

**From:** Matthew Brownstein, CIHt  
**Sent:** Tuesday, November 08, 2016 10:06 AM  
**Subject:** Florida Hypnosis Law and Business Tax Receipts  
**Importance:** High

November 8<sup>th</sup>, 2016

**From:** Matthew Brownstein, CIHt  
Executive Director, Institute of Interpersonal Hypnotherapy (License #3448)  
President, International Association of Interpersonal Hypnotherapists  
Florida Representative, Hypnotherapists Union Local 472 – AFL-CIO Affiliate  
201 North Franklin Street, Suite #3415, Tampa, FL 33602

**To:** City of Greenacres, Florida – Department of Building

**Re:** Florida Hypnosis Law and Business Tax Receipts (FKA Occupational Licenses)  
concerning IHH graduate

It has recently come to the attention of our offices that one of our graduates is applying for a Business Tax Receipt in your City and he writes to me that *“My issue is when I went to City Hall they argued with me about my certifications and said I had to file as a hypnotist and couldn’t basically see any clients without supervision from a Healing Arts professional. Then, they sent my business license two times, one as a hypnotist and one as a hypnotist (counseling) and changed my letters behind my name to all caps.”*

I offer this letter to provide clarification upon the topic and as a request for its prompt resolution, as a graduate from a State-Licensed Postsecondary Vocational Institute is being delayed in his lawful right to practice his occupation.

I am cc’ing our attorneys, Mr. Gary Urso and Mr. Jan Govan, who can also speak to you about our Institute’s understanding of these Statutes and Dr. Tanveer Chaudhry, the Clinical Psychiatrist who is the Chief Medical Officer of our Institute. We helped every City and County that we have worked with to come to a correct understanding of The Florida Hypnosis Statutes, which includes The City of Melbourne, The City of Ormond Beach, The City of Orlando, The City of Fort Lauderdale, Sarasota County and Collier County. Please visit <http://www.interpersonalthypnotherapy.com/#!legal-efforts/n3eu8> for more information.

In the early 1970’s, the occupation of “Hypnotherapist” was acknowledged by the United States Department of Labor in a document which was formally known as The Dictionary of Occupational Titles. This occupational description read:

**CODE: 079.157-010**

**TITLE(S): HYPNOTHERAPIST (profess. & kin.)**

“Induces hypnotic state in client to increase motivation or alter behavior patterns: Consults with client to determine nature of problem. Prepares client to enter hypnotic state by explaining how hypnosis works and what client will experience. Tests subject to determine

degree of physical and emotional suggestibility. Induces hypnotic state in client, using individualized methods and techniques of hypnosis based on interpretation of test results and analysis of client's problem. May train client in self-hypnosis conditioning.”

As The Dictionary of Occupational Titles is no longer in print, it is our understanding that the Occupational Information Network (ONET) Index had then become the federally accepted standard as a directory for listed occupations. “Hypnotherapist” was listed under the category of “Therapist, Other”, yet ONET no longer lists the separate category of “Therapists, Other.”

Currently the United States Department of Labor, Bureau of Labor Statistic’s Instructional Program Data lists Hypnotherapist as “513603: Hypnotherapy/Hypnotherapist”, along with other such occupations as Acupuncture, Homeopathic Medicine, Massage Therapy, Yoga Teacher, and Health Professions and Related Clinical Sciences. Please reference:  
<http://www.bls.gov/jobs/forms/ip3datastandard.pdf>

The Institute of Interpersonal Hypnotherapy (formerly known as The Florida Institute of Hypnotherapy) was Florida’s first school to be licensed by the Florida Department of Education’s Commission for Independent Education (License #3448) to offer legitimate career diplomas for “Hypnotherapist”, “Clinical Hypnotherapist” and “Transpersonal Hypnotherapist”. Therefore, on the State level, our graduates have legitimate credentials as Hypnotherapists as graduates from a State-Licensed Postsecondary Vocational Institute. Our school is also licensed by the Florida Department of Education’s Division of Vocational Rehabilitation (VF#202535784001) to grant diplomas/certifications for “Hypnotherapists”. This organization would not fund us to train people undergoing rehabilitation to become Hypnotherapists in Florida if it were illegal to use that occupational title.

Florida Hypnosis Law does not make any reference, in any way, to the occupational title “Hypnotherapist”. It is clear that anyone practicing hypnosis must make the distinction as to whether or not they are practicing hypnosis for “therapeutic” purposes. The occupational title “Hypnotherapist” does not imply that someone is doing therapeutic hypnosis. The law simply states that such a person, if not a licensed practitioner of the healing arts, must have a prescription, referral, supervision or direction (not only supervision) from the appropriate licensed practitioner if working on medical or mental health conditions. It does not limit the use of their occupational title, it limits what they can and cannot do without a prescription, referral, supervision or direction.

