

NGH Special Notice - Ontario Members

Dear fellow hypnotist,

Many of our brother and sister hypnotists don't know there is actually a union to help us in the struggle to protect our profession. But there is - NFH, the National Federation of Hypnotists, local 104 OPEIU, AFL/CIO, CLC. We are affiliated with one of the strongest unions of white collar workers in existence, comprised of nurses, physicians, chiropractors, podiatrists, consulting hypnotists, government employees, office workers, helicopter pilots and even Las Vegas taxi and limo drivers.

I know that as a member of the National Guild of Hypnotists you already appreciate the many benefits you receive from the world's oldest and largest hypnotism member organization. Do you also know that the Guild and the Union combined have fought our members' legislative battles for the past thirteen years while establishing ourselves as a separate and distinct profession?

In fact much of the dues paid to NFH Local 104 are used to hire lobbyists and lawyers in addition to those provided and paid for by our parent union, OPEIU.

There have even been occasions when the president of a state AFL/CIO federation has personally lobbied for us with legislators to prevent the passing of unfair or restrictive laws which would have put us out of business. When a law affects union hypnotists it also affects many other union members in the state or province, because of our solidarity with one another.

There are other benefits such as union members of the Canadian Labour Council seeking union hypnotists for their services. Union locals wellness programs have also hired union hypnotists to present group programs for their members concerning stress, weight and smoking.

It Pays To Belong

We need your help to show our strength wherever we contest legislation. Please encourage all your colleagues to join up so we can show our international union significant growth in our membership which helps provide the funds to help pay for lobbying.

As an incentive for you to join in July, our NFH Board has authorized me to waive the usual \$10 initiation fee, and Board member Art Leidecker has given us permission to give you a download copy of his book, From Scratch And On A Shoestring - How Absolutely Anyone Can Build An Outstanding Practice, a \$20 value. If you join the Union right away, you will save \$10 and receive a \$20 gift, while helping us protect the future practice of professional hypnotists.

Sharon Morris

Sharon Morris, BCH
Secretary/Treasurer

National Federation of Hypnotists Local 104

P.S.

We are including a complete report about the current legislation with questions and answers to help you to better understand the current situation. This correspondence is being sent both by e-mail and regular mail since some members do not have their e-mail addresses in our database. If you want to be included in future e-mailings it is important that you contact NGH and give them your correct e-mail address as soon as possible. E-mailing will get things to you more quickly and will also save a great deal in postage.

You and your colleagues can join the union today at <http://www.ngh.net/download/NFHApplication.pdf>

Or you can apply ONLINE today at - <https://www.ngh.net/NFHApplication.htm>

National Guild of Hypnotists, Inc.

&

National Federation of Hypnotists



Dear Ontario Member of the National Guild of Hypnotists:

As you may have heard, new legislation has been passed in Ontario that may affect your practice of hypnotism. Rest assured that the Guild has been active in managing this situation, and that your freedom to practice has been protected.

We realize that many of you would have liked to have known more about our plans over the past several months. However, we have discovered that we do better if we follow a specific political strategy. This letter will explain the new law to you, our strategy in addressing it, and our future plans.

Our Legislative Team-

The Guild's Ontario Legislative Team consists of Georgina Cannon as Team Leader, Robert Doyle, Serge Grandbois, and until recently Sheila Street and Roman Buchok.

Sheila Street has left the team to pursue other political projects and Roman Buchok relocated for family reasons. They both have our thanks for their work on our behalf. An additional candidate for the Team is currently under consideration.

Several of the Team members are also members of the Ontario Association of Hypnotherapists. The entire membership of the OAH has joined the Guild as a block, so that our profession could speak with a united voice at this time.

We called upon our union affiliate, the National Federation of Hypnotists to activate its resources with the Canadian Labour Congress, and with their help we retained the lobbying firm of Jeffrey Lyons and Associates to assist our Team. He has done a wonderful job in providing our Team with access to lawmakers.

