



THE CODE OF ETHICS AND STANDARDS OF PRACTICE

The National Guild of
Hypnotists, Inc.

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The Guild advocates a system of voluntary self-regulation that will protect your right to practice and help hypnotherapy become recognized as a separate and distinct profession.

**Updated for 2003
Convention**

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This plan is the intellectual property of the National Guild of Hypnotists. Intellectual property rights are claimed for its overall concept, synergy, look and feel. However, the National Guild of Hypnotists encourages other hypnosis organizations to emulate this plan, believing this to be in the best interest of our common profession. The National Guild of Hypnotists requests only that its leadership in this matter be acknowledged.

Over the past decade the Guild took leadership for our profession to halt an organized strategy to “contain and destroy lay-hypnotherapy” by some members of other professions. These people held a strategy session in New Orleans where they laid out their plan for our destruction. There had been an important change in regulatory law. License laws for psychologists used to just protect the use of the title “licensed clinical psychologist” while holding services out to the public. But the courts issued a decision that mere title protection license laws were an unconstitutional violation of freedom of speech. Therefore, every psychology license law in America had to change from title protection to what is called “practice protection” by the year 2000. A practice protection law does protect a professional title, but also lists certain activities that can only be done by someone licensed under that law.

The plan was to insure that “hypnosis” was on the list of protected practices in every state so that when the laws were changed from title protection to practice protection, you needed to be a licensed psychologist or similar health care professional to be able to practice hypnosis.

The Guild got involved, and long-time members will remember the fight. But we won. By the year 2000 the psychology laws had all changed and we’d been able to protect the right of hypnotists to practice in all but a few states. With this battle behind us, we looked to the future.

The Past Problem

The problem we discovered during the battle over our right to practice was that every time we moved from a strategy of “putting out a fire” (by changing the wording of a bill to remove “hypnosis” from it or by inserting an exemption) to trying to pass a proactive license law, we got into a fight. The fights were not with other professional groups, but among hypnotists. Time and again we’d get close to passing a hypnotist license or registration law that would be good for everyone, only to have the process hijacked by some hypnosis organization or school that would attempt to amend the bill so that only its members or its students could practice in a state. We wasted huge amounts of time and money battling other hypnotists over their self-serving agendas. We stopped every self-serving bill except for one, and were able to temper the one that got through. But the waste of time and resources has been incredible.

As we look to the future we set a different course. Instead of seeking to pass license laws we seek to pass a different sort of law altogether. This one cannot be hijacked. Also, we are advocating some voluntary changes that every hypnotist can do, right now, to eliminate most political and legal problems, and make our new law easier to pass.





THE NGH PLAN

At the heart of the new strategy is the Client Bill of

Rights, a disclosure statement that we want every hypnotist to give to every client. The Client Bill of Rights is a document that truthfully discloses to the client what we do as hypnotherapists and what we do not do. It also truthfully states the practitioner's training. The strategic purpose of the Client Bill of Rights, besides encouraging clean and healthy relationships with clients, is to pull the wind out of our opposition's sails. A sample Client Bill of Rights is included in this document and we invite you to modify it for your own use.

In order to pass laws that restrict our freedom to practice hypnotism, other professions have to argue that we pose a danger to the public. The way they do this is to claim that hypnotists engage in deceptive behavior, encouraging the public to believe that we are primary health care professionals. If hypnotherapists are distributing a Client Bill of Rights to every client which makes clear that we are not primary health care professionals and which explains (positively, but honestly) our training, this argument against us is impossible to make. By giving your clients a truthful Bill of Rights, you prevent anyone from ever saying that you were deceptive. We are so convinced of the value of the Client Bill of Rights that we have added it to the Guild's Recommended Standards of Practice as mentioned here.

Second, the Guild Code of Ethics and Standards has been modified. We now separate the Code of Ethics (required of all members) from the Recommended Standards of Practice (which are simply recommendations). While all members must be ethical in their practice, you are not required to follow the Guild's Recommended Standards of Practice. However, if you do not practice in accord with the Standards, the Guild believes you may bring trouble upon yourself, and cautions you against that.

The reason for this change is that it has become increasingly obvious that most hypnotherapists who encounter legal difficulties have not heard a word the Guild

has been saying about how to practice safely and legally. Our policy sets forth the standards the Guild advocates: using a Guild-approved title of practice, distributing a truthful Client Bill of Rights, attending to outcomes research and avoiding the language of the licensed health care professions. We advocate these standards because we feel they are appropriate and effective. We encourage members to observe them.

