45 - PROFILE ACUPUNCTURE IN BRAZIL: ASPECTS HISTORICAL, ETHICAL AND THE VISION OF CLINICAL PHYSIOTHERAPY.

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Introduction

The aim of acupuncture therapy and cure of diseases by application of stimuli through the skin, with the insertion of needles into specific points, distancing her way of thinking and language of Western culture. This restricts their acceptance in the West, is considered mystique and without scientific basis. Moreover, the practice of acupuncture in the West are facing shortfalls in education and scientific dissemination (GUNN, 1976).

Derivatives of radical Latin acoustically and punctio, meaning needle and punching respectively, use is specific points "acupontos", mainly in the approach, the stimulation nociceptivo (WEN, 1989; JAGGAR, 1992; LUNDEBERG, 1993; ULMANN, 1993). In antiquity (more or less between 4000 and 395 d.C. a.C.) was a concern to eliminate the disease through the use of physical agents (Sun, light, heat, water and electricity), massage and physical exercises. Physicians in ancient knew the physical agents mentioned above and even employed in empirical in their therapies, such as the use of electrodes in the form of electric shocks with a fish called "Tremielga" in the treatment of certain diseases (SHESTACK 1979 apud REBELATO, 1987).

The physical therapy includes physical scientific procedures that are used in the treatment of patients with a disability, disease or injury, to achieve and maintain functional rehabilitation and avoid a malfunction or deformity. One of the most important tasks of the physiotherapist is the realization of various therapeutic exercises, whose objectives are: to increase strength and endurance, improve coordination and mobility, expand and maintain the extension of mobility, and also educate the global posture of the body. (SANCHES, 1984).

Article 1 of the code of ethics, be explicit function of the physiotherapist attending the man, participating in activities that aims at the promotion, treatment, and the recovery of his health. In section IV of Article 7 in the same document, it may be observed that the physiotherapist, "should" use scientific and technical knowledge and guide its activities for the purpose, "prevent or alleviate the suffering of man and prevent their extermination." Article 21 allows the physiotherapist participation in assistance programs to the community at the national and international (COFITO 2001).

In the case of Acupuncture, according to the Daily Journal of the (section 1, p. 70, 2006), the Traditional Chinese Medicine is characterized by a full medical system, originated thousands of years ago in China. Use language that symbolically portrays the laws of nature and that gives the harmonious inter-relationship between the parties aimed to integrity. How plea, pointing to the theory of Yin-Yang, division of the world into two forces or principles, interpreting all phenomena in opposing complementary.

In China, acupuncture is used routinely for the treatment of various diseases. The effectiveness of this therapy led, in 1979, specialists from 12 countries present at Inter-Regional Seminar of the WHO to publish a provisional list of diseases that can be treated by acupuncture, including, among others: sinusitis, rhinitis, amidalite, bronchitis and conjunctivitis acute, pharyngitis, gastritis, duodenitis and ulcerative colites acute and chronic. In the East, acupuncture is being used with preventive and therapeutic purposes for several millennia (KASAHARA, 1992; BANNERMAN, 1979; ALTMAN, 1997).

Profile Acupunture

About history aspects of acupuncture in our country is easily confused with the immigration of the people of eastern Brazil. In those early, the pioneer immigrants from across the world, brought in luggage, an ancient culture that has contributed in a significant way not only for the development of natural therapies, as well as the fine arts and martial, cooking, religion, science, technology, philosophy and thought (BANNERMAN, 1980).

The World Health Organization 1984, created an international standard nomenclature that could be easily accepted in the Brazilian society as therapy and prophylaxis of diseases. So called Chinese Medicine.

The Nucleus of Acupuncture and Natural Therapies, Natural-in with support from professionals and entities in which acupuncture is, reports through this compilation, some of the main and most important moments in the rich history of acupuncture in Brazil, from its beginnings until today the (CONBRAC, 2007).

In 1895, with the end of the war period in Japan, many were left without work. The government decided to encourage the output of the country of its citizens. It signed the Treaty of Friendship, Commerce and Navigation between Brazil and Japan Orchestra Maru arrived in 1908 bringing the first Japanese to Brazil, which introduce their technique of Acupuncture. Today, the Japanese community exceeds the mark of 1 (hum) million people.