Have realistic expectations-

When hypnotists first get involved in political work the belief is that the political process should be fair, and they are dismayed to discover that it isn't. Politics isn't about fairness, it's about clout. Hypnotists don't have much.

Also, when a legal situation arises that affects hypnotists, there is a tendency to want to go backwards into the future. That is, a few often demand that everything go back to exactly the way it was before the legal situation arose. Unfortunately, that is never possible. In recent years hypnotism has become established enough as a discipline that lawmakers are now looking at it. Once they have done that, it isn't possible to persuade them to look away. Hypnotists must adjust to a changed reality.

In Ontario, you will be able to continue your practice of hypnotism within National Guild of Hypnotists Standards and Terminology without interruption. However, you will have to be careful to stay within the boundaries of our Standards. We will provide training in how to do that. Our Standards and Terminology now represent part of your professional reality. As we have often said, there is no safe way for an unlicensed person to practice hypnotism other than the National Guild of Hypnotists' way.

Understanding the political process-

All politicians count votes. They pay more attention to larger blocks of voters and less to smaller blocks. There are about 500 hypnotists in Ontario. There are more than 10,000 counselors, social workers and psychologists.

As there are so few hypnotists, politicians don't consider us a meaningful "block" of votes, except to the degree that we are partnered with a larger group, such as the AFL-CIO or Canadian Labour Congress. Therefore, letter-writing campaigns or threats of revenge at the ballot box are at best meaningless interventions. At worse, they backfire.

Harsh experience has taught the Guild that no matter how careful we try to be, letter writing campaigns fail. Some hypnotists will insist on writing letters that claim hypnotism can "cure" depression, trauma or disease. These incriminating letters are quickly published by our opposition as "proof" that hypnotists practice unlicensed medicine or psychology and should be stopped.

The National Guild of Hypnotists has a long history of successful legislative involvement. We have learned that the best way to proceed in such matters is to put into place a team of carefully trained volunteers backed by a well-connected lobbyist. Then, we have them work quietly in the background to get the job done. This is what we have done in Ontario.

The Law in question-

The bill in question was bill 171, an omnibus Health Care Improvement Act. The bill is huge with many sections. The section of the bill that concerns us is Section Q. This is the section that creates a new College of Psychotherapy that will regulate all providers of psychotherapy that are not already regulated.

The concern is that the definition of psychotherapy in the bill is broad ("the provision of psychological intervention or interventions, delivered through a therapeutic relationship, for the treatment of cognitive, emotional or behavioural [sic.] disturbances").

The worry is that the Psychotherapy College might use this definition to regulate all practice of hypnotism. The Ontario Chapter of the Canadian Society of Clinical Hypnosis (which restricts its membership to licensed health care providers) has specifically said they intend to argue for that interpretation.

What has happened-

Our lobbyist was able to gain access for our Legislative Team to express this concern directly to the Standing Committee, and to educate the Committee that Consulting Hypnotists are actually motivational coaches and do not independently provide health care.

The Standing Committee responded by reading into the official record a statement about the meaning of Section Q relative to hypnotism.

They stated that unlicensed persons who practice hypnotism as motivational coaching within National Guild of Hypnotists Standards and Terminology would not be regulated by this law. The National Guild of Hypnotists and its Standards were explicitly mentioned in the official record.

Under the Ontario system of government, legislative intent controls the interpretation of the law by the court. This means that no judge can decide that Section Q limits the right of an unlicensed person to practice hypnotism for motivational coaching purposes. So long as hypnotic services are not held out to the public as medicine, counseling, psychology, psychotherapy or social work, they will be lawful.

Therefore, your right to practice has been protected.

The Future-

We now need to turn our attention to the Health Professions Regulatory Advisory Council that will administer this new law. We need to educate them that Consulting Hypnotists are doing motivational coaching, not mental health care, so that misunderstandings can be avoided. Our Team is working on this project now.

Then, we have to train our members not to seem to make mental health claims in their work. The Guild will turn its attention to this in August, and we plan an educational program for our Ontario members at our convention. We also plan another educational program in Ontario itself in 2007-08. Details will be forthcoming.

