



Dear Members of the Committee,

The Council of Holistic Health Education writes in support of House Bill 1472, which would reduce barriers to entry for nutrition and wellness professionals, while allowing those with a license to continue to practice but without the benefit of a government enforced monopoly.

HB 1472 would create a safe harbor so that as long as a professional does not diagnose, treat, or attempt to cure a medical condition, and their clients agree to this in writing, they can work up to the level of their education and training to help others live, eat, and feel better.

Our professionals, such as health coaches, athletic trainers, and nutritionists, cannot practice up to the level of their education and training due to North Dakota's strict protectionist laws. The state should consider if licensure protection has done more harm than good, and acts as a reason not to relocate or work in North Dakota. HB 1472 would resolve this by creating a framework to allow more practitioners to be exempt from licensure protectionism, with no repercussions to public health.

Our professionals do not diagnose, treat, or cure a medical condition. You will hear horror stories from licensed professions that any change to their vaulted protection will create a public health crisis. Consider this, however: You are being asked to take their word for it, because of privacy and HIPAA, you cannot verify the authenticity of those statements. Consequently, you must weigh the facts between a group with a monopoly that will do anything to protect it, and competition seeking to gain entry into the marketplace.

For our professionals, there has never been a case of actual harm from unlicensed providing of food, diet, and nutrition information, guidance, recommendations, and support. If there was a threat of actual harm, we would have seen it by now in one of the 34 states that does not prevent food, diet, and nutrition professionals from practicing with an unfair monopolistic licensure scheme. States like Florida would not have created an exemption to dietetics licensure last year, nor states like Missouri presently considering similar legislation.

Many of our professionals - most of them women and small business owners - cannot move to North Dakota because they are excluded from the marketplace by anachronist licensure requirements. Many instead prefer to leave North Dakota for one of the 34 states - like Minnesota - that does not use licensure to unfairly restrict entry into the marketplace.

HB 1472 would remove those barriers and offer a chance for anyone who wants to move to North Dakota to pursue their career. It would not jeopardize the job of a licensed practitioner because they would still have their license, but they would not have a government-backed monopoly against competition.

According to KFYZ on September 10th, 2020 "North Dakota hospitals have higher costs per person than almost all other states, according to a review by the state's health care committee." Alternative and complementary care practitioners would bring that cost down

because they do the hand-holding that so many individuals need after a hospital stay, or a diagnosis requiring a change in diet, and lifestyle. HB 1472 would lower healthcare costs by introducing more professionals into the marketplace to serve more citizens.

If North Dakota is serious about lowering its healthcare costs, increasing its population, and creating jobs, then it must consider HB 1472 and other ways to reduce barriers to entry, reduce protectionism that has outlived its usefulness to the citizens, and consider the possibility that competition is a good thing.

Next door in Minnesota, 11,000 holistic health and wellness professionals are practicing up to the level of their education and training. They are helping individuals to choose better foods, cook better recipes, make better choices for their health, wellness, and lifestyle. These professionals cannot move to North Dakota if they cannot work, but HB 1472 would create a powerful incentive for them to do so.

On behalf of our professionals in North Dakota and nationwide, we ask for the committee to please create opportunities to work by giving competition a chance, and voting to approve HB 1472.

Sincerely,

A handwritten signature in black ink that reads "Jonathan Posey". The signature is fluid and cursive, with the first name "Jonathan" and the last name "Posey" clearly distinguishable.

Jonathan Posey
Executive Director