In the year 1985, the Federal Council of Physiotherapy and Occupational Therapy decides on October 29, 1985, by Resolution Council of Physiotherapy and Occupational Therapy-60, enabling the physiotherapists and occupational therapists to practice Acupuncture.

Already in 1997, in accordance with resolution No. 218, March 6, 1997 of the National Council of Health are considered health professions: social assistants, Biologists, Professionals of Physical Education, Biomédicos, Nurses, Pharmacists, Physiotherapists, Fonoaudiólogos, doctors , Veterinary Doctors, Regulators, Dentists, Occupational Therapists and psychologists.

In 2004, the judge Jurandi Borges Pinheiro, the 6th Vara Federal de Florianópolis determined to CREMESC two companies Society and the Medical Society of Acupuncture and Medical Brasileira de acupuncture that "not publish ads saying that acupuncture can only be performed by doctors, under penalty a fine of $ 50,000 for insertion. " Pinheiro held that while the practice of acupuncture is not regulated by law, the Federal Council of Medicine can not do it by resolution, under penalty of violation of private competence of the Union to legislate on the conditions for the exercise of professions " .

In 2006 announcement was circulated to the Open Public Health Hall of St. Louis-MA for post of Acupunturista, offered 12 vacancies for top-level training (NOTE: THE STATE OF NEWSPAPER MARANHÃO, 2006).

In November of that year, there was the announcement of the selection challenge for the municipal health by the Regional Council of Medicine of Maranhão (CRM-MA) of the announcement 010/2006 provides that the tender for professionals in the area of health promoted by the City of St. Louis . According to the doctor and councilor peemedebista Abdon Murad, president of CRM-MA, said that according to the announcement 010/2006, the specialty of acupuncture may not be exercised by any health professional and that violates a law of its municipal authors and another of the Federal Council of Medicine (CFM).

In 2007, the medical residency in Acupuncture has been included in the selection process of medical residency of the Clinical Hospital of the FMUSP 2007. The program has support from SMBA-SP internal departments and the Hospital das Clinicas as the Medical and Clinical Orthopedics.

For ethical aspects, the Acupuncture has documented its knowledge since 220 a.C. Today it is practiced throughout the Americas, Europe and Australia in addition to the central-southern Asia, where it is majority, and in some African countries in reduced

scale. In Brazil, its use as a treatment of health has been growing and gaining credibility, no longer a mere "alternative to conventional medicine" to become a powerful resource healing, and, in many cases, procedure of first importance. It is estimated that there are 30,000 acupunturistas in the country, serving the majority of an individual without supervision or criteria (COSTA, 1996).

"Because of this, comes the argument about the need to regulate the practice of Acupuncture and the beginning of a battle between those who advocate the pursuit of a restricted group and those who desire a rule democratic involving all segments. There is then a clear movement of both currents through the Councils Professionals, associations of class and the entities of education; And it is possible, too, to know who are the sharpness that support the democratization of Acupuncture and those against the "(COSTA, 1996).

The Federal Council of Medicine is acting on three fronts: The first attempts to get the Justice prohibit that others will pursue the Acupuncture; The second seeks support between the doctors, the health plans and hospitals and clinics not to establish formal relations with the Acupunturistas non-physicians; and finally realizes campaigns for "clarification to the people" for this not to seek professionals who are not trained in medicine, claiming that "if it is not made by a doctor, the Acupuncture can cause serious health risks, including lead the death "(FARDER, 1994).

Moreover, there are various professional groups who are fighting for a model of multi professional regulation. These are the physiotherapists, nurses, psychologists and other health professionals. To these are added, too, tens of thousands of practitioners and therapists without higher training in health or as Empowerment of technical in acupuncture. This group so diverse, and often scattered, it has achieved success in the defense of democratization of Acupuncture (TAIJIQUAN, 2006).

About stock Judicial moved by the Federal Council of Medicine and entities related to the resolutions on acupuncture license issued by other Councils Professionals, the final decision was made on April 24, 2002 by the President of the STJ, Mr. Minister of Nilson Neves, who rejected the petition moved by CFM determined on the basis of the art. 5. º, XIII, of the Federal Constitution and in art. 22, XVI, that in the absence of law and certain liquid, acupuncture is not for the exclusive use of any occupational category (TAIJIQUAN, 2006).

