

To: Oregon House Committee on Behavioral Health
From: Durga Fuller, Spiritual Counseling
Re: Opposition to House Bill 2493

May 9th, 2021

Dear Members of the Committee:

Please, oppose House Bill 2493. This bill attempts to provide a registration mechanism and rule-making authority for alternative practitioners. If passed, HB 2493 would negatively impact thousands of diverse healers and complementary and alternative health care practitioners in Oregon.

I am a proud member of the diverse community of unlicensed, alternative practitioners in Oregon. My background is varied and not always easily quantifiable, a combination of mindfulness, energy work, Spiritual guidance, attunement, and healthy companionship. All of these offerings are generally recognized as safe.

It seems to me that HB 2493 attempts to set up an entirely new regulatory process giving the state the ability to be involved in a diverse number of safe and non-invasive vocations, making decisions via rule-making that could severely impact these independent practitioners. The bill would eliminate the presumption of safety that is held by vocations that are generally regarded as safe.

Here are a number of reasons I oppose HB 2493.

The wording of HB 2493 implies that there is harm being done by unlicensed healers. It actually would declare an emergency upon passage. There's no evidence that there is any emergency created by the community of complementary practitioners.

The definition "alternative well-being care" is far too broad and general to effectively be able to categorize such a diverse body. I suspect that the committee assigned to organize the registry will be encounter a bewildering array of complication that in the end will create expensive oversight labor.

The effect of this registry would be chilling on a generally sensitive population. Many complementary practitioners are women called to do healing work, often coming out of a process of their own healing. Imposing what this bill promises on this population is likely to cause these folks to consider quitting their practices. Navigating what sounds like a punitive oversight with the assumption that people need to be taught how to not do harm will not make them safer practitioners. It will likely simply feel onerous and expensive and accusatory. To lose these practitioners, who provide much needed, affordable support to a population that needs them, would be a grave loss.

I am reading that HB 2493 is being written as a voluntary option for complementary practitioners, but honestly I don't trust that it would remain so. Which refers back to the last

point. I feel chilled by this effort. It feels unnecessary, accusatory, and overreaching. I suspect that “voluntary” would easily become “mandatory”.

I see no reference made to who would set up and maintain the registry and regulatory testing. Would that body be made up of my peers? Or by people who historically feel that I should not be practicing any kind of healing modality without some kind of license? The bill as worded does not inspire trust that I would be well treated in this process. How it would be implemented is very vague.

I can't help but also note that there is no reference to this being applied to Christian ministries, even though the word spiritual is used in the list of practitioners that it would apply to. Christian ministers certainly practice within the realm this bill appears to encompass, and yet they are not included. This appears to encroach on freedom of religion.

I have been reading about “safe harbor practitioner exemption” legislation in other states. It seems like a much less expensive solution that provides clear guidelines for practitioners to follow. It provides an exemption from registration or licensing requirements as long as the practitioners avoid prohibited acts and provide disclosures to clients. Eleven states now have this model of legislation with many other states introducing or preparing to introduce. Less onerous on the practitioners, less expensive for them, and less complicated for the state.

Please, let HB 2493 languish, and research “safe harbor practitioner exemption” legislation. I would be happy to support such legislation.

Thanks for your attention and your work. I do not doubt your good intentions, but I believe HB 2493 is not good for Oregon.

Durga Fuller, she/her
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