

Dear Legislators,  
My name is Beeara Edmonds, and I am a licensed massage therapist. I live in Corvallis, OR.

I have concerns about the bill HB 2394 coming up for review that some of my associates have made me aware of. Though I appreciate the desire to keep our citizens safe, I don't believe that this licensing board is an appropriate way to do so. It seems discriminatory as well as lacking in many ways.

Just as the Board of Massage therapy has been challenged to oversee all the many modalities of massage and bodywork, this board can't possibly regulate these many different practices of many different traditions. Too many professions that have no relationship with each other have been lumped together into one category.

This Act quite possibly constitutes religious discrimination due to its lack of applicability to priests or even lay priests in the major/"mainstream" religions. Because mainstream pastors and religious people are not required to hold a license or disclose their background, they are not subject to a test, they are not subject to discipline, or to do any of the other things that would be required by this statute of anyone who does not follow one of the three major monotheistic religions.

This Bill of the Oregon Legislature would require that non-Christian, pagan, agnostic, or followers of alternative spiritual beliefs get a license, pay for licensure, and otherwise do all the things that Christian or other "priests" are not required to do. There is no one who does more advising about family issues, mental disorders, major life decisions, etc., than a pastor, lay pastor, etc. But in Christian churches in this country, these non-science spiritual advisors are not required to pass a test, pay a fee, or otherwise do any of the things that the bill will require for other types of spiritual practices. This law pretty clearly discriminates against non-Christian religions or spiritual belief systems, and there is a strong argument to be made that is an illegal infringement on the free exercise of various religions in favor of Christian practices. This legislation will not pass constitutional muster in State or federal courts.

This licensing legislation is quite likely an unconstitutional infringement upon the exercise of religious rights and practices, per the Free Exercise clause of the First Amendment – namely the provision that prohibits the Congress from making a law "respecting an establishment of religion or prohibiting the free exercise thereof." And the way that Constitutional rights work is that State law must respect established constitutional rights at least as much (or more) than the federal Constitution.

Oregonians should have the right to choose therapies and counsel from a wide array of choices and we should not be limited.

The bill labels the current situation as an emergency situation and threat to public safety. But there has been no documentation that there has been a public safety threat.

Please don't make our alternative therapists face this every few years. Apparently there is a better approach that 11 other states use as their model of legislation. Its formal name is the Oregon Consumer Access and right to Practice Complementary and Alternative Health Care Act. (Working name: Safe Harbor Exemption for short) Many other states are introducing or preparing to introduce this. It has guardrails that practitioners need to stay within and includes disclosure about what training and experience a practitioner has. If a practice/practitioner violates these, then there is legal recourse with laws that already are in place.

Thank you,  
Beeara Edmonds