

February 24, 2020

To: Senator Jeannette White, Senate Committee on Government Operations

From: Vermont Members of the Feldenkrais Guild® of North America

Re: Testimony to be presented on S. 270, relating to the professional regulation of Massage Therapy & OPR Revised Draft.

My name is \_\_\_\_\_ and I am speaking today on behalf of a group of Vermont's Guild Certified Feldenkrais Teachers®. We are members of the Feldenkrais Guild® of North America.

The clear intent of S.270 is to prevent harm that could occur at the hands of an unethical massage therapist. The bill's definitions of "massage therapist" and "practice of massage therapy" are critical. Those definitions will dictate the law's scope of application. The current definition applies to anyone who uses touch "to enhance or restore the general health and well-being of the recipient." (S.270 at §5402(5).) This could easily include many other professionals including Feldenkrais Teachers.

OPR believes massage therapy and bodywork should be broadly defined, and should not include exceptions that could be used as a walk-around by those intending to cause harm. However, the exemption proposed by the Feldenkrais Guild could not be used as a walk-around. Exemption would be limited to those who "meet the established standards of either a professional organization or credentialing body that represents or certifies the respective practice based on a minimum level of training, demonstration of competency, and adherence to ethical standards." Those who do not meet those standards would not be eligible for exemption. (See Feb. 17, 2020 letter of FGNA quoting exemption language approved by members of the Federation of Therapeutic Massage, Bodywork, and Somatic Practice Organizations.)

Feldenkrais Teachers are professionals in the field of somatic education. We help people learn to improve ways they move in everyday life – walking, driving, playing a musical instrument. We teach group classes, called Awareness Through Movement® lessons, and we conduct individual sessions, called Functional Integration® lessons. We are not massage therapists. We do not “treat”, or “heal” or provide “therapy.” We have “students,” not “clients.” People come to us wanting to learn to function better in some area of life – musicians, actors and athletes wanting to enhance their performance; persons with limitations walking, turning, reaching, wanting to improve their ability to move with ease.

Feldenkrais students remain fully dressed in their everyday clothes in Feldenkrais classroom settings and individual sessions. Group lessons are orally guided sequences of movement performed while lying on mats, much like in yoga classes. In individual lessons we use words and gentle touch to guide a person’s attention to a particular pattern of motor functioning and to bring about new movement possibilities, always within that person’s range of ability and comfort. During an individual lesson, the student may be standing, sitting, or lying on a Feldenkrais table. Both individual and class lessons end with students upright in sitting, standing or walking, and exploring and integrating newly learned and more efficient ways of moving. Our intention and methodology is to teach, to guide, and to bring about greater sensory motor awareness, leading to better functioning.

As Feldenkrais Teachers, our work is regulated by the Feldenkrais Guild® of North America. Since 1977, the Guild has defined the work of the Feldenkrais Method®, sets forth Standards of Practice and a Code of Professional Conduct, accredits training programs, certifies professional Trainers, Assistant Trainers and Practitioners. The Ethics Committee reviews all complaints following a rigorous Grievance Protocol, and suspends or revokes certification if necessary.

Through the Guild, we are re-certified on an annual basis, based on meeting continuing education and practice requirements. We pay an annual fee of \$325 to apply for re-certification. Practitioners are

provided a new formal certification document each year for display in our work spaces. We are not permitted to hold ourselves out as Feldenkrais Practitioners without this certification. Thus, from our initial training and certification to standards of practice, code of ethics, continuing education and annual re-certification, we are self regulated.

The initial education for a certified Feldenkrais Teacher requires 800 hours over a 3-4 year period. Our continuing education requirement is a minimum of 20 hours per year, which can involve a significant expense.

OPR suggests amending S.270 to require registration rather than licensure. Our position is that the Feldenkrais Method and Feldenkrais Teachers should be exempt from both registration and licensure by the State of Vermont for the following reasons:

- The Feldenkrais Method is an educational method with its Standards of Practice specifying that it is not a massage or bodywork technique.
- Regulation is already provided by the Feldenkrais Guild through defined education standards and other requirements for certification, adherence to Standards of Practice and a Code of Professional Conduct.
- The fee for registration or licensure would be an unnecessary intrusion into a marketplace activity because of the annual fee we already pay for re-certification, and the costs borne in meeting continuing education standards.
- Our clients are fully clothed. When touch is used, it is gentle, non-corrective, non-coercive, and intended to bring about sensory motor learning. Touch is always within the student's range of comfort and ease of movement, and therefore never harmful.
- In the 37 years that Feldenkrais lessons have been available in Vermont, no ethical complaints have been brought against a Feldenkrais Teacher. Should a complaint be made anywhere in the

United States, the Feldenkrais Guild Ethics Committee would review the complaint and impose sanctions as needed.

As stated above, inserting the language of exemption approved by members of the Federation of Therapeutic Massage, Bodywork, and Somatic Practice Organizations, and quoted in FGNA's letter to the committee of February 17, 2020, could allow S.270 to move forward to protect the public without being over-inclusive.

Many thanks to the Committee for its thoughtful consideration of this bill.

Sincerely yours, Carolyn King on behalf of Vermont Feldenkrais Teachers Mischul Brownstone, Gillian Franks, Uwe Mester, Paul Erlbaum, Kimberly Howell and Chad Hardin.