



9/12/2012

To: Collier County Office for Business Tax Receipts

From: Matthew Brownstein, CHt

Re: A Misunderstanding of Florida Hypnosis Law

I understand that your office has spoken with our Naples Director, Mr. Peter Williams, about your requirements for offering business tax receipts to Hypnotherapists. I wanted to provide this letter to show my complete support and backing of Mr. Williams and to clearly state our position and our willingness to pursue this matter until it is completely resolved.

No other Florida County or City is interpreting Florida Hypnosis Law in the way that you are. The law does state that prescription, referral, supervision or direction is required when the therapeutic use of hypnosis is performed by someone who is not a "licensed practitioner of the healing arts." The use of the word "or" is significant here in that the law does not require supervision in all cases and it does not require supervision from only one type of practitioner.

"Hypnotherapist" is an occupational title through the United States Department of Labor. On the State level The Florida Institute of Hypnotherapy is licensed by the Florida Department of Education to offer career diplomas in Certified, Clinical and Transpersonal Hypnotherapy. The Clinical training clearly teaches students to use hypnosis for medical, dental and therapeutic applications – both physical and mental. It is important to note that this is a federally acknowledged profession and that we are licensed by the State to train our students in therapeutic hypnosis. To limit our students to be able to practice therapeutic hypnosis to only the supervision of one physician is not only a misunderstanding of the Florida Hypnosis Statutes; it is denying a professional the right to use their State-Licensed career diplomas to their fullest capacity.

Because there are multiple practitioners listed as "licensed practitioners of the healing arts," to require that only a physician sign a supervision form, restricts the Hypnotherapist to use their State-Licensed training for dental or mental health aspects of hypnosis where a prescription is all that is required. A medical doctor is not qualified to supervise dental hypnosis and a medical doctor is not qualified to supervise hypnosis for mental health conditions.

Having a Hypnotherapist requesting a business tax receipt sign a paper stating the difference between therapeutic and non-therapeutic hypnosis is acceptable to us and saying that they understand that they must receive "prescription, referral, supervision or direction" from a licensed practitioner of the healing arts for therapeutic purposes is also acceptable to us. What is not acceptable is to have one physician sign a form saying that they will supervise everything that the Hypnotherapist does in a therapeutic sense. It is impractical, it is not aligned with Florida Hypnosis Law and it limits the Hypnotherapist to find the appropriate licensed practitioner depending on the client's condition.

Mr. Williams can explain our position completely in person; however I wish to state that because we are adamant about our stance on this issue as a State-Licensed Hypnotherapy School, that we will be forced to take this matter to



the next level if your offices do not align with what every other Florida County and City currently understands. If we are not satisfied with a legal, fair and reasonable change, then:

1. As the Executive Director of the Florida Institute of Hypnotherapy, I will bring in the Florida Department of Education who licenses us to train qualified Clinical Hypnotherapists to protect our right to graduate students and allow them to practice within the scope of their training.
2. I am the Florida Representative of the Hypnotherapists Union Local 472. The Union is AFL-CIO backed and they will be brought in on this matter.
3. We will hire our own attorney to protect our legal right to have our graduates practice their profession under Florida Hypnosis Law.
4. I am the president of the International Association of Interpersonal Hypnotherapists and the Association will also back our efforts.
5. I am a lead instructor and certified school for the American Council of Hypnotist Examiners who will also back our efforts. The ACHE has worked tirelessly to protect our right to practice our profession ethically and legally and will also be taking action if notified.

I am simply asking that you seriously consider the Florida Hypnosis Statutes again, consult other Cities and Counties in Florida, and make the necessary adjustments to your requirements so that they properly align with Federal and State requirements for the practice of Hypnotherapy by dropping the need for Hypnotherapists to have a physician sign a document saying that they will supervise.

Sincerely,

*Matthew Brownstein*

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