Finally, we seek to pass legislation that requires every hypnotist to give a truthful Client Bill of Rights to every client. We would like every one of our Chapters to seek such a law in their home states, and we will provide a model for this legislation. We will also cooperate with coalitions of other professions who wish to pass such legislation. Such laws are hard for other professions to oppose without seeming to be in favor of deceiving the public. However, even if our proposed legislation does not pass, hypnotists in a state still come out ahead. The mere fact that local hypnotists are trying to pass such a law proves to the state government and to the press that we are responsible people. By proposing such legislation we win something in the court of public opinion, even if we lose in the state legislature. And a law like this cannot be hijacked by someone with a self-serving agenda.

Change always feels a bit threatening and we understand that this legislative plan may make some members uncomfortable at first. By way of reassurance let us point out that this plan is the creation of a team of successful, well-known, full-time hypnotherapists. Every section of the plan has been thought through and tested. We know it will work and that it will have a direct marketing benefit to you that will result in an increase in your clientele.

You can be certain that the Guild cares about every one of its members, and we put this plan forward after great thought and planning. We are certain that it will help you and help our profession.

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THE CODE OF ETHICS OF THE NATIONAL GUILD OF HYPNOTISTS



The National Guild of Hypnotists requires its members to conform to the following ethical principles, and shall hold members accountable for any departure from these principles.

- A. Client Welfare:** Members shall make the physical and mental well-being of each client a prime consideration.
- B. Client Safety:** Members shall not engage in verbal, physical or sexual abuse of any client.
- C. Practice Limits:** Members shall use hypnotism strictly within the limits of their training and competence and in conformity to the laws of their state.
- D. Advertising:** Members shall be truthful in their advertising.
- E. Referred Practice:** Members shall engage in hypnotic work with a client regarding a medical or mental disease only on written referral from an appropriately licensed medical or mental health professional, except when otherwise provided for by state law.
- F. Reasonable Practice:** Members shall withhold non-referred hypnotic services if a client's behavior, appearance or statements would lead a reasonable person to believe that the client should be evaluated by a licensed health care professional. Members shall provide services to such clients only after evaluation and with the approval of the licensed health care professional.
- G. Colleagues:** Members shall treat hypnotist colleagues without public defamation.

*RECOMMENDED GUILD STANDARDS FOR THE PRACTICE OF HYPNOTISM*

The National Guild of Hypnotists advocates the following standards for the professional practice of hypnotism. Except for members living in states where different practice standards are explicitly set by law, we urge our members to voluntarily conform to these standards.

Record Keeping: Members shall establish and maintain proper records necessary to a professional practice.

Scope of Practice: Members shall use hypnotism with clients to motivate them to eliminate negative or unwanted habits, facilitate the learning process, improve memory and concentration, develop self-confidence, eliminate stage fright, improve athletic abilities, and for other social, educational and cultural endeavors of a non-medical nature. Except where state law provides otherwise, members shall use hypnotism with clients regarding a medical or mental disease only on written referral from a licensed medical or mental health professional.

Titles of Practice: Members shall hold their hypnotism services out to the public using only those titles earned and approved by the National Guild of Hypnotists: Certified Hypnotist or Certified Hypnotherapist Certified Instructor, Board Certified Hypnotist or Board Certified Hypnotherapist, Fellow of the National Guild of Hypnotists, or Diplomate of the National Guild of Hypnotists, or titles protected by state law (State of NJ: HypnoCounselor).

Disclosure: Members shall truthfully disclose in writing to each client, using a Client Bill of Rights or similar written document, the nature and venue of the member's hypnotism training, the field of study of any higher degree used when holding services out to the public, the lawful limits of the member's practice of hypnotism, the practitioner's theoretical orientation or model, instructions for contacting the National Guild of Hypnotists should the client seek redress, and any business policies and practices maintained by the practitioner. Members holding advanced degrees from institutions that do not hold accreditation recognized by the United States Department of Education shall disclose to clients that the degree is alternative rather than academic. Members shall restrict the services described on this document to hypnotism.

Terminology: Unless qualified to do so by another credential, members shall avoid using the language of psychopathology or medicine when working with clients, except on referral from a licensed medical or mental health professional.

Public Hypnotism: Demonstrational hypnotism shall always be presented in a tasteful manner which is considerate of the individuals who have volunteered to participate in a public demonstration. Individuals participating in such demonstrations shall be treated with courtesy and respect.

Age-regression and Forensic Hypnotism: Age-regression and forensic hypnotism shall be used only by those who have had additional training in these specific fields of study.

Imagery: Frightening, shocking, obscene, inappropriately sexually suggestive, degrading or humiliating imagery shall never be used with a hypnotized client.

