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Keeping Reiki Free

BY WILLIAM LEE RAND



Reiki



One of the benefits of Reiki is how easy it is to acquire, practice, and teach. Thousands of teachers offer a variety of styles, which for the most part are reasonably priced. People are free to treat themselves or others or to start a Reiki business offering sessions to clients. When giving sessions, practitioners can follow the training they received, innovate according to their inner guidance, or add techniques from other healing methods. Teachers are free to teach the same way they were taught, add techniques and ideas they feel are useful, or create new systems of Reiki with new symbols, attunements, and healing energies. All this takes place in most states in the US without any government restrictions, regulation, or licensing requirements.

This freedom to teach and use Reiki has allowed it to develop and expand quickly. While no official records are available, a good guesstimate is that there are at least a million people with Reiki training in the US now. There are many more throughout the world, and the numbers continue to grow! This growth, in turn, has undoubtedly helped improve the health and well-being of a major segment of the population while at the same time lowering health-care costs and creating a source of income for many people.

Reiki is truly a miracle in many ways, and it is important that we acknowledge how fortunate we are to be able to freely practice such an important skill. It is also important for us to be aware that there are forces currently present, or that could develop, that could take this freedom away.

One way our freedom to practice Reiki could be unnecessarily limited is through government licensing or other forms of government regulation. This possibility is real—it has already happened in one state, and attempts to restrict Reiki have occurred in other states or could occur unless we take action. Remember, Reiki is powerful and will help us maintain its free use, but in order to do this, we need to be well informed, work together, and take positive action. Here are some of the important events and issues that we need to consider.

Texas Takeover Attempt

The lack of standards has allowed a wide range of training to be available, ranging from the very good to the very poor. This is an issue that deserves attention. However, some have apparently tried to use the lack of standards as a means to gain control of the Reiki market.

A group in Texas made up of two Reiki schools sponsored legislation that would have required government licensing and allow only those who attended their Reiki schools to practice or teach Reiki in Texas. This was House Bill 367 submitted by Texas State Legislator Debra Danburg in December 1998. The fee they were charging for teacher training was \$10,000! Obviously this would have greatly reduced the number of Reiki teachers in Texas and restricted the style of Reiki one could learn or practice. Due to the thousands of protest letters sent in by the Reiki community to

Danburg's office and other legislators—and because the bill was probably seen as an attempt by the two schools to corner the market on Reiki training—the legislation was dropped. We are thankful to those who helped defeat this bill. However, it's possible that other groups could try similar tactics and be successful.

Florida Massage Board Issue

In 1999 and 2000, the Florida Massage Board voted that Reiki is massage and that anyone practicing Reiki for compensation must have a massage license or other license to touch (such as a nursing license). This took place even though Reiki practitioners clearly explained to the Massage Board that Reiki didn't involve massage and could be practiced without touching the body. The way the law is set up, the Massage Board has the legal authority to define massage anyway it wants and is not required to respond to reason. The board continued to define Reiki as massage, thus requiring a massage license to practice Reiki.

Enforcement of this law is up to the Florida Department of Health (DOH), which must first receive a complaint that someone is practicing Reiki without a massage license. According to Deborah Miller, a health-freedom activist attorney practicing in Florida, the DOH could then take any of four actions: Issuing a Cease and Desist Notice; taking the practitioner to court if they don't cease and desist; issuing a fine not to exceed \$5000; and getting a civil court to impose a civil fine. They could also seek the arrest and criminal prosecution of Reiki practitioners who practice without a massage license.

The Florida DOH has limited resources, and, as far as I know, no Reiki practitioner has had any action taken against them. But there is no guarantee this will continue. At any time a group of massage therapists or others could file a complaint and any of the above actions could be taken against Reiki practitioners in Florida. This same misuse of power could take place in any state with a massage license requirement.

Medical Practice Act

Another threat to the freedom we enjoy as Reiki practitioners is the Medical Practice Act. Put into place about a hundred years ago in most states in the US, the act aimed to give medical doctors as much control of the healing profession as possible. These Medical Practice Acts are worded very similarly in most states. They are worded in such broad terms that anyone doing anything to help another person could be considered to be practicing medicine and therefore required to have a medical license. This law has been used to prosecute alternative healers for "practicing medicine without a license" when they had not caused harm, were not doing anything related to medical treatment, and were simply using their alternative healing systems.

Here is a copy of the law as it exists in Michigan, but similar wording is used in most states. The only state that doesn't enforce

their medical practice act indiscriminately against unlicensed practitioners is Oklahoma—as far as I know.