Finally, we need to establish a permanent legislative presence in Ontario to watch the boundaries of our work and to prevent the other groups from trying to erode them.

Over the next five to ten years there will be new legislation introduced by the Psychotherapy College to enhance itself. It will try to claim new turf, and we will have to defend the turf hypnotists now hold. In order to exist as a profession in today's world you have to be politically aware and active. This is the case in the United States as well.

What you can do-

The Guild asks you to do two things to help protect yourself.

First, the Guild asks you to join the hypnotist union and remain a member in good standing. Our union does reach into Canada through the Canadian Labour Congress.

Your Guild dues do not fund legislative and political work. All of the dues you pay to the Guild are taken up to provide the Journal of Hypnotism and the other benefits you receive.

The money to pay for political and governmental work to protect hypnotists comes only from the hypnotist union, the National Federation of Hypnotists 104. All union officers serve without pay. Union dues go directly to political work.

So far all of the considerable lobbying cost for Ontario (well into five figures) has been paid for by your union colleagues in the United States who are standing in solidarity with you. However, they will not do this indefinitely.

By this August there must be enough union hypnotists in Ontario to pick up most of the costs of the on-going political efforts to protect you. If not enough of you come forward and join the union, we will have to end our work on your behalf. We enclose a union application - via online you can Download the NFH Union Application at <http://www.ngh.net/download/NFHApplication.pdf>. Please fill it out and send it today. Apply for the NFH Online at <https://www.ngh.net/NFHApplication.htm>

The second thing you can do is to adjust your professional practice so that it matches the Standards and Terminology of the Guild if you have not already done so. The Ethics, Standards and Terminology are easily available as a free download from the Guild website at

<http://www.ngh.net/Hypnosis/download1.html>.

Also, be sure to get to one of the training opportunities we will offer at our convention or in Ontario in the fall. If you get into trouble and are found to be practicing outside of Guild Standards and Terminology, there will be very little we can do to help you.

The National Guild of Hypnotists and its union affiliate the National Federation of Hypnotists 104 exists to help our membership. We are pleased to have been effective in Ontario and now ask you to join with us in our on-going efforts to protect what we have gained.

Sincerely,

Dwight Damon

Dwight Damon, DC, DNGH
President, National Guild of Hypnotists, Inc.
President, National Federation of Hypnotists 104

C. Scot Giles

Rev. C. Scot Giles, D.Min, DNGH
Legislative Liaison Officer
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[NGH DOWNLOAD PAGE](#)

Questions and Answers regarding Ontario

1. Has this law passed?

Yes. Bill 171 received Royal Assent on Monday, June 4, 2007. It is now law.

2. When will this law be enforced?

This law will be enforced by the Health Professions Regulatory Advisory Council which will oversee the new Psychotherapy College. It will probably take from one to two years for the Psychotherapy College to be formed, create its rules and policies and put into place an enforcement structure.

3. If I am not currently practicing according to Guild Standards. Can I wait until the law is enforced before I change my practice style?

That would be foolish. No one can guarantee a precise time when enforcement will begin. While you don't have to change your practice style immediately, you should begin to change over now so that you are fully in conformity to Guild Standards and Terminology as soon as possible.

4. What title can I call myself?

At this time the Health Professions Regulatory Advisory Council has made no decision regarding the title of "**Hypnotherapist**" and probably will not for quite some time. Therefore, there is no present legal restriction on the title. However, the "**Hypnotherapist**" title carries more risk for misunderstanding as it sounds more like "**Psychotherapist**."

For this reason, the National Guild of Hypnotists always recommends that practitioners call themselves "**Consulting Hypnotists**" or "**Certified Hypnotists**." These are completely safe titles to use, and "**Consulting Hypnotist**" is now that most widely used title in the United States.

