

2011 HOUSE HUMAN SERVICES

HB 1376

2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee
Fort Union Room, State Capitol

HB 1376
January 26, 2011
Job #13442

Conference Committee

Committee Clerk Signature

Ticky Crabtree

Explanation or reason for introduction of bill/resolution:

To allow lotions and creams when doing flexology and the board would determine the yearly fee for reflexologists.

Minutes:

No testimony

Chairman Weisz: Called the hearing to order on HB 1376.

Rep. David Monson: Sponsored and introduced the bill. (Recording doesn't start from the beginning of the hearing.) ...licensed reflexologist in that other state. On page 1 line 24 they currently have a fee of \$25 and a lot of us our leery of making an open end number so you may want to discuss that a little bit. Depends on how you want to handle it is fine with me. On page 2 line 7-10 actually in a way it says they can prescribe vitamins and so on. I'll try and answer any questions. I know there is a lady here that can do a better job than I.

Jane Benson: From Fargo, ND and President of Flexology Association in ND. I'm the one who wanted to initiate some changes. This law was written back in 1993 and things are changing gradually as they do in other fields over time. When the law was initially put in place a lot of us were trained with what was called the engum method and that method we don't use lotions and things. We have learned new types of flexology and I went to Canada and took a class on Tai reflexology in which they use shea butter. The way the law is currently written I would not be able to do that. I want to delete the sentence in the bill so that if we can use lotions. As far as the fee is concerned I just want to get rid of the \$25. I want the bill to state that it will be the Board of Reflexology that determines what the yearly fees should be. We do not prescribe things and do not prescribe vitamins. We don't try and change people's prescriptions. There people that work in chiropractic offices where there are a variety of vitamins and things people sell and that is a separate issue and not part of reflexology. A flexologist may not diagnose or treat for specific diseases practice spinal or other joint manipulations, prescribe or adjust medications.

Chairman Weisz: You want the prohibition against lotions and creams, you want that removed correct?

Benson: Yes.

Chairman Weisz: The bill doesn't do that. It still shows that a reflexologist may not use lotions, creams or mechanical devices. Just to be clear that is what you would like removed.

Benson: Yes.

Chairman Weisz: To further clarify. You really don't have a position on the addition that would have added your ability to adjust prescription medication.

Benson: I would leave that sentence, "a reflexologist may not diagnose or treat for specific diseases, practice spinal or joint manipulation, prescribe or adjust medications".

Rep. Porter: In that same line it talks about mechanical devices in the application of reflexology. Would that need to stay in?

Benson: I would leave it the way it is. There are flexologists throughout the U.S. that use different types of equipment, but at this point most of us don't.

Rep. Porter: How many licensed reflexologist are there in the State of ND.

Benson: Approximately 100.

Rep. Porter: The language we are changing as far as the reciprocity type language; it is not working the way it is written or what seems to be the reason for the change?

Benson: I'm an RN and there is reciprocity from one state to another as long as you meet certain criteria. However, you get a ND license if you are going to practice in ND. You don't get a ND license if you intend to practice only in WI. The way the law is written currently there has been an interpretation where they have given licensure to reflexologists who are in state and who are not border States and I don't understand why it would be that way. The reciprocity would be if they are going to work in ND, they need to be licensed in ND no matter where they come from.

Rep. Porter: So you are telling us if someone is licensed as a flexologist say in MN then they could also work in Valley City and not get a ND license.

Benson: If they are licensed in MN that is fine. Thirteen states license reflexologists and MN isn't one of them. ND was first state to require licensure back in 1993. If a reflexologist is getting payment for reflexology and working within the boundaries of ND, they should have a ND license.

Bonny Kemper: From Minot and a ND licensed reflexologist. Just to clarify that part on the tools that could be used. Other states are allowed to use for example there is a gold bowl used for an Indian type reflexology technique. Because we are ND licensed does not make us a national certification. The national certification allows all the use of tools and apparatus specialized just to reflexology. We in ND wanted to be allowed to use these types of instruments and tools to help with our therapy. We want that left in the wording.

Chairman Weisz: Just to be clear, you want the prohibition to be eliminated that is in the current law for mechanical devices.