In San Luis, Maranhao the acupuncture can only be performed by doctors. Despite that for a job can be performed by a type of professional is required federal law, approved by the National Congress. A state or a city can not solve anything on this subject (TAIJIQUAN, 2006).

According Notöthlich (2004), the situation in St. Louis, has echoes of great polemica at National. A note on the site of IARJ (Institute of Acupuncture of RJ) makes clear that this is not more of a draft law, in contrast, is a law already approved for medical privamente delegating the exercise of Acupuncture. According to the art. Paragraph 22 of the Federal Constitution only; When the law uses the term "privately" opens precedent for that, by law complementary, states legislate on specific issues related matters.

The Law that IARJ case is not even a Law State, it is only a Municipal Law, approved by the Board of Councilors of San Luis (MA). So it is very difficult even if a municipality can legislate on the subject. So unconstitutional, which yielded 01 (Direct Action of Unconstitutionality) against this Act (TAIJIQUAN, 2006).

On page 480 of book Course of Positive constitutional law, Jose Afonso da Silva explained in note footer of the page no.5 that Article 22 of the Constitution, ... we need a supplementary law (which is to get an idea requires an absolute majority to be approved in the Chamber of Deputies in the National Congress, once with quorum qualified), and the powers can be delegated to the states, and not to Municipalities (as this hypothesis is not even suggested) (TAIJIQUAN, 2006).

Thus there three routes to be followed on the municipal law of San Luis, according to OLIVEIRA (2006):

The first alleges that way, a professional could continue exercising their profession even in disagreement with the law, until they were apprehended and fined. Not paying the fine, would open a case against this occupation, and the lawyers argue that the law unconstitutional on the city. The judge probably agree with the arguments and would give cause to the gain of training, based on alleged unconstitutional, but would not have the power to declare the law unconstitutional for all professionals, but only as part of that process.

The duplicate would seek council of San Luis and argue about, as a citizen in order to achieve that one cause a draft law annulling the law in question, but since the law was passed in the first place the chances of success in this way would be small.

The third route would start a ADIN (Direct Action of Unconstitutionality), however, we must stress that if only some entities may propose an yielded to the STF, which are: the President of the Republic, the Federal Bureau of the Senate, the Bureau of the Board Members' (ie in Congress), the Bureau of Legislative Assembly (ie in the States), the Governor of a State, the Attorney General of the Republic, the Federal Council of OAB, a political party with representation in the National Congress, a trade union confederation or entity of a federal class.

About the Clinical aspects, the acupuncture therapy and aims to cure the disease by the application of stimuli through the skin, with the insertion of needles into specific points "acupontos" (WEN, 1989; JAGGAR, 1992; ULMANN, 1993). For this purpose, use, primarily, the stimulus nociceptivo (LUNDEBERG, 1993).

It follows then that, the research brings new data on the national scene and in the historical context, by the recognition of the exercise of acupuncture as professional activity in Brazil, currently focus of great debates between different groups of professionals interested in providing care to the population through this technique; in the context ethical consolidating itself in the Brazilian legislation as a method of performance in health that can be exercised by various professions, including physiotherapy, and recognized by the health ministry as Traditional Chinese Medicine and the clinical context with the inserted acupuncture in the area of health in SUS as practice integrative and complementary in terms of prevention of promoting prevention and rehabilitation of health need that there is new research to be legitimized as effective and undeniable procedure for the prevention and cure of diseases.

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PROFILE ACUPUNCTURE IN BRAZIL: ASPECTS HISTORICAL, ETHICAL AND CLINICAL IN THE VISION OF PHYSIOTHERAPY.

ABSTRACT

The Physiotherapy groceries currently encompasses several areas of expertise, which are part of his field of work, and the Acupuncture the newest to be incorporated in this framework for action, reflecting controversy between a group of medical professionals and acceptance among other professionals and patients. In order to clarify this controversy. The work took a critical review of literature, which addresses on the profile of the main aspects historical, ethical and clinical trials of Acupuncture in Brazil in the vision of Physiotherapy. The strategy consisted methodological steps literary criticism about acupuncture (Chinese medicine); Searches through literature in articles, books, magazines virtual, among others. Where observed that Acupuncture faced difficulties in their social, political and clinic in Brazil, even knowing that it is embedded in the area of health in SUS as practice integrative and complementary health as a whole. KEY-WORDS: Physioterapy, Acupunture, Chinese Medicine.

