and the machine onto an Indian reservation to do the testing, claiming that the State had no jurisdiction there. She claimed she was not practicing medicine. She even claimed that the right to free speech protected what she was doing. Her case went all the way to the state Supreme Court. She was ordered to cease and desist and to pay a fine of \$10,000.

No problem: she simply moved a short distance across the state line to Idaho where she is still offering the same electrodermal testing for \$295 per test. You can mail in saliva samples, even from Washington State: her website says “Washington may not prohibit its residents from patronizing an Oregon or Idaho business.” She is also involved in a long term campaign for the freedom to choose safe unregulated health care.

A Dropped Complaint

A few years ago I found a website for a local clinic offering electrodermal testing. After I filed a complaint with the medical board, all references to electrodermal testing mysteriously vanished from the website. The doctor and his lawyers threatened the medical board with legal action if they tried to act on the complaint. The complaint was dropped.

Confusing Terminology

The variety of devices and the many variants of terminology make it difficult to identify the magnitude of the problem. These devices are illegal and cannot be sold or imported, but they are still available. On E-bay I found 6 Biomeridian systems for sale. They seem to be going for around \$5000 compared to an original price of \$12,000 to \$17,000.

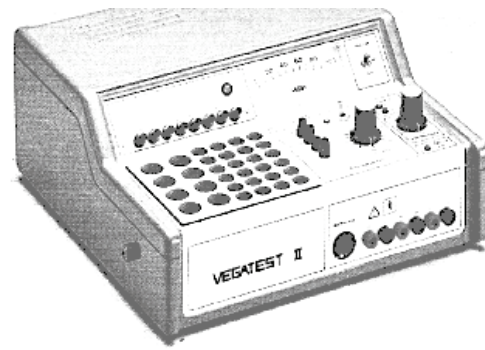
If these systems do use some kind of frequency analyzer to capture EMF and then use a frequency generator to re-introduce that same signal back into the human body for "testing", now they have produced what the FDA considers a radiation emitting device and not a galvanic skin response meter.

What Can We Do?

In his exposé, Quackwatch's [Stephen Barrett](#) says:

*The devices described in this article are used to diagnose nonexistent health problems, select inappropriate treatment, and defraud insurance companies. The practitioners who use them are **either delusional, dishonest, or both**. These devices should be confiscated and the practitioners who use them should be prosecuted. If you encounter any such device, please report it to the state attorney general, any relevant licensing board, the FDA, the FTC, the FBI, the Better Business Bureau, and any insurance company to which the practitioner submits claims that involve use of the device.*

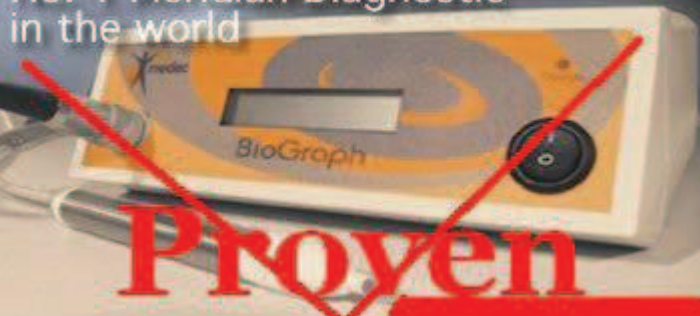
I echo his plea. There is [an online directory](#) of practitioners that could be helpful in identifying some of the offenders, but there are undoubtedly many more who are avoiding publicity for fear of legal consequences. We have the tools to stop most of these offenders, but first we need to identify the offenders and then we need to actually use the tools.



ElectroDermal Screening Diagnostics was found to be controlled by the speed of delivery of the point probe not the body electric


These Electrodermal devices were all deemed Fraudulent when they failed Double blind testing and were found to be controlled by operator speed of delivery of the probe. Accupath 1000, Asyra, Avatar, BICOM, Bio-Tron, Biomeridian, Computron, CSA 2001, Dermatron, DiagnoMètre, e-Lybra 8, ELAST, Interro, Interactive Query System (IQS), I-Tronic, Kindling, LISTEN System, MORA, Matrix Physique System, Meridian Energy Analysis Device (MEAD, MSAS, Oberon, Omega Acubase, Omega Vision, Orion System, Prognos, Prophyle, Punctos III, Syncrometer, Vantage, Vegatest, Victor-Vitalpunkt Diagnose, Vitel 618, and ZYTO.

No: 1 Meridian Diagnostic in the world



Proven a Fraud

Complete energetic picture within 5 minutes using the probe and disease base.



The Vega Devices – diagnostic and therapy systems designed to facilitate
Naturopaths **No Studies Prove this**

The Vega devices have been developed to assist practitioners of naturopathy in the diagnosis and treatment of their clients. The general assessment procedure consists of recording electrical parameters of the skin at harness points (based on EAV principles), and analysis of the results by the specific software systems. The Vega devices currently available are outlined below.

Diagnostic Devices **(Studies prove the Therapist controls the results
with changes of speed of delivery of the Point Probe)**

VEGACHECK



The Vega Check performs an assessment of the inherent metabolic rhythms of the body and corresponding regulatory processes, giving an indication of the energetic state of organs and organ groups, their function and influence.

The Vega Check measures electrical parameters of 7 segments ("derivations") of the body, via 6 electrodes transmitting pulse currents to the feet, hands and head. A disturbance is detected by deviation of electrical parameters from the normal range for each segment. In this way, the Vega Check gives hints of acute, inflammatory, degenerative or allergic ailments, and displays graphically which organ is affected. The Vega Check also displays the clients' over all

"vitality factor", which can be used to trace improvements during a course of therapy.

The Vega Check is very simple to use and the assessment takes just a few minutes to complete. Vega also provide client management software, where the results of screening and recommended treatments can be recorded for future reference.

VEGATEST

(Science has Proven these Claims to be Fraud)



The Vega Test Expert is a self contained computerised electro dermal screening (CEDS) instrument which can identify a wide range of nutritional and health issues and evaluate specific remedy requirements. The Vega Test can access 1400 digital test ampoules, measure amalgam/tooth voltage, assess the energy balance of body quadrants, energise acupuncture points and produce magnetic