Kemper: We want it out.

No Opposition

Chairman Weisz: Closed the hearing on HB 1376.

2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee
Fort Union Room, State Capitol

HB 1376
January 26, 2011
Job #13460

Conference Committee

Committee Clerk Signature

Vicky Crabtree

Minutes:

Chairman Weisz: Called the meeting to order on HB 1376. Obviously they had no idea what was in the bill. There first section makes sense, the changes. The current law reads someone from California you could say I'm licensed in ND because there is no other criteria outside of that you have to have been licensed in that state.

Rep. Paur: On line 7 page 2 if we would just delete "not", wouldn't that fulfill what they were looking for there?

Chairman Weisz: That whole section is prohibited practices. We would have them coming out of the woodwork if we said they could prescribe prescription medicine.

Rep. Paur: But it would fix the (interrupted by the Chairman).

Chairman Weisz: If you take the not out then all those things with the bill now is ok.

Rep. Paur: There is another not further on.

(Someone talking without microphone on and inaudible.)

Chairman Weisz: That would be cleaner.

(More talking without mic and inaudible.)

Chairman Weisz: If we are ok with the so called mechanical devices. The addition of prescription on the bottom part supposedly will allow them then to administer vitamins.

Rep. Porter: As we look at boards and regulatory agencies it always concerns me when the board was not here. Ms. Benson the President of the Reflexology Association and not the Board of Reflexology. When I looked in the Century Code the Board of Reflexology is a three person board appointed by the Governor to regulate the practice and protect the consumers by using reflexology. I'm concerned when there is not a public member on a board. By not having a public member on the board it goes into the face of what their purpose is. I have a fairly large concern about a 100 person board with 3 members having the ability to set their fee at whatever they want and that is unprecedented to the language as far as I'm concerned. I don't mind raising it so it can be up to a \$100 kind of language

so they have room to grow in there. I think there needs to be a top sealing cap on top of that so when and if they reach that they have to come back and explain back to the legislature why they need a \$125 or why they need that top number bumped to \$500. Without putting any number in there then we give them the ability to set it wherever they want without any guidance from the legislature.

Chairman Weisz: I agree with you and question why we wouldn't have heard from the board in support or opposition. Generally the board show up and they are changing their language. It's possible they weren't even aware of it.

Rep. Kilichowski: I was wondering that too if they were even aware of it. Rep. Porter, do you know who sits on that board?

Rep. Porter: When I looked in the Century Code, it just said in the enabling legislation that it is a three member board appointed by the Governor, as far as the individuals, I don't.

(Rep. Porter talks to intern without microphone. Inaudible.)

Rep. Kilichowski: The reason I ask if they knew about it; she said she just got short notice on it and came in without any prepared testimony either.

Chairman Weisz: Rep. Damschen, since you are on the bill, do you know any history on how this sucker showed up?

Rep. Damschen: Glen Ohma was one of our constituents and he is the person who made the initial request to Rep. Monson to submit the bill.

Chairman Weisz: Glen Ohma is the president of the board. That did come from him.

Rep. Damschen: I was told before the bill was introduced that Glen Ohma had contacted him about the bill. I don't know if he knew what was in it. The people here didn't.

Rep. Hofstad: (Mic not on and inaudible.)

Rep. Porter: When the legislature did that, they put a description of what they are allowed to regulate in the Code.

Chairman Weisz: They set their standards within the parameters the legislature sets. You want to deal with it today or do you want some more time?

Rep. Devlin: It doesn't matter to me, but usually there is someone from the attorney general's office that represents these boards. I thought they might have been here and could answer some questions.

Chairman Weisz: That's true. Every board has a deputy attorney general.

Rep. Devlin: I'm not as excited about Section 1 because I've seen boards in the past who have done a good job of keeping any competition from coming in from outside of the state. Even when their fully licensed in other states.

Chairman Weisz: The way I look at the language it is still clear that the only requirement is they have to work in this state. I understand your concern.

Rep. Devlin: I get concerned when the change the "shall" to "may" when they are dealing with the out of state may license them.

Chairman Weisz: Ok. Your right it doesn't require them. We can obviously fix that part in a hurry.

