

# Please Keep Listening

## Mixed results for attempts to remove dangerous gadgets from the healthcare sector

Following my report "LISTEN to My Story" (21:3) the NSW Health Minister, while recognising the seriousness of my concerns, advised me in that NSW Health would *not* duplicate the Australian Competition and Consumer Commission's (ACCC) April 2000 LISTEN distributor legal test case, and referred my concerns back to the ACCC. In October the ACCC advised it would take no further action, as it does not deal with the advertising or practices of individual clinics registered only as business names. They referred my concerns to NSW Fair Trading, who in turn advised me it would not be duplicating the ACCC-LISTEN legal case.

In July 2001 an inquest was conducted into the death of an 18 day old baby, born with a lethal heart abnormality medically diagnosed as 'aortic stenosis'. The baby was then allegedly tested by a naturopath using a "machine" and diagnosed as having "aortic stenosis and Tetralogy of Fallot" Media reports identified the device as a MORA, which was unknown to the baby's doctors. (Ref: editorial "Children in Peril", 21:3)

As a result, "What is a MORA machine?" has become a question being asked recently by many in the media, medical profession and the public. Many more may seek information in the future. The following information is derived from what is claimed by the proponents of the machine.

## MORA and EAV

Developed in 1977 by German MD, Dr Franz Morell and engineer, Erich Rasche, the name is a combination of both names. It is an exclusive design product manufactured and marketed by Mr Rasche's company, Med-Tronik in Germany, whose website lists 30 foreign agents servicing many more countries. The MORA is claimed to be a dual-function unit having both diagnostic and treatment capabilities, with the exclusive MORA name and the model number embossed on the front panel.

Dr Morell claims to have previously worked with another German MD and acupuncturist, Dr Reinhold Voll who, in the 1940s, coined the term EAV or "Electro-acupuncture According to Voll". This describes his system of using an electronic black-box type machine with a skin-probe that senses specific acupuncture points on the hands and feet for electronic signals or oscillations\*, which he claims emanate along meridians connected to body organs, parts and cells.

\* Note that the "skin sensing probe" of EAV machines does not work 'independently' of the operator in the 'testing' mode. As anyone who has ever used an Ohm meter would know, an operator can easily vary the results shown on an indicator scale, by varying the amount of pressure applied to the skin via the probe, or by the level of moisture present on the skin.



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Meters on the front panel register on a scale from 0 to 100 (50 being “normal”); above 50 indicates inflammation, below 50 indicates pathological degeneration. At some stage Dr Morell claims to have advanced his MORA’s diagnostic capabilities by attaching another ‘sensing plate’ so that body fluids, such as blood, saliva, urine and sweat, could also be ‘tested’, so aiding in the diagnosis.

To use the MORA as a treatment unit Dr Morell claims to have ‘programmed’ it to isolate what he called the “harmful or pathological signals”, then to modulate or invert them, delivering them back to the patient via the same acupuncture-skin probe as “healing signals or oscillations”. In this way he says, he is using “the patient’s own oscillations” to heal.

Further treatment is given by his “medicament test” - a system that takes the ‘guesswork’ out of prescribing. A selected homeopathic remedy (H/P) is placed on another sensing plate which determines if the remedy is appropriate. If it is, then its electro-signals are delivered to the patient via the skin probe, so giving the patient an extra “super-dose” of the H/P remedy which then continues to be taken by mouth as prescribed.

MORA machines have been highly recommended in Australia by qualified therapists, chiropractors and holistic MDs. They are currently priced from \$13000 for the basic model, to \$24000 (plus GST) for the new SUPER MORA. The sole marketer of the exclusive MORA warns about cheaper generic models in use.

### Other EAV Machines

EAV is the diagnostic system base of many other electro-diagnostic/treatment machines, such as, VEGA, THERATEST, DERMATRON, LISTEN and INTERRO. They are then termed “EAV machines” but, like the MORA, they all have other, added, “diagnostic” and/or “treatment” features.

What is significant now is that the LISTEN (with the same EAV as the MORA) has been shown in the ACCC’s Federal Court case in April 2000 to have no scientific basis, a finding reached earlier in 1999 by the

NSW Health Care Complaints Commission. (“Listen to My Story” 21:3.)

Of greater significance now is that, following appeals to the above authorities since the ACCC’s LISTEN case, so far there has been a total failure of all state and federal authorities to take any legal action against alternative health clinics that continue to promote and use LISTEN, MORA, and other types of “diagnostic” machines.

### Propaganda

During 2001 this high-profile ‘qualified and safe’ industry continues to ignore the ACCC’s LISTEN case. A report in *Nature & Health* by a Sydney therapist recommends various “diagnostic” modalities including “EAV to determine organ functions”. In *Diversity*, the journal of the Australian Complementary Health Association an editorial board member writes approvingly of “diagnostic technology like LISTEN and VEGA being widely used by naturopaths”.

Since writing “LISTEN to My Story” in July, in which I highlighted use of these devices on children, I have come across a high-profile qualified NSW therapist using the title of ‘Dr’ (claiming a PhD) advertising ‘Electronic Medicine’ – “a diagnostic-tissue sample-body fluid-DNA testing machine” with no specific name only a number, “a specially modified unit purchased in the UK, the only one of its type in Australia”. What is extremely disturbing is that the “tissue sample tests” conducted by this machine have been promoted by the therapist in her regular *Well-being* magazine column. In these she makes the most extraordinary medical diagnostic claims and reports on her safe and highly effective use of these ‘tests’ on babies and children.

