

My name is Gregory Schmidt, I'm a Board Member of Mn Integrative Care Advocates (MICA), the "natural health" proponents of integrative health care. Madame Chair and members of the Committee, thank you for the opportunity to address this Cmte re HF644

Recently this committee heard a very extensive review of Mn Sure by the Office of The Legislative Auditor, for which this committee gave the OLA high praise and well you should, OLA does good work

Witness the review of Occupational Regulation, the executive summary of which has been distributed to you. Although this review was done in 1998, most of the observations and recommendations are still very relevant even now. Unfortunately, only one staffer who worked on that project is still with OLA, and she was only there at the beginning, so there is no one available to answer members questions about the report.

The question I pose is, why would the Legislature request and fund such a report and then largely ignore it? It is an important document especially given that for the members of this committee, this is usually the first stop for a health occupations regulatory proposal.

This report references Mn Stat 214 extensively, as ch 214 is the foundation stone or rationale for how the Legislature considers occupational regulation here in Mn. I will reference several key aspects of the OLA report and how it pertains to this bill, and how on some levels, this bill is at least a violation of the spirit if not the intent of ch214.

The first line in the report " The statutory purpose of occupational regulation is to protect public health, safety and welfare". Page xi, lines 5,6&7, " The regulatory policy articulated by Chapter 214 recognizes the potential danger of occupational fencing (addressed on page x in BACKGROUND) and challenges proponents of regulation to demonstrate that regulation serves the public interest". Our contention is that this bill is a practitioner bill (in Mn, Registration is also called title protection).

The report goes on to suggest options (page xv, 4th paragraph beginning on line 3 and including the bullet point) but acknowledges in the prior paragraph that outside influence, more than the concerns of agencies or public outcry relating to harm, interferes with the process of

a wise and thoughtful examination of the need for any such regulation. In point of fact, the national groups who have pushed for regulation (usually licensure) in Mn and other States, have spent at least \$200,000 on direct lobbying since I got involved in "natural health (Complimentary and Alternative Practices in Mn parlance) issues in 1996. Our contention is that that "investment" was to garner a much bigger payback to the proponents and very little to Minnesota consumers.

I refer you to page xv, paragraph one, second sentence, " the basic thrust of the statute (ch 214) is that the burden of proof is on the proponents of regulation to make a case for regulation. A threat to public health or safety must be shown to be IMMEDIATE (my caps), not remote.

If the threat was that significant, the MDH and OCAP office would be here demanding that something be done. The last closure of a practice of Massage in Mn by the OCAP office in conjunction with the Attorney General was in 2013, not for incompetence but for sex trafficking.

HF644 is almost the textbook example of a solution looking for a problem.

The current statutory regulation under ch 146a is working to protect consumers. Per the requirements of ch 214, no additional regulations are necessary or warranted. Thank you Madame Chair and members.

I'll stand for any questions.