Rep. Damschen: Jane Benson did ask if we were acting on today and I think she was contemplating on getting the financial information back.

Chairman Weisz: You're right. Rep. Damschen, can you contact Glen and give him the suggested amendments and get a response from him for the committee?

Rep. Damschen: Yes, I will either contact him directly or have Rep. Monson talk to him.

Chairman Weisz: We won't act on this today. Steve will find out who the attorney is that represents the board and we will get him down here if need be when we take it up again.

2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee
Fort Union Room, State Capitol

HB 1376
February 1, 2011
Job #13813

Conference Committee

Committee Clerk Signature	<i>Vicky Crabtree</i>
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Minutes:

See attachment #1

Chairman Weisz: Called the meeting to order on HB 1376. Rep. Damschen would you like to please explain the amendment?

Rep. Damschen: (Handed out an amendment. See attachment #1.) It removes line 7 and the word "reflexology" in line 8. It removes those restrictions for lotions, creams and mechanical devices and then renumbers. I talked with the President of the board, Mr. Ohma who was the one who contacted Rep. Monson originally. They wanted the qualification for licensure, but he said they wanted, "reflexologists that was licensed in another state to be able to pay the fee and be licensed in ND and practice in ND". I didn't quite understand his second request which was to not allow someone living and practicing in another state to be practicing under a ND licensure. I don't think we have any say over that.

Chairman Weisz: We don't, but I think the point that Rep. Damschen is getting at is, the current law says anybody can apply for licensure. They can pay the fees and as long as they meet the requirements they can be licensed by the State of ND even if they never practice or intend to practice. Most states will accept reciprocity. So, if there is some area where it would be easier to get the license in ND and end up practicing in North Carolina or wherever it might be. They are trying to limit someone from having a ND license that doesn't practice in the state.

Rep. Damschen: I think that is correct. Does this do that?

Chairman Weisz: I believe it does because it says, "who applies for licensure to work in this state if he is licensed as a reflexologist by another state". So we will accept them.

Rep. Damschen: I think that language does as much as we can do in honoring his request.

Rep. Pietsch: I have a question. Down on line 24 on page 1, are we going to let them name whatever dollar they want?

Chairman Weisz: I don't think so.

Rep. Pietsch: That is what it says and I think we suggest we take a look at that.

Chairman Weisz: A renewal fee not to exceed which they often do. Rep. Pietsch do you have a dollar amount in mind?

Rep. Pietsch: I don't know what the average is on licensure. Have the legislature ever set an amount?

Chairman Weisz: Yes, we do all the time. We always set maximums. Rep. Damschen, didn't you say they were charging \$100.00? Maybe Rep. Monson told me that.

Rep. Damschen: I don't remember saying that.

Chairman Weisz: They are already in a sense not following the law.

Rep. Porter: I brought up when we were discussing this after the fact to cap it at up to \$100 for the renewal fee or the amount set by the board. They are set at \$25 and have 100 members at \$25.

Chairman Weisz: If you say not to exceed 100 or over the amount, then the amount would still be over 100. You would have to say not to exceed \$100. By saying, "A renewal fee in the amount set by the board not to exceed \$100".

Rep. Porter: So, do that on line 1 page 2.

Chairman Weisz: Then you will let them set their fee and then it is capped at \$100.

Chairman Weisz: We have the amendment suggested by Rep. Damschen plus the (drops sentence). Does someone want to make a motion?

Rep. Porter: I would make the motion that we amend HB 1376 with the amendments presented by Rep. Monson, numbered 01.0001. On page 2 overstrike line 7, on page 2 line 8 overstrike "reflexology" and then addition to that on page 2 line 1 after "board" insert, "not to exceed \$100".

Rep. Damschen: Second.

Voice Vote: Motion Carried

Rep. Damschen: I move a Do Pass as amended.

Rep. Kilichowski: Second.

Rep. Devlin: On line 9, did we have a discussion before whether we should have left the "shall" instead of "may"? That might be legislative council cleanup. To me if you

have someone who applies for a license from another state and their license there meets all of the qualifications here; I would hate to see the board, say we aren't going to let them in just to hold down the reflexologist.