It is impossible to know how many types of nonsense-bogus electro-diagnostic-treatment devices, masquerading as scientific medical technology, are being used in alternative health and integrative medicine clinics around Australia, nor the extent of their use on babies and children.

What we do know is that there are no compulsory warnings, education or effective consumer protection.

Clearly, state and federal legislative reforms are urgently needed. (See following item, “Proposals for Health Devices Regulation”).

During November I have once again submitted updated appeals, highlighting the risks to babies and children and including the above Proposals to the NSW Ministers for Health and Fair Trading and to the National Coordinating Committee of Therapeutic Goods. The new federal Health Minister should give the ‘devices’ issue top priority.

It is also important for me to report to you that I have received another formal legal threat attempting to thwart public knowledge of the devices industry, this time from the solicitor for a therapist’s LISTEN clinic. It accuses me of “agitating and generating unfavourable media interest in his client’s legitimate LISTEN business.” I advised him that there was no such thing: that LISTEN (and similar diagnostic devices like VEGA and MORA) were proven blatant frauds. This therapist has promoted the LISTEN as “especially risk free and safe to use on children.” I refused to sign their apology and demand documents.

### Conclusions

There are a number of critically important facts to note about the claims made for these devices.

They are based on *beliefs* (and it can be put no higher than that) about human anatomy and physiology, for which not only is there *no* evidence, but which is in serious conflict with a great deal of what *is* known about the subjects, with a high degree of confidence;

They are based on the assertion that the *same device* can be used for *both* diagnosis and treatment, a highly dubious assertion, to say the least;

Despite a successful prosecution, for claims judged to be “deceptive and misleading”, of the distributor of one such device, health and regulatory authorities continue to ignore the proliferation of these potentially dangerous gadgets among “alternative” practitioners.

# Proposals for Health Devices Regulation

If vulnerable consumers are to be protected from the deceptive and dangerous practices of the bogus health devices industry, we must first acknowledge that the current regulatory system is totally ineffective in addressing the very real dangers to health that these devices pose.

Whatever regulatory and penalty systems are instituted, it is imperative that they feature public education as a major component of both systems. The qualified alternative health and integrative medicine industry can hardly be trusted to inform consumers about the true nature of the devices, given its track record of support for such devices and of bombarding consumers with a mass of false, misleading and dangerous propaganda.

Regulations should restrict the sale and importation of any devices making explicit therapeutic claims about serious diseases, unless and until they can be demonstrated to perform as claimed.

Here, briefly, are some of my suggestions, based on over sixteen years experience dealing with the devices issues.

## **Prohibition of all unsubstantiated Clinical-Medical-Diagnostic-Therapeutic Claims**

All devices for which therapeutic (etc) claims are made regarding serious diseases and infections, organ and immune system functions, allergies, toxicity, hormone levels, and including all health screening/checking/testing/analyses/assessments must be able to substantiate those claims with evidence of properly conducted trials and research. *In no way should these devices be treated any more leniently than are any legitimate medical devices.*

Use of testimonials from persons allegedly suffering from specific medical conditions is not sufficient.

Claims such as “can screen for and treat imbalances in energy fields (chakras, chi, qui, ki, life and vital force and so on)” may be permitted, but these *must not* be translated into any health or medical claims.

Any such clinics should prominently display notices that devices used in the clinic are not approved as medical devices.

## **Prohibition of all “Safe to Use on Children” Claims**

For reasons stated in previous articles.

## **Public Health Warnings**

Health authorities should have the power to issue public warnings, coupled with the power to solicit information from the public during investigations, whenever serious concerns are reported about the promotions and use of specific devices. Official investigations should not be conducted in secrecy; the public has the right to be fully informed from the outset and to be warned.

## **Other Prohibitions**

Clinics using such devices should be prohibited from advertising themselves as “Health Screening”, “Diagnostic”, “Advanced Diagnostic”, “Hi-Tech Health”, “Allergy and Asthma Prevention” or “Breast Assessment”, or from otherwise intimating that they are carrying out medical procedures.

Operators should be prohibited from claiming such qualifications as “medical technologist” or “diagnostic technician”, unless such qualifications are from recognised tertiary institutions.

## **Essential Proof Powers**

Given flaws in current legislation, new legislation must require that the burden of proof in support of claims should always lie with the promoters.

## **Penalties**

Government health and fair trading legislation should include a penalty system for offenders that includes substantial fines, client refunds and publication of “Retraction-Correction Notices” in newspapers and in all areas where illegal advertisements and promotions were published. This is the only way to ensure continued public and mainstream and alternative health media education.

One way to educate and protect health consumers is to require compulsory warnings, that the devices are not approved for therapeutic use, are to be placed in all clinics in full view of clients, on all clinic documents, and on all advertising and promotional material regarding these devices.

## **TGA Health Devices Warning**

The *Therapeutic Goods Act* should be amended to require all unscientific health devices to be listed on a special list titled “TGA Health Devices Warning List (or similar)”. In this way no one can misuse the TGA-LIST and falsely promote devices as “TGA Endorsed and Approved”, as happened under the former flawed and now abolished ARTG-AUST L system.

This new system could operate in the same way as the previous system: requiring all imported and Australian devices to be listed; all advertising claims checked for compliance; general and electrical safety of devices tested; and requiring manufacturing and importing companies to be registered (eliminating the backyard electronic tinkerer market), before any device could be imported, marketed, sold or leased in Australia.

Others may have better ideas. The point is we must do “something” especially when babies and children have become needless victims. 