Claims: Members shall not disseminate false or exaggerated claims regarding hypnotism, but shall attempt whenever possible to inform and educate the public with a true perspective of hypnotism. Members shall make only those specific claims for the effectiveness of hypnotism as can be justified by outcomes data. Members shall publicly maintain a professional demeanor toward other professions expressing divergent views on hypnotism.

Advertising: All advertising shall be factually presented in a professional and ethical way consistent with accepted standards. Members shall advertise services and capabilities as hypnotists in conjunction with other specialties, occupations, vocations, arts or professions only if duly trained, properly qualified and professionally recognized in those fields.

Education: Schools of instruction now existing and those to be established in the future shall provide a full curriculum consisting of the theory, practice and applications of hypnotism, instruction and supervised practice in hypnotic methodology, the possibilities and limitations of hypnotism, with thorough instruction on the Ethics and Standards of our profession as set forth herein. All curricula used at schools recognized by the National Guild of Hypnotists shall be approved by the National Guild of Hypnotists. Instructors at such schools are expected to be approved and certified by the National Guild of Hypnotists or to hold credentials judged by the Guild as equivalent.

Good Standing: Members who maintain the required number of continuing-education hours, are of high moral character, conduct themselves and their practice of hypnotism in a professional and ethical manner and meet their financial dues obligation shall be considered as members in good standing of the National Guild of Hypnotists.

Recommendations: When a member recommends a client consult a colleague or health care professional, the member shall, whenever possible, provide the client with a list of more than one recommended name.



Sample Client Bill of Rights

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Italicized sections are instructions to the writer to show where the document should be personalized.

Contact Information: My name is (*give the name you wish to be known by professionally*). I can be contacted through my office (*list your address*) or by telephone at (*give your business telephone number*).

Education and Training: I was trained in hypnotism (*or “hypnotherapy”*) at (*List the name of your school or training program; if the school was state-approved, say so.*). I am a Certified Member of the National Guild of Hypnotists and I do annual continuing education to maintain my training at a high level. The National Guild of Hypnotists is the oldest and largest hypnotism organization in the world and its certification is the most widely recognized credential for the professional practice of the hypnotic arts. *Here you would list your degree if you mention a higher degree when offering services to the public. If your degree is accredited say: “My highest degree is in [state field of study] and is accredited by an agency recognized by the United States Department of Education.” If your degree is an alternative degree, say “My degree in [state the field of study] is an alternative degree earned through intensive distance learning.”*

Notice: **AS THE STATE OF (*State name*) HAS NOT ADOPTED EDUCATIONAL AND TRAINING STANDARDS FOR THE PRACTICE OF HYPNOTISM, THIS STATEMENT OF CREDENTIALS IS FOR INFORMATIONAL PURPOSES ONLY. Hypnotism is a self-regulating profession and its practitioners are not licensed by state governments. I am not a physician nor a licensed health care provider and may not provide a medical diagnosis nor recommend discontinuance of medically prescribed treatments. If a client desires a diagnosis or any other type of treatment from a different practitioner, the client may seek such services at any time. In the event my services are terminated by a client, the client has a right to coordinated transfer of services to another practitioner. A client has a right to refuse hypnotism services at any time. A client has a right to be free of physical, verbal or sexual abuse. A client has a right to know the expected duration of sessions, and may assert any right without retaliation.**
(*This section should be in bold print with the first sentence in capitals, as shown.*)

Redress: I am a certified member of the National Guild of Hypnotists, and practice in accordance with its Code of Ethics and Standards. If you have a complaint about my services or behavior that I cannot resolve for you personally, you may contact the National Guild of Hypnotists at P.O. Box 308, Merrimack, NH 03054-0308, (603) 429-9438, to seek redress. Other services than my own may be available to you in the community. You may locate such providers in the telephone book.

Fees: The charge for my services are (*list fees*). You will be given (*state number*) days notice of any change in fees. (*You can also list here any other business policies you have that concern fees, such as a cancellation charge, whether you take insurance or credit cards, etc.*)

Confidentiality: I will not release any information to anyone without a written authorization from you, except as provided for by law. You have a right to be allowed access to my written record about you.

Insurance: I suggest you think of my services as something that you will pay for personally. That will both protect your privacy and help you value the work you are doing more. In general, insurance companies do not like to cover hypnotic services, and I caution you not to expect them to do so.

My Approach: (*Write a brief paragraph here that explains your theory of why hypnotism is effective and about how you use it. Be sure that what you actually do with a client is a good match for what you say here. However keep this section broad and general. It should be more a statement of your overall philosophy than a list of specific techniques.*)

Client Signature: I have received and read this Client Bill of Rights and understand what I have read.