Chairman Weisz: Actually, that did come up in discussion earlier. The motion needs to be withdrawn.

Rep. Damschen: I withdraw my motion.

Rep. Kilichowski: I withdraw my second.

Rep. Devlin: I make a motion to further amend the bill to remove the overstrike on line 9 page 1 and remove the word "may".

Rep. Schmidt: Second.

Rep. Paur: If you do that, should you also in line 10 take out the overstrike on "who"?

Chairman Weisz: No. That language still works.

Voice Vote: Motion Carried

Rep. Damschen: I move a Do Pass as amended.

Rep. Kilichowski: Second.

VOICE VOTE: 12 y 0 n 1 absent – Rep. Hofstad

DO PASS

Bill Carrier: Rep. Damschen

#1

11.0598.01001
Title.

Prepared by the Legislative Council staff for
Representative Monson
January 28, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1376

Page 2, overstrike line 7

Page 2, line 8, overstrike "reflexology."

Renumber accordingly

Date: 2-1-11
Roll Call Vote # 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1376

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Porter Seconded By Rep. Damschen

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ			REP. CONKLIN		
VICE-CHAIR PIETSCH			REP. HOLMAN		
REP. ANDERSON			REP. KILICHOWSKI		
REP. DAMSCHEN					
REP. DEVLIN					
REP. HOFSTAD					
REP. LOUSER					
REP. PAUR					
REP. PORTER					
REP. SCHMIDT					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*Voice Vote
further amend
Motion Carried*

February 1, 2011

VR
2/2/11

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1376

Page 1, line 9, remove the overstrike over "~~shall~~"

Page 1, line 9, remove "may"

Page 2, line 1, after "board" insert ", not to exceed one hundred dollars"

Page 2, overstrike line 7

Page 2, line 8, overstrike "reflexology."

Renumber accordingly

Date: 2-1-11
Roll Call Vote # 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1376

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Devlin Seconded By Rep. Schmiot

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ			REP. CONKLIN		
VICE-CHAIR PIETSCH			REP. HOLMAN		
REP. ANDERSON			REP. KILICHOWSKI		
REP. DAMSCHEN					
REP. DEVLIN					
REP. HOFSTAD					
REP. LOUSER					
REP. PAUR					
REP. PORTER					
REP. SCHMIDT					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*Voice Vote
Motion Carried*

Date: 2-11
Roll Call Vote # 3

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1376

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Damschen Seconded By Rep. Kilichowski

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ	✓		REP. CONKLIN	✓	
VICE-CHAIR PIETSCH	✓		REP. HOLMAN	✓	
REP. ANDERSON	✓		REP. KILICHOWSKI	✓	
REP. DAMSCHEN	✓				
REP. DEVLIN	✓				
REP. HOFSTAD	A				
REP. LOUSER	✓				
REP. PAUR	✓				
REP. PORTER	✓				
REP. SCHMIDT	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Damschen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1376: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1376 was placed on the Sixth order on the calendar.

Page 1, line 9, remove the overstrike over "shall"

Page 1, line 9, remove "may"

Page 2, line 1, after "board" insert ", not to exceed one hundred dollars"

Page 2, overstrike line 7

Page 2, line 8, overstrike "reflexology."

Renumber accordingly

2011 SENATE HUMAN SERVICES

HB 1376

2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee
Red River Room, State Capitol

HB 1376
3-9-2011
Job Number 15215

Conference Committee

Committee Clerk Signature *Y Monson*

Explanation or reason for introduction of bill/resolution:

Relating to licensure of reflexologists.

Minutes:

Attachments.

Senator Judy Lee opened the hearing on **Engrossed HB 1376**.

Representative David Monson (District 10 and sponsor of the bill) introduced HB 1376.
Attachment #1

Senator Gerald Uglem asked if there was any reason to have the part in about vitamins.

Rep. Monson said now they are precluded from prescribing or administering vitamins. This would change that and let them prescribe vitamins. He didn't know why they shouldn't be allowed to do it.

Senator Gerald Uglem asked if he could give a definition of what a reflexologist is.