“Practice of medicine’ means the diagnosis, treatment, prevention, cure or relieving of human disease, ailment, defect, complaint, or other physical or mental condition, by attendance, advice, device, diagnostic test, or other means, or offering, undertaking, attempting to do, or holding oneself out as able to do, any of these acts.”

As it stands now, the practice of Reiki by unlicensed health-care providers could easily be defined as technically illegal in most states and subject to criminal prosecution. Although no Reiki person has been charged with practicing medicine without a license as far as I know, others in the alternative healing professions have, and if nothing is done, it is only a matter of time before Reiki practitioners are likely to be prosecuted. In fact, as Reiki becomes more popular, it is likely that a backlash from the conservative medical community, the religious right, or others could prompt them to use this law to greatly reduce our right to receive and give Reiki sessions.

Is Government Licensing Right for Reiki?

The above issues are serious challenges to the practice of Reiki. They could limit who could practice Reiki, dictate how Reiki is to be taught and practiced, adversely affect our public image, and take away the freedom we enjoy in its practice. Some have thought that government licensing or other forms of government regulation would solve these problems by creating standards for the practice of Reiki and increasing the status of Reiki practitioners to the level of other licensed health-care providers.

While government licensing would solve some of the problems, such as preventing prosecution by the Medical Practice Act, or allowing us to provide our own licensing rather than be required to get a massage license, there are definite drawbacks to this approach that far outweigh the benefits.

Government licensing would most likely require anyone wanting to practice Reiki to take training from a government-approved school, practice according to government guidelines, pay a licensing fee, and be subject to government oversight, fines, and the possibility of losing one’s right to practice if one didn’t meet government requirements.

The fees necessary to become a Reiki practitioner would almost certainly go up. There would be the licensing fee, which could increase whenever the government felt it necessary. The training would likely be more expensive and would not necessarily be an improvement over the training currently offered by many teachers and schools. In addition, the training would most likely require a greater time commitment and there would likely be a limited number of teachers or schools offering government-approved training, thus reducing the range of training available.

The training requirements could also change at any time according to the decision of government officials who may not be knowledgeable in the practice of Reiki. As you can see, government licensing is a serious issue that could reduce the number of practitioners available, take away many of the freedoms we enjoy, and change the way Reiki is practiced.

There are other forms of government regulation we need to be aware of, including registration. This seems innocent enough—at least at first. Registration in some states simply requires one to register with the appropriate government office in order to practice. In that case it could also be called a permit. In other states registration is more like licensing and requires a certain type of government-approved education and title protection. However, once a registration bill is passed, government officials can create additional registration requirements that could include more educational requirements, practice guidelines, and registration fees. Over time a registration bill could easily end up working very similarly to government licensing, depending on the state policies and laws.

In addition, when considering the purpose of government regulation, we need to be aware that the only legitimate purpose this has is to protect the public from harm. This is why medical doctors are required to get a license. The surgery they perform and the drugs they prescribe can cause harm. Requiring special training is beneficial in that it is likely to reduce the harm medical doctors could cause. However, Reiki is not like the practice of medicine. Reiki is a simple laying on hands technique, which experience has shown does not cause harm and doesn’t present a risk to the public. Therefore there is no legitimate need for government regulation of Reiki.

While it is true that there is a wide range of quality available in the practice of Reiki and especially in its teaching, there are better solutions than government licensing. And in fact, it is felt by most Reiki practitioners I’ve communicated with that the positive value of the freedom we currently enjoy far outweighs the problems of poor training that a few create. It is also important to understand that individuals are intelligent enough to decide for themselves which teacher or Reiki class is right for them—rather than having the government do it for them. In order to make this easier, I suggest that each school, teacher, or practitioner be encouraged to set their own standards and openly advertise them along with their training background. This would make it easy for potential students and clients to decide where to go for classes or sessions and reduce the effect of poor training offered by a few.

Will a Religious Defense Help?

In order to protect themselves from the above-mentioned problems, some Reiki practitioners have sought legal protection by obtaining minister’s credentials from the Universal Life

Church or other religious groups who include laying on hands as one of their religious practices. However, the protection this could provide is not well understood by most that are using it. Most feel all they have to do is become a minister and have a copy of their membership card in their wallet or purse, but much more must be done.

In order for a Reiki practitioner to receive even minimal protection from the above issues, you must actually accept the religious philosophy and be a practicing member of the church of which you have become a minister. In addition, you need to openly advertise this, and your Reiki clients need to understand that the Reiki sessions you give are part of your religious practice. And even if this is done, it still will not provide complete protection against the Medical Practice Act, or the actions of a massage board or other government agency.