Thank you for your time and consideration in this matter and to ensure that graduates of State-Licensed schools are rightfully given their Business Tax Receipts as Hypnotherapists in your City to legally and ethically practice their occupation without hindrance. Should you have any other interpretation of Florida Hypnosis Law, then I would kindly invite you to speak with me directly, or with our attorneys and associated licensed medical and mental health professionals.

Respectfully,

*Matthew Brownstein*

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Mr. Brownstien,

I am sorry to hear that Mr. S\_\_\_ feels that we were arguing with him but I assure you that is not the case. The City quickly issued a local Business Tax Receipt (BTR) and therefore Mr. S\_\_\_ can practice his Occupation and is not being delayed at all by us.

When we issue a BTR we are not acting as a licensing or regulatory agency, would not try to interpret the state laws regarding this and therefore do not need further assistance in coming to an understanding the Florida Hypnosis Statutes. A copy of FS 485 was given to Mr. S\_\_\_ as a courtesy and for informational purposes only, he was not told what he could or could not do by us.

If the letter “t” behind Mr. S\_\_\_’s name is not supposed to be a capital letter I am sure it was a simple typo with no ill intent and my staff will be happy to fix it. Also the category Hypnotist was chosen as it was already in our system. If this is not correct then a simple call or e-mail request could have easily fixed it. Please have Mr. S\_\_\_ give us a call or stop in and we will be happy to rectify this for him.

**Michael Grimm | Director of Building | City of Greenacres**

5800 Melaleuca Lane | Greenacres, FL 33463 | 📞: [561-642-2061](tel:561-642-2061) | 📠: [561-642-2049](tel:561-642-2049) | ✉️: <mailto:mgrimm@ci.greenacres.fl.us>

**From:** Matthew Brownstein, CIHt  
**Sent:** Thursday, November 10, 2016 12:37 PM  
**To:** Michael Grimm <[MGrimm@ci.greenacres.fl.us](mailto:MGrimm@ci.greenacres.fl.us)>  
**Subject:** Occupational Title Request

To: City of Greenacres, Florida – Department of Building  
Michael Grimm | Director of Building | City of Greenacres

Dear Mr. Grimm:

Re: Florida Hypnosis Law and Business Tax Receipts (FKA Occupational Licenses) referencing graduate \_\_\_\_, CCHt and requesting the occupational title of "Hypnotherapist" be administratively added to the "General Services" category of the Local Business Tax Schedule.

We are requesting that the City of Greenacres, Department of Building, consider incorporating the occupational title of "Hypnotherapist" as an additional title under the "General Services" category to accommodate those persons who may request that title in the future.

We are referencing the following relevant Code of Ordinances (please see below). It appears there would be no need for an amendment to any of the Ordinances.

Our request is that you consider this additional title of "Hypnotherapist" might simply and easily be administratively added through the Building Department, on your authority as the Director of Building. Perhaps this could be done by the issuance of a "Memo" from your office to your staff.

When you consider this request and act to implement it, in whatever form you choose, would you please send a copy to me.

Thank you for your consideration of this request and we will await our response.

Very truly yours,

Matthew Brownstein, CIHt

Executive Director, Institute of Interpersonal Hypnotherapy (License #3448)  
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Please see:

Code of Ordinances, Part II- Greenacres Code, Chapter 8 Licenses and Business Regulations, Article III - Business Taxes.

- **Sec. 8-65. - Businesses not specifically covered.**

Any person engaged in any lawful business, profession, or occupation, wholly or in part, within the city, not mentioned or covered by this article shall pay the closest applicable or related business tax as determined by the director of building or appointed designee.

(Code 1986, § 5-2.14; Ord. No. 88-34, § 1(16-27), 8-15-88; Ord. No. 95-13, § 1, 8-24-95; Ord. No. 2002-26, § 1, 8-5-02; Ord. No. 2007-04, § 1, 2-5-07; Ord. No. 2011-08, § 1, 6-20-11)

- **Sec. 8-72. - Local business tax schedule.**

- (a)

The amount of local business tax levied and imposed upon every person who shall engage in or manage any business, profession, privilege or occupation hereinafter mentioned, within the city, is fixed, graded, determined and imposed based upon the classifications and rates set forth in subsection (b).

(b)

All businesses and occupations subject to the local business taxes in this article shall be classified according to the following schedule:

• 3)

*Category 3: General services.* Each business, office, or other concern offering the sale of services shall obtain a business tax receipt in this category.

*Tax rate:* One hundred dollars and forty cents (\$100.40) per business tax receipt per business location

**Closing Note December 13, 2016:** Mr. Grimm very amicably changed the occupational title with the City of Greenacres to “Hypnotherapist”.