Rep. Monson replied by relating a personal story and saying he thought they worked mostly on the feet.

Senator Dick Dever asked if someone could send the committee more information on what they do.

Rep. Monson said he would try to get more information for the committee.

There was no opposing or neutral testimony. The hearing on HB 1376 was closed.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee
Red River Room, State Capitol

HB 1376
3-15-2011
Job Number 15492

Conference Committee

Committee Clerk Signature

J. Mathern

Explanation or reason for introduction of bill/resolution:

Minutes:

Attachments

Senator Judy Lee opened **HB 1376** for committee work.

A review of the bill confirmed that the person applying for licensure in ND would have to meet or exceed the requirements for licensure set by the board. This also clarifies that they cannot prescribe or adjust prescription medications but it would allow them to prescribe and administer over the counter vitamins.

Senator Spencer Berry moved a **Do Pass**.

Seconded by **Senator Tim Mathern**.

Roll call vote 5-0-0. **Motion carried**.

Carrier is **Senator Spencer Berry**.

Attachment #2 – Information from Jan Benson, President, ND Reflexology Association

Date: 3-15-11

Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1376

Senate HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment

Rerefer to Appropriations Reconsider

Motion Made By Sen. Berry Seconded By Sen. Mathern

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee, Chairman	✓		Sen. Tim Mathern	✓	
Sen. Dick Dever	✓				
Sen. Gerald Uglem, V. Chair	✓				
Sen. Spencer Berry	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Senator Berry

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1376, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1376 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

HB 1376

#1

Testimony on HB 1376

Senate Human Services Committee

Rep. David Monson

March 9, 2011

Chairman Lee and members of the Senate Human Services Committee, for the record I am Rep. David Monson of District 10 in northeastern ND.

HB 1376 was introduced for one of my constituents who is a reflexologist. I believe there are other people who represent the reflexology board to testify on the details of this bill. As I introduced the bill, we found it didn't do exactly what the reflexologists wanted it to do, so we had the bill amended to fix the problem. We also clarified some language that was missed in the original draft.

The new language added and old language deleted on page 1, lines 9-11, simply allows for a person who is licensed in another state and is in good standing there to be able to apply and get licensed as a reflexologist in ND. This is a tightening of the present law since it requires the person to be licensed in another state where present law makes no mention of previous licensure in that other state.

The struck language and new language on page 1 line 24 and page 2 line 1 is really no change in present practice other than to tighten it a bit to cap the license fee at \$100. The amount set by the board has not been \$25 for quite some time, but is actually \$100. Removing the reference to \$25 is really just housekeeping. The reference to \$100 now actually caps them at the present rate. In order to go above this they would have to come back to the legislature and ask to have it raised, so this is really a tightening of present law. It was, in essence, an open ended license fee before.

The real change in this bill does not change the scope of practice of reflexologists. I had Jennifer Clark in Legislative Council check this out for me. It does allow them to use lotions, creams, and mechanical devices when practicing reflexology. It would also allow them to prescribe and administer over-the-counter vitamins. They could not prescribe or adjust any prescription medications.

With that I would try to answer any questions, but the real experts on this are the reflexologists themselves, so they can answer better than I can.

AB 1376

#2

Subject: reflexology

Dear Judy, My name is Jan Benson. I am a licensed reflexologist that lives in Fargo & has Reflexology for Wellness as a business in Block Six. I am sorry I couldn't attend the committee meeting on Wed. March 9th, when the changes to the century code involving reflexologists was presented. January & Feb. were personally complicated because of my Mother's health problems & subsequent death. During that time I did attend a committee meeting in the house. I had asked if I needed to be at the senate meeting but was told that it shouldn't be necessary, so I was seeing clients to make up for my absence.

