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Your Weekly Update of News and Reviews
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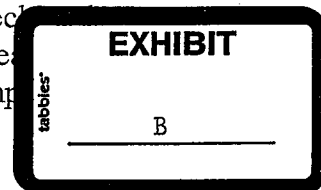
Consumer Health Digest is a free weekly e-mail newsletter edited by Stephen Barrett, M.D., with help from William M. London, Ed.D., M.P.H. It summarizes scientific reports; legislative developments; enforcement actions; news reports; Web site evaluations; recommended and nonrecommended books; and other information relevant to consumer protection and consumer decision-making.

"Autism specialists" sued. The father of a 7-year-old boy has filed suit against two self-styled "autism specialists," their clinics, and a laboratory that tests urine specimens for "toxic metals." The complaint states:

- Defendants Anju Usman, MD, True Health Medical Center, Dan Rossignol, MD, Creation's Own, and Doctor's Data Laboratory conspired to induce patients to undergo unwarranted chelation therapy.
- The scheme in this case centered around Usman's use of a "provoked" urine toxic metals test to falsely assert that the boy had accumulated dangerous levels of mercury and several other metals. Usman made this initial assessment when he was only two years old even though he had had no significant exposure to toxic metals.
- Chelation therapy was administered with suppositories when the boy was four and included 41 intravenous sessions over an 18-month period, beginning when he was five.
- The inappropriate treatments also included dietary supplements, hyperbaric oxygen, hormones, and other drugs that were unnecessary, unapproved, and/or potentially dangerous.
- Whereas Usman examined and treated the boy at her office, Rossignol, without ever examining him, based his recommendations on telephone conversations with the mother over a 25-month period.

The provoked urine toxic metals test is a fraud. The suit asks for damages related to negligence, lack of informed consent, intentional misrepresentation, negligent misrepresentation, battery, and civil conspiracy.

"Bioesthetic dentist" sued for fraud. Robin Bertsch, of Scottsdale, Arizona, has filed suit against Thomas Wais, D.D.S., the OBI Foundation, and The Wellness Hour, a television show that promotes non-mainstream practices. The complaint states that in 2008, Bertsch, whom Wais had treated for more than three years, sustained such severe damage to his mouth, jaw, neck, and upper back that he demanded a refund plus additional amounts to cover corrective measures. Bertsch also demanded that his picture be removed from Wais's Web site, where it imp



Wais had successfully treated Bertsch for a TMJ problem. Even though no suit was filed, Wais's malpractice insurance company paid Bertsch \$200,000 in response to his letter. Wais removed the picture, but later displayed it and discussed Bertsch's case several times on The Wellness Hour. After learning about the insurance settlement, the Arizona State Board of Dental Examiners conducted an investigative interview, during which Wais acknowledged that his treatment of Bertsch had been unsuccessful. Bertsch's lawsuit, which accuses Wais of negligent misrepresentation and conspiracy to commit fraud, notes that Wais's use of Bertsch's image during the Wellness Hour broadcast directly contradicted the statements Wais made during the investigative interview. Bioesthetic dentistry offers a very expensive way to improve appearance by extensive application of crowns and other restorations. It is claimed to greatly improve function and to provide health benefits as well. Before-and-after pictures indicate that many patients improve their appearance. However, preparation for crowning requires removal of healthy tooth structure; and disturbing healthy, functional teeth can, in the long run, result in complications. [Barrett S. Baratz RS. Does "bioesthetic dentistry provide good value? Dental Watch, Aug 1, 2009] The article links to the documents relevant to the case, including a malpractice suit that Bertsch's wife Carey filed against Wais last year.

FDA acts against ear candles. The FDA had warned three large manufacturers to stop marketing ear candles and has posted a consumer warning to its Web site. The warning page states that during the past decade, the FDA has received reports of burns, punctured eardrums, and blockage of the ear canal that required outpatient surgery. An ear candle is a hollow cone about 10 inches long made from a fabric tube soaked in beeswax, paraffin, or a mixture of the two. In ear candling, also called ear coning or thermal auricular therapy, a patient lies on his or her side while a candle is placed in the outer ear and lit. Marketers claim that warmth created by the device produces suction that draws wax and other impurities out of the ear canal. However, tests by Health Canada have found that ear candles produce no measurable effect in the ear and have no therapeutic value. [Don't get burned: Stay away from ear candles. FDA Consumer Update, Feb 18, 2010]

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