Client Name (print):

Client Signature:

Date:

Remember—Practitioners living in states that regulate the content of a Client Bill of Rights should follow the format stated in the relevant law. Remember a Client Bill of Rights can only protect you if you are frankly honest in what you put into it and do not conceal anything a reasonable person would expect to know about you. The protection a Client Bill of Rights provides is that you will be able to prove to your state government or to a court that your clients completely understood your training, background and methods and had a method of redress to insure ethical practice.



Q & A

How does the Client Bill of Rights protect hypnotherapists?

The core of the concept is that the Client Bill of Rights provides consumer protection without regulating the training or freedom of the practitioner. If the public is protected from unscrupulous practitioners through use of a Client Bill of Rights, regulation by the government becomes less important or necessary. Under this plan hypnotherapists and schools can continue to operate just as they have in the past. However, as the Client Bill of Rights creates a marketing benefit to practitioners who have better education, it encourages (but does not require) people to improve their training and motivates schools to seek accreditation. Many colleagues (and most Chapters of the Guild) have come forward to endorse the idea, seeing the wisdom of using a Bill of Rights to protect the public as both a way of holding ourselves accountable and of blocking more restrictive legislation. This is a correct understanding of how it works.

Wouldn't the Guild rather have license laws for hypnotists?

We have tried for just licensure for years. The reality is that hypnotism organizations end up fighting among themselves and nothing gets accomplished. Also, we have seen how such laws can be used by some people to promote self-serving ends at the expense of the good and welfare of the profession. This plan sidesteps this entire issue with something that is affordable, effective and that can be accomplished at once through voluntary compliance. It also creates a form of self-regulation that cannot be used by special interests for self-serving purposes.

Do I have to use exactly the words of the sample Bill of Rights, or can I modify them?

The answer is that you do not have to use the same words. In some states (presently these are Minnesota and Washington), the exact wording you have to use is set by law. The sample document is similar, but not identical, to those laws. If you live in those states you must use the wording required by law. In other states you are free to modify the wording, provided what you end up using conforms to the disclosure requirement in the Guild's Recommended Standards of Practice. However, we recommend the wording of the sample simply because it has been tested and found to produce positive responses from clients and prospective clients. The sample wording can be easily adapted for those states that mandate specific wording.

Does the client actually have to sign the Bill of Rights and return the signed copy to me, or can I use some other procedure?

Obviously, having the client sign a copy of the document is the gold standard. If you have a signed copy of the Bill of Rights in the client's file, you can prove that the client examined it. If you live in a state that requires you to use a Bill of Rights, you do need to get a signature. In other states you have more freedom. You can just give the client a copy, simply post it on the wall of your office in some obvious way, or just include it in your brochure. If you do this you should also have some way of indicating in the client's record that the client has looked at a copy (for example, a check box on the intake form showing that you asked if they had read the Bill of Rights). However, while perfectly acceptable, these alternative methods do not provide you with quite as much protection if a client later accuses you of some sort of deception. The client can always say he or she never saw the Bill of Rights and that you checked the box on the intake form without ever asking the question. Most practitioners have the client sign the Bill of Rights and then give them a copy to keep. Most have not had a single complaint and have gotten new clients simply because people hear that the practitioner tells people all about his or her training in writing and doesn't "try to pull any wool over anyone's eyes."

If I have a certificate from the Guild that awards me an older Title of Practice than the titles in use now, can I still use the older title?

The current Titles of Practice approved by the National Guild of Hypnotists are: Certified Hypnotherapist (or Certified Hypnotist), Certified Instructor, Board Certified Hypnotherapist (or Board Certified Hypnotist), Fellow of the National Guild of Hypnotists and Diplomate of the National Guild of Hypnotists. However, many colleagues possess older certificates giving other titles that were used by the Guild in the past (such as "Advanced Hypnotherapist" or



"Certified and Registered Hypnotherapist"). The writer of this document himself possess such a certificate. Our recommendation is that you change over to the new titles, as the Guild will only use the new titles in its statements to media and advertising. The Guild can work with you to obtain a new certificate with the current title if it is important to you.

I live in a state that the Guild lists as "Guild Standard." What should I say in my Client Bill of Rights about this?