The question of "What is Reflexology" can be answered as defined by the International Institute of Reflexology as follows: "Reflexology is a science that deals with the principle that there are reflex areas in the feet and hands which correspond to all of the glands, organs and parts of the body. Reflexology is a unique method of using the thumb and fingers on these reflex areas. Foot and hand reflexology includes, but is not limited to use:

1. to relieve stress and tension
2. to improve blood supply and promote the unblocking of nerve impulses
3. to help nature achieve homeostasis

Reflexology does not diagnose, prescribe or adjust medication(s), or treat for a specific condition. Reflexology can be an adjunct to medical care. We specifically encourage anyone with a medical problem to see their Dr. It is not our place to interfere with a Dr. / patient relationship or any medications prescribed. However it is our hope that we can one day work integratively with Drs. & other health professionals to promote better health for everyone. I've been a licensed RN since 1969 and know that many of the alternative & complimentary forms of treatment are not recognized or accepted by the established medical community. The Mayo Clinic gives reflexology a "yellow light" primarily because there is a lack of research supporting the results, however it does acknowledge that it does seem to have some benefits. Much information is considered anecdotal rather than scientific. However the National Institute of Health did award a \$3.1 million grant to Michigan State University for a 5 year study on the effects of reflexology on women with breast cancer undergoing chemotherapy. The results are to be published in May & are described as encouraging by the principal investigator.

Now as to our requests to revise or clean up the existing reflexology law I will try to address each area.

Our main concern was with 43-49-11 under prohibited practices for the reason as follows:

North Dakota drafted & passed the first reflexology law in 1993 so that we would not fall under the massage licensure, which does occur in some states. Reflexology is a form of body work, as is massage, but it is distinctly different. They work on muscles, we work on reflexes. At that time the Ingham method was the one most commonly taught & used in this area and most parts of the United States. It is the basis of reflexology in many parts of the world however it is not the only method out there. It is an orthodox method that does not use creams, lotions, or instruments. Since then courses for other types of reflexology, such as Thai Reflexology, are being taught here in the U.S. Globalization of reflexology techniques is occurring just as economic globalization is occurring. I attended a Thai class in Winnipeg, taught by a U.S. reflexologist. That method uses Shea Butter and a Thai Stick, which looks similar to a short, chunky pen that has a blunt end and a sharper end. It does not puncture the skin, but allows a practitioner to apply pressure much more specifically & deeply than what we can sometimes do with our thumb or finger. It is also a way to preserve our hands, if we do several clients a day. Under the current law the Thai method cannot be offered. I think we need to change the law so that each reflexologist can have the choice.

In further reviewing the proposed legislation under 43-49-07. I'm not sure why reciprocity is crossed off. The intent was to not provide licenses to reflexologists that do not practice in ND. We had someone from a non-border state that needed a license for the place she worked. At the time her state did not have a licensing law, so technically she could practice in that state without a license, but the hospital she was going to be working in wanted a license. I didn't understand why getting a ND license would satisfy the need in her situation and am trying to make the law read in such a way that any similar circumstance can be avoided, unless someone can explain to me why that would be acceptable. If someone would move here from a state that does provide licensure for reflexologists & that can show proof of licensure & requirements equal to or greater than ND they could qualify for a license without being tested. If someone would move here from another state, such as Minnesota, that does not require licensure then that person would need to be tested & must have a ND license before being able to do reflexology in ND. Some Minnesota residents do have ND licenses because some of them do work in both states. I look at it the same as with my nursing license. I can practice here in ND but not Minnesota. Minnesota nurses need a ND license to practice in ND. So what we're trying to accomplish is to set a similar standard.

On line 24: Our fees are now \$50.00, so we wanted to eliminate the \$25.00 & have it state "The licensed reflexologist may renew a license by sending a renewal fee in the amount set by the Board of Reflexology. It was recommended that we add "not to exceed one hundred dollars." That seems fine, at least for the time being, as I'm sure it will be several years before it would be more than \$100.00 but someday it might.

I hope this information will be of some help to you. Please let me know what other questions you or other committee members may have. I would love the opportunity to answer them. Currently I have clients scheduled everyday next week as I am trying to make up for when I was gone during my Mother's illness & after her death. I am trying to find another reflexologist that might be able to come to a committee meeting. The other option is for me to reschedule my Wed. clients, but it won't work with my Monday & Tuesday schedule. If I were to be there on Wed. what time would the meeting be. I would hope to drive from Fargo AM.

I look forward to hearing back from you.

Sincerely,
Jan Benson
President of the ND Reflexology Association