5. What are the Guild Standards?

*The Guild Standards are recommendations for safe and lawful practice of the hypnotic arts and sciences created by a task force of senior hypnotic practitioners. They are based on the idea that all hypnotism is really an act of self-hypnosis by the client with the practitioner serving as a guide. Guild standards require the use of a written disclosure statement called a "**Client Bill of Rights**." The Standards are a free download from the web site of the National Guild of Hypnotists (www.ngh.net). Long experience has shown the Standards to be an effective way for a practitioner to avoid problems and they have a high degree of client approval.*

6. What does "Guild Terminology" mean?

The Terminology is based on the understanding that while "psychotherapeutic" words such as "depression," "anxiety," "phobia" and "trauma" have made their way into informal use in everyday conversation, the use of such words by a hypnotist creates an unnecessary risk. Such words allow health professionals to claim that hypnotists render unlicensed health care services.

It is the position of the National Guild of Hypnotists that hypnotists are motivational coaches, not health care workers. Hypnotists do not independently diagnosis nor treat medical or mental disease. Instead, we help normal people cope with normal problems in living.

To make this clear, we recommend that our members avoid psychotherapeutic language and instead use common language equivalents. For example, instead of talking about "depression," we talk about "sadness." The Guild Terminology is a guide on how to do express every service a hypnotist might offer using non-therapeutic language. The Terminology is also a free download from the Guild web site.

7. Do I have to practice in accordance with the Guild Standards and Terminology in Ontario?

The official record of the Psychotherapy Act refers to the National Guild of Hypnotists and its rules by name. Therefore, it is our opinion that you must follow Guild Standards and Terminology to lawfully practice hypnotism as an unlicensed person in Ontario. Hypnotic practice avoids regulation only to the degree that it is motivational coaching of the sort taught by the National Guild of Hypnotists.

8. Do I have to be a Guild member to use the Standards and Terminology?

*No. Anyone may choose to practice in accordance with the Guild Standards and Terminology. The Guild encourages all hypnotic practitioners to do so regardless of organizational affiliation. **Additional***

Information:

"Under the Parliamentary system of government used in Ontario, documented legislative intent controls how a law can be interpreted. The official record of debate on a law is important in determining the legal meaning of the law. Therefore, it is carefully recorded and preserved by the government." This is different than US where a court can interpret a law independently of legislative intent. Not so in a Parliamentary system.

A quote from the Ontario Official Record is included below. The discussion concerned two things. The first, an amendment proposed by the Ontario Psychological Association to create categories of regulation that would have allowed hypnotists to practice only under the supervision of a licensed Psychologist. The Standing Committee rejected this amendment.

The second was an articulation of our concern that this bill might be interpreted to limit non-therapeutic hypnosis done by the National Guild of Hypnotists. The Committee stated that the bill in question does not address that sort of hypnotism. The Guild is specifically mentioned, which by implication references our Ethics, Standards and Terminology which were supplied to the Standing Committee.

The HPRAC (Health Professions Regulatory Advisory Council) is the administrative body that would make the decision if a specific hypnotist was practicing within bounds if there was a specific challenge. We will now work with HPRAC to educate it regarding the non-therapeutic use of hypnotism so that any decision-calls go well.

"The Ontario Psychological Association is supportive of the potential substantive heterogeneity of members of the proposed college and its potential to ensure public protection by bringing as many as possible of these health care professionals into a regulatory framework."

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"It has also been brought to my attention that the National Guild of Hypnotists are concerned that the proposed definition of the practice of psychotherapy, as set out in section 3 of schedule Q, will limit the boundaries of the National Guild of Hypnotists to practice non-therapeutic use such as time management, sports enhancement, self-esteem and performance improvement."

The Chair: "Any other discussion"

Mr. Fonseca: "First, on the motion: This motion would require the college to establish certain classes of members and place restrictions on those classes, in terms of access to the new controlled act related to psychotherapy. The government doesn't support this motion because it restricts the college's discretion in terms of how it regulates its members and the profession. In regard to the hypnotists, Bill 171 is not here to address that. If it did become an issue and we needed expertise on it, it would be referred to HPRAC."

The Chair: "Additional discussion? I'll call a vote. Those in favour of the amendment? Opposed? The motion is lost."

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