PROFIL DE L'ACUPUNCTURE DANS LE BRÉSIL: LES ASPECTS HISTORIQUES, ÉTHIQUES ET CLINIQUES DANS LA VISION DE PHYSIOTHÉRAPIE.

RÉSUMÉ

La physiothérapie épicerie actuellement englobe plusieurs domaines d'expertise, qui font partie de son domaine de travail, et le plus récent au Acupuncture être intégrées dans ce cadre d'action, reflétant une controverse entre un groupe de professionnels de la médecine et de l'acceptation des autres professionnels et des patients. Dans le but de clarifier cette controverse. Les travaux ont eu un examen critique de la littérature, qui porte sur le profil des principaux aspects historiques, éthiques et les essais cliniques de l'acupuncture au Brésil, dans la vision de physiothérapie. La stratégie a consisté étapes méthodologiques critique littéraire sur l'acupuncture (médecine chinoise); Recherches dans la littérature par le biais d'articles, de livres, de magazines virtuel, entre autres. Où Acupuncture observé que les difficultés rencontrées dans leur contexte social, politique et de la clinique au Brésil, même en sachant qu'elle est ancrée dans le domaine de la santé en tant que pratique SUS intégrative et complémentaire santé dans son ensemble. MOTS CLÉS: Fisioterapy, Acupunture, médecine chinoise

PERFIL DE LA ACUPUNTURA EN BRASIL: ASPECTOS HISTÓRICOS, ÉTICOS Y CLÍNICOS EN LA VISIÓN DE FISIOTERAPIA.

RESUMEN

Un Fisioterapia atualmente engloba diversas áreas de especialidad, que fazem parte hacer tu campo de trabajo, sendo mais un Psicosomática una nueva inserir se una en este cuadro de actuación, refletindo polêmica entre um grupo de profesionales médicos aceitação correo electrónico entre profesionales con otros pacientes. No intuito de esclarecer essa controvérsia. El trabajo realizou-se uma revisão crítica da literatura, no se aborda la calidad sobre o perfil dos principais aspectos históricos, éticos correo clínicos no se da Acupuntura Brasil nd visão da Fisioterapia. A estratégia metodológica constou etapas literária crítica sobre acupuntura (Medicina chinesa); Investigaciones a través de literatura em artículos, libros, revistas virtuais, entre con otros. Onde se observou-se que una Acupuntura enfrentou em sua inserção dificultades sociales, ninguna política correo clínica Brasil, mesmo sabendo que está inserida una misma área de la salud como práctica ningún SUS correo complementar integrativa de la salud como um todo. PALABRAS CLAVE: Fisioterapy, Acupuntura, medicina tradicional china

PERFIL DA ACUPUNTURA NO BRASIL: ASPECTOS HISTÓRICOS, ÉTICOS E CLÍNICOS NA VISÃO DA FISIOTERAPIA.

RESUMO

A Fisioterapia engloba atualmente diversas áreas de especialidade, que fazem parte do seu campo de trabalho, sendo a Acupuntura a mais nova a inserir-se neste quadro de atuação, refletindo polêmica entre um grupo de profissionais médicos e aceitação entre outros profissionais e pacientes. No intuito de esclarecer essa controvérsia. O trabalho realizou uma revisão crítica da literatura, no qual aborda sobre o perfil dos principais aspectos históricos, éticos e clínicos da Acupuntura no Brasil na visão da Fisioterapia. A estratégia metodológica constou etapas literária crítica sobre acupuntura (medicina chinesa); pesquisas através de literatura em artigos, livros, revistas virtuais, entre outros. Onde se observou que a Acupuntura enfrentou dificuldades em sua inserção social, política e clínica no Brasil, mesmo sabendo que a mesma está inserida na área da saúde no SUS como prática integrativa e complementar da saúde como um todo.
PALAVRAS CHAVES: Fisioterapia, Acupuntura, Medicina Chinesa.