Others have taken a more extreme position and said that one way to prevent Reiki from being controlled by the government or other groups is to legally incorporate it as a religion, which would give it protection under the First Amendment of the US Constitution. This would require that anyone wanting to have this protection become a member of the Reiki religion and use Reiki as a religious practice. While this might be possible, at best it would only give minimal legal protection, and is not really a good solution.

One of Reiki's positive features is that one doesn't need to change one's religious beliefs in order to practice Reiki. People of all religious backgrounds practice Reiki and continue to maintain their original religious beliefs. The fact that Reiki is practiced by people of all religious backgrounds makes Reiki a uniting force in the world, bringing together people of all religions in a spirit of harmony and trust. This is especially important now when distrust and war have so often been created by opposing religious groups and the need for world peace and harmony is so important. To require that one must accept Reiki as a religion and convert in order to be protected from unnecessary government regulation would greatly restrict the number of people willing to practice Reiki. The existence of a Reiki religion would cause many religious people who would normally be interested in Reiki to feel uncomfortable with Reiki and not want to be involved with it.

Solution

In 2000 a number of Reiki groups began working together to try to solve the problem created by the Florida Massage Board. We asked our Reiki students to send protest letters to them explaining that Reiki is not massage and to ask them to remove Reiki from the definition of massage. The board did not respond to our request, even though we made it very clear that Reiki is not massage. In fact in their meeting they even went as far as to say that

a Reiki practitioner's hands are electrical devices and therefore their use needs to be regulated by the massage board. They obviously were not going to be convinced, and, as explained above, they have the power to define massage any way they want.

It's also possible that massage boards in other states could do something similar, thus jeopardizing the free practice of Reiki in any state that had a massage-licensing requirement. When I considered this and the other threats to Reiki freedom that I've outlined in this article, I knew that something needed to be done. I sent Reiki to the situation and continued to look for a solution.

Shortly after this, I heard about Diane Miller, an attorney who had done work to help alternative healers in Minnesota. Diane had been involved in a legal case in 1993—96 defending Herb Saunders of Odin, Minnesota. Herb developed a healing method based on the use of specially prepared cow's milk, which was successful in treating many illnesses, including Lyme disease, arthritis, and cancer. His technique involved taking a blood sample from the sick person and injecting it into a pregnant cow's udder. The cow would then produce transfer factors for the illness. After the cow gave birth, its first milk, which is called colostrum, contained the transfer factors and was given to the sick person. Many people claimed to have been healed or helped by this process.

The medical profession didn't like it and took Herb to court with a number of charges including "practicing medicine without a license." Through the help of Diane Miller and lead attorney Calvin Johnson, Herb Saunders's case was dismissed on May 30, 1996. (See <http://www.arthritistrust.com/Newsletter/2000summer.pdf>)

Realizing that the Herb Saunders case was only the tip of the iceberg and that all alternative healers are at risk of prosecution under the Medical Practice Act, Diane went on to work with the Minnesota Natural Health-Legal Reform Project to design a legislative solution. She became their lead lobbyist and legislative consultant. Through her effort, along with help from volunteers, the Minnesota Complementary and Alternative Health Care Freedom of Access Act was passed and went into effect as Minnesota Statute 146A on July 1, 2000. The new law exempts unlicensed health-care practitioners from charges of "practice of medicine without a license".

With this background and the fact I'd been told she is also a wonderful person, I was prompted to call her and find out if she could help the legal issues facing the Reiki community and especially the situation in Florida. She said the type of legislation she helped draft and get passed in Minnesota would prevent the problems that the massage board had created in Florida and also prevent Reiki from being licensed or regulated by the government. In effect it would confirm that the practice of Reiki is legal

Health Freedom Groups

ARKANSAS HEALTH FREEDOM COALITION

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CALIFORNIA HEALTH FREEDOM COALITION

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Palo Alto, CA 94302

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E-mail: chfc@californiahealthfreedom.com

Website: www.californiahealthfreedom.com

Their bill has passed and became effective in 2002.

FLORIDA HEALTH FREEDOM ACTION

PO Box 430871

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E-mail: info@floridahealthfreedom.org

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Their bill will solve the massage board problem, and they need help.

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HAWAII REPRESENTATIVE CYNTHIA EVANS

Website: www.capitol.hawaii.gov/site1/house/members/

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Website: <http://www.iowahealthfreedom.org>

LOUISIANA HEALTH FREEDOM COALITION

Website: www.lahfc.org

MICHIGAN NATURAL HEALTH COALITION

Website: http://www.mnhc.info/mnhc_008.htm

MINNESOTA NATURAL HEALTH COALITION

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Website: <http://www.minnesotanaturalhealth.org/>

This is the group that created the Minnesota Model, which became effective in 2000.

