

## Frequently Asked Consumer Questions about SB577

**Q: My practitioner has formal credentials (certification) in his/her healing art. Doesn't that mean s/he is licensed?**

**A:** Practitioners who are certified have met certain requirements that demonstrate their proficiency in their profession. Certification exams are administered by the professions themselves, not by the State (for example, a massage organization certifies massage practitioners). Whether or not the state of California licenses a particular form of healing art is a completely separate issue. *Having a license simply means that a practitioner can legally practice (within the scope of their license) in California. A practitioner may be very well trained, experienced and certified in their healing art but not have a license.* In fact, most alternative therapies are not licensed at all by California – for example, naturopathy, homeopathy, reiki, ayurveda, craniosacral therapy, and many other therapies are not licensed. *However, with SB577, unlicensed practitioners will be able practice legally, subject to the requirements of the bill.*

**Q: How have alternative practitioners been able to practice up until now?**

**A:** Most unlicensed alternative practitioners could have been found to be in technical violation of the law up until the passage of SB577, because they might have been “practicing medicine without a license”. In fact, practitioners could have been prosecuted even if they had caused no one harm and their practice had nothing to do with medicine in the conventional sense. Because of these legal prohibitions, practitioners have been inhibited from holding themselves out to the public and developing professional standards. The laws have also discouraged many individuals from training to become practitioners, slowing the development of alternative healing professions. These prohibitions have also served to discourage clients of alternative practitioners and practitioners themselves from communicating with doctors.

**Q: How does SB577 change the law?**

**A:** SB577 allows unlicensed practitioners to practice legally as long as they do not perform certain medical activities or put their clients at risk of serious harm. For example, unlicensed practitioners will, of course, not be allowed to perform surgery, puncture the skin, harmfully invade the body, prescribe controlled drugs, or recommend that clients discontinue drugs that were prescribed by a licensed practitioner. They also can't set fractures, treat wounds with electrotherapy, or treat or diagnose with radiation. They also have to make absolutely clear to their clients that they are not licensed physicians. They must disclose what their training and experience is, and they must explain the rationale behind their method of treatment. Additionally they must keep records that show that they have disclosed this information to their clients.

**Q: What if I have a problem with a practitioner?**

**A:** First of all, talk to your practitioner and try to work out any problem with him or her. If that proves to be unsatisfactory, contact your practitioner's professional association or certifying organization. Finally, SB577 does nothing to stop you from seeking relief for negligence or any other kind of civil remedy against a practitioner.

Actually, SB577 creates an atmosphere that will *improve* public safety. First, SB577 explicitly prohibits practitioners from treating clients in a way that causes or creates risk of great physical or mental harm, and it explicitly forbids certain medical activities. Second, it requires practitioners to disclose their training and experience as well as the rationale behind their treatment. Third, SB577 will facilitate the development and growth of professional societies of those therapies. These organizations will be better able to improve training and monitoring of their practitioner members.

As always, responsibility ultimately rests with you as a client or patient for wisely choosing a professional who has good training, experience, and skills. Talk to friends for referrals and ask for references. Check to see if your alternative practitioner has been certified by a professional membership society. Ask your practitioner any questions you have. Tell your doctor that you are using an alternative or complementary therapy.

**Q: What if I am also seeing a licensed practitioner? Can I see both alternative and conventional practitioners at the same time? Can I tell my licensed practitioner about my unlicensed practitioner and vice versa?**

**A:** One of the main consequences of SB577 is that it allows the practice of alternative therapies. This means that your unlicensed alternative practitioner will be able to operate freely and openly. We hope it will also encourage and facilitate communication between alternative and complementary practitioners and licensed physicians. We think that this is another way in which SB577 will enhance your health freedom *and* your safety. Ideally, everyone should be monitored by a licensed medical practitioner. You should consult this practitioner about any serious medical concerns you have.