

AMERICAN BIOMAGNETISM ASSOCIATION™

2020 – The Year of the ABA



*A Private Proprietary Professional Association
In Formation
Credentialing / Code of Ethics / Peer Review*

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Counsel Fucetola has provided professional practice structures to various groups, including Human BioAcoustics, QNRT Therapy and IBBI.

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PRIVATE EXPRESSIVE ASSOCIATION

PROTECTION FOR PRIVATE PRACTITIONERS



Ralph Fucetola JD

Your First Amendment Protected Rights

- *Freedom of Association & Religion*
- *Freedom of Assembly*
- *Freedom of Speech*

Are the Expressive Association which your Private Association protects.

In the US Supreme Court case of *Boy Scouts v Dale* (decided June 28, 2000) the Court reiterated that Freedom of Speech and Freedom of Association together give rise to what the Court calls "Expressive Association" which is the expression of the association's beliefs through its internal decisions and activities.

These are protected by Constitutional Right, "While the law may promote all sorts of conduct in place of harmful behavior, it may not interfere with speech for no better reason than promoting an approved message or discouraging a disfavored one, however enlightened either purpose may seem... The record reveals the following, the Boy Scouts is a private... organization."

No Existing USA Certification Program

Proposal: Establish a Private & Proprietary Professional Association*

Benefit: Expressive Association Protections

Specific Association activities that will support your Private Practice:

- 1. Credentials:** private certification as a Biomagnetic Biofeedback Practitioner, with the right to put “**BioMP**” for “Biomagnetic Practitioner” after your name. A second level of certification, **Diplomat of the Association**, will be available to outstanding practitioners who publish peer-reviewed scientific papers.
- 2. Professional Status:** through the creation of a Peer Reviewed *Biomagnetics Journal* ABA demonstrate professionalism.
- 3. Code of Ethics** and Ethics Committee to further the professionalism of the practitioners.
- 4. Private Professional Practitioners Forum:** an online meeting place for certified BioMPs, where you can find support and growth.
5. Standards of Practice Guidelines.

* Tentative name: *American Biomagnetism Association – ABA.*

The Practice of Biomagnetics

Biomagnetics by its ordinary definition relates to the magnetic field effects within the human body. See Counsel Fucetola's "sister" webinar on Biomagnetics Training for details. This short webinar is about establishing the ABA

The body is multi-layered. There is the Physical Body of bone, muscle and guts. There is the Liquid Body of circulation and lymph. There is the Electrical Body of the nervous system (also produced by the circulation). There is the Subtle Body to which the acupuncture points relate. And there is a Magnetic Body, related to the Electric Body, but separate from it, as magnetism and electricity are complementary energies.

The Practice of Biomagnetism (Biomagnetic Biofeedback) encompasses non-medical support for the normalization of the Magnetic Body. It is not intended to "treat" medical conditions. The magnets are not intended as medical devices.

The *Standards of Practice* and Guidelines provide practitioners the correct application of external magnets, to elicit a biofeedback response from the body, usually confirmed by subjective feedback (including the use of techniques like Kinesiology). When the body gives the subjective signal, the Magnetic Body is considered normalized. Nutrition in support of normalization may also be indicated. Trained Practitioners adhere to the Standards of Practice and Guidelines.

CONCLUSION

A private, proprietary, professional American Biomagnetic Association (ABA) offers strong support for your private practice. Here are the next steps:

1. American Biomagnetics is appointing a Formation Committee to work with Ralph Fucetola JD in creating the professional structure.
2. Founding Membership fees will be collected by Luis Garcia, to cover filing and professional costs.

The North Carolina Supreme Court concluded, over a century ago in *State v Biggs* (46 SE Reporter 401, 1903) at p.405:

"Medicine is an experimental, not an exact science. All the law can do is to regulate and safeguard the use of powerful and dangerous remedies, like the knife and drugs, but it cannot forbid dispensing with them. When the Master, who was himself called the Good Physician, was told that other than his followers were casting out devils and curing diseases, he said, 'Forbid them not.'"

Some Common Questions

1- What legal pitfalls to avoid when practicing Biomagnetism?

We discuss these issues in detail in the “sister” webinar on Biomagnetic Practices. Issues such as:

Treatment of Disease vs Therapies that May Benefit

Definition of Biomagnetics and Biomagnetic Biofeedback

FDA Device Exemptions for Biomagnets

The Allowed and Forbidden Words

Questions Continued

2- Does a Blomagnetism certificate from Mexico have any validity here in the US?

There are no US laws regulating biomagnetism; some state massage or other “holistic care” licenses may impact the way practitioners practice. Having a foreign certification does not improve the status of the practitioner.

3- Do practitioners need to get some type of insurance or will home insurance cover any issues?

The ABA may, over time, sponsor group insurance. In addition, many home owner or renter insurance policies can easily have a “professional office” rider added, which will offer some protection.

4- Should practitioners look to get a standard reiki or massage or other therapy certification or license to cover themselves legally?

Such certifications or licenses do not normally cover biomagnetics.

Questions Continued - 2

5- Does BM come within the Biofeedback Exception?

The “sister” webinar details the FDA regulations which allow biofeedback and how Biomagnetics meets those standards.

6- Other legal concerns when practicing BM – Informed consent / Private License

The “sister” webinar details how Informed Consent Private License is essential for lawful conduct of Biomagnetic Biofeedback. A sample form is provided.

7- How does the ABA support lawful practice?

The Association develops and maintains standards, sponsors peer-reviewed publications and provides a system of ethics protection for practitioners and clients..