When the Guild lists a state as "Guild Standard," this means that there is some law on the books that could be interpreted to cause a problem with your freedom to practice hypnotherapy in that state and you should carefully follow Guild Standards. In most cases these laws are simply used to harass hypnotists and do not hold up when challenged, provided the practitioner stays within our Recommended Standards. However, if you live in such a state we recommend that you add to your Client Bill of Rights the following paragraph: *"The services I render are held out to the public as a form of motivational coaching using non-therapeutic hypnotism and instruction in self-hypnosis. I do not represent my services as any form of health care or psychotherapy, and despite research to the contrary, by law I may make no health benefit claims for my services."*

I live in a state that the Guild lists as "Regulated." Is there anything more I need to do beyond practicing within the Guild's Recommended Standards (including using a Client Bill of Rights)?

Yes. When the Guild lists a state as "regulated," this means that there is some law that explicitly regulates the practice of hypnotism. In many cases simply following the Guild's Recommended Standards is all you need to do. However, in some states you must do more (register with a specific agency, take a test, etc.). If you are not aware of the laws in your state, contact your Guild Chapter for information or contact the Guild Headquarters directly.

I am a licensed practitioner of another profession. Do I need to practice hypnotism only in accordance with the Guild's Recommended Standards?

It depends. If you are a licensed practitioner of the healing arts and the Scope of Practice section of your license law specifies that hypnotism is part of what you do under that license (for example, if you are a licensed clinical psychologist), then you are regulated by your license law, not the Guild's standards. Do what your law says you can do and the Guild will have no problem with that. However, if you are a licensed practitioner of the healing arts and the Scope of Practice section of your license law does not specify hypnotism as included as part of what you do under that license (for example, if you are a licensed physical therapist), then you should follow the Guild's standards as well as the requirements of the license law.

The new Recommended Standards for Practice require that before I make public statements about the effectiveness of hypnotism, I am supposed to have hard information from outcomes research to back up those statements. Where do I get this information?

The *Journal of Hypnotism* now contains a regular column titled "Hypnotic Outcomes" that will give you the information you seek. The column contains summaries of published research on the effectiveness of hypnotism. We suggest you place this information on file in case you are ever challenged to back up a statement you make in your advertising or marketing materials. Also, you will find such information in other places as well, such as textbooks and articles in other publications. The Guild will publish only quality research in "Hypnotic Outcomes." You are responsible for the quality of information you get from other sources.

Those who participated in the creation of this plan were, in alphabetical order by surname: George Baranowski, Dwight Damon, Anthony DeMarco, Scot Giles, Richard Harte, Kevin Hogan, Gerald Kein, Art Leidecker and Don Mottin. Additionally, Roy Hunter assisted in the matter of the Client Bill of Rights. The National Guild of Hypnotists wishes to thank all who participated for their contributions and advice.



A GUIDE TO LANGUAGE

As part of the Recommended Standards for Practice of the National Guild of Hypnotists we ask our members to avoid using the language of the licensed professions (medicine, psychology, etc.) except when working on referral from a licensed practitioner of those healing arts.

We propose this for two reasons. First, using this language makes it appear to some that we are trying to practice medicine or psychology, instead of hypnotism. This leads the leaders of the other professions to incorrectly view us as invaders on their professional turf. Second, using this language is completely unnecessary. As hypnotherapy is now becoming a recognized, separate profession it is important that we develop our own vocabulary instead of borrowing the language of another profession.

In a separate publication the Guild sets forward its specific Recommended Terminology for Hypnotic Practice, and we recommend you consult that publication. However, here are some suggestions from the Guild on how to approach this issue in a more general way:

- Do not distinguish between “hypnotism” and “hypnotherapy.” While some organizations use the former word to designate stage practitioners, we do not do this within the Guild. We regard the word hypnotism and the word hypnotherapy as synonyms, and deliberately use both words interchangeably. We do this to increase the difficulty for the government to step in and make a distinction between these two words and restrict their use. If you like the word “hypnotherapy,” you protect your right to use it by occasionally using the word “hypnotism.”
- Do distinguish between the words “hypnotism” or “hypnotherapy” and “psychotherapy.” Psychotherapy is a technique used in the practice of psychology and other licensed mental health professions. When such professions go to war against us they claim that “hypnotism” or “hypnotherapy” are purely psychotherapeutic techniques. You make it harder for them to get away with this if you distinguish between what we do and what they do. Here is how you can do this:
 - Psychotherapy (which we as hypnotists do not do) means the diagnosis and conversational treatment of mental disease.
 - Hypnotherapy or Hypnotism (which we do) means the use of trance and suggestion to improve general self-control and maintain a positive mental attitude.

We ask that you memorize these two definitions and make known that you do the latter, not the former. In general, make it clear that psychotherapy involves the “disease” of sick people, while hypnotism or hypnotherapy involves helping normal people cope with normal problems in living. Try to use this as a template to explain what you do.