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Web Site: <http://www.nationalhealthfreedom.com>

This is the national organization that is helping states pass legislation.

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and needs no government regulation. This was great news. I also sensed from talking with her that her values and motivation were spiritual and that she had a heart-centered interest in helping all alternative healers including Reiki practitioners preserve the freedoms they enjoy.

This so inspired me that I got a plane ticket to Minnesota and traveled there so I could meet Diane and learn from her in person what this process is all about. When I arrived I was met by Diane and her friend and fellow health-freedom activist, Jerri Johnson. We had a great time together. In the process of showing me around Minneapolis, they explained many of the details about how their bill works and what it took to get it passed.

One of the important lessons they learned was that in order to gain the attention and support of the legislators, who are at least partially motivated by votes, they had to create a bill that benefited the greatest number of people. This is why their bill is client-based rather than practitioner-based. The legislation they created, which is now called the Minnesota Model, focuses on preserving the right of the public to have the widest possible choice in the methods of alternative healing available to them, rather than allowing the government to limit those choices by requiring practitioners to have a government license or other form of government regulation. This kept the focus away from having to prove that alternative healing works and directed toward the right of the public to choose the healing method they want as long as those methods don't pose an imminent risk of harm to the public.

During our conversations they mentioned that they were forming a national organization to help other states get similar legislation passed. I thought that was a great idea and encouraged them. After I got home they called and asked if I'd like to be on the Board of Directors. In thinking about their offer, I considered the quality of their work, their high level of integrity, and the fact that their values and spiritual purpose match my own. Because of this, I decided to accept. Shortly after this the National Health Freedom Coalition (NHFC) was formed. I'm glad I was asked to be part of this organization as this has allowed me to be connected to the front lines of this work and stay in touch with the important issues as soon as they come up.

The Minnesota Model and newer models passed in other states, such as the California Model and the Rhode Island Model, provide the type of protection we need to keep Reiki free. It prevents massage boards from requiring Reiki practitioners to have a massage license to practice. It prevents Reiki from being taken over by individual schools or groups. It prevents Reiki practitioners from being prosecuted for practicing medicine without a license. And it assures us that Reiki is a legal practice free of government regulation!

While it doesn't prevent poorly trained practitioners from practicing Reiki, it does require practitioners to advertise their training background and what they provide in a Reiki session. This is an important part of the bill as it makes it easy for someone seeking a Reiki session to make an informed decision. It is likely that this requirement will help reduce the number of poorly trained people in practice. The bill also requires practitioners to include a disclaimer to the effect that Reiki practitioners are not licensed health-care providers and that if clients are in need of medical care, they are encouraged to seek help from a licensed health-care provider. Most professional Reiki practitioners already provide this type of information anyway. In addition, the client is advised on how to make a complaint should a practitioner not provide the services advertised or not disclose their training background. These stipulations are minimal and are healthy for the Reiki community, causing it to be more professional and accountable to the public.

I've spoken with Reiki practitioners in Minnesota and California, where bills have passed, and found that most enjoy the legal protection the bills provide. They have found it easy to comply with the requirements as most were already in compliance when the bills went into effect.

I wondered if there had been any complaints filed with the state about Reiki practitioners. I spoke with the Minnesota Office of Unlicensed Complementary and Alternative Health Care Practice and was sent a report. According to the report, there were thirty-one complaints received in three years. Most of the complaints were against massage therapists for sexual misconduct. There was only one complaint against an energy worker in this time period, but it didn't indicate what type of energy work they did. This is encouraging, as it seems to indicate that most people are happy with the quality of service being received from Reiki practitioners in Minnesota.

The Minnesota Model is a good solution for the Reiki community, but it does take work to get such a bill passed at the state legislature. However, the NHFC provides information and encouragement on how to get an appropriate bill passed efficiently, including suggestions on avoiding the pitfalls. If you're interested in learning more, I suggest you go to the NHFC Web site. If you'd like to support their work, I encourage you to become a member. I also suggest you check the list of organizations in the sidebar to see if your state is listed and contact them.

Reiki is a wonderful gift that provides great value to all of us. It's important that we express our gratitude by being its stewards and taking the responsibility to safeguard its use. I'm happy you have taken the time to read this article and I encourage you to take the action necessary to keep Reiki free. 