



General Assembly

**Substitute Bill No. 5671**

February Session, 2006

\*        HB05671PH        040506        \*

**AN ACT CONCERNING THE REGISTRATION OF HYPNOTISTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2006*) (a) No person shall  
2       practice hypnosis or hold himself or herself out as a hypnotist in this  
3       state without first registering with the Department of Consumer  
4       Protection pursuant to subsection (b) of this section.

5       (b) Each person who practices hypnosis in this state shall, upon  
6       payment of an application fee of fifty dollars, register with the  
7       Department of Consumer Protection on a form provided by the  
8       department with such information and attestation as the  
9       Commissioner of Consumer Protection deems necessary, including,  
10      but not limited to, (1) such person's name in full, (2) such person's  
11      residential and business addresses, and (3) a representation, in writing,  
12      that such person is not subject to the registration requirements of  
13      chapter 969 of the general statutes. Each such person shall notify the  
14      department, in writing, not later than thirty days after the date of any  
15      change in such person's name, residential address or business address  
16      or if such person becomes subject to the registration requirements of  
17      chapter 969 of the general statutes. A registration shall expire annually  
18      and may be renewed upon payment of a renewal fee of fifty dollars.

19      (c) The Commissioner of Consumer Protection may deny

20 registration as a hypnotist to an individual who has been the subject of  
21 a finding rendered pursuant to subsection (d) of this section. The  
22 registry shall contain information concerning any individual who has  
23 been denied said registration, as well as any brief statement disputing  
24 such denial by such individual.

25 (d) The Department of Consumer Protection shall receive and  
26 investigate complaints against individuals who are practicing or have  
27 practiced hypnosis in this state and may cause a prosecution to be  
28 instigated based on such investigation. The grounds for complaint  
29 shall include physical or sexual abuse, misappropriation of property,  
30 and fraud or deceit in obtaining or attempting to obtain registration as  
31 a hypnotist. A hypnotist shall be given written notice by certified mail  
32 by the commissioner of any complaint against him or her. A hypnotist  
33 who wishes to appeal a complaint against him or her shall, not later  
34 than thirty days after the date of the mailing, file with the department  
35 a request in writing for a hearing to contest the complaint. Any such  
36 hearing shall be conducted pursuant to chapter 54 of the general  
37 statutes. The commissioner shall render a finding on such complaint  
38 and enter such finding on the registry. The commissioner shall have  
39 the authority to render a finding and enter such finding on the registry  
40 against an individual who is practicing or has practiced hypnosis in  
41 this state, without regard to whether such individual is on the registry  
42 or has obtained registration as a hypnotist from the department.

43 (e) A hypnotist may petition the Commissioner of Consumer  
44 Protection to have the finding removed from the registry upon a  
45 determination by the commissioner that: (1) The employment and  
46 personal history of the hypnotist does not reflect a pattern of abusive,  
47 deceitful or fraudulent behavior; and (2) the conduct involved in the  
48 original finding was a singular occurrence. In no case shall a  
49 determination on a petition submitted under this subsection be made  
50 prior to the expiration of a one-year period beginning on the date on  
51 which the finding was added to the registry pursuant to subsection (d)  
52 of this section.

53 (f) The Commissioner of Consumer Protection may, after notice and  
54 hearing, in accordance with the provisions of chapter 54 of the general  
55 statutes, assess a civil penalty of not more than one hundred dollars  
56 against any person who has practiced hypnosis in this state without  
57 first registering with the department pursuant to subsection (b) of this  
58 section.

59 (g) The Commissioner of Consumer Protection shall revoke the  
60 registration of a person under this section after notice and hearing in  
61 accordance with the provisions of chapter 54 of the general statutes if  
62 such person becomes subject to the registration requirements of  
63 chapter 969 of the general statutes.

64 (h) The provisions of this section do not apply to any person  
65 licensed in this state to provide medical, dental, nursing, counseling or  
66 other health care, substance abuse or mental health services.

67 (i) The Commissioner of Consumer Protection, in consultation with  
68 the Commissioner of Public Health, may adopt regulations, in  
69 accordance with chapter 54 of the general statutes, to implement the  
70 provisions of this section.

71 (j) For purposes of this section, "hypnosis" means an artificially  
72 induced altered state of consciousness, characterized by heightened  
73 suggestibility and receptivity to direction.

74 Sec. 2. Subdivision (9) of section 53a-65 of the general statutes is  
75 repealed and the following is substituted in lieu thereof (*Effective*  
76 *October 1, 2006*):

77 (9) "Psychotherapist" means a physician, psychologist, nurse,  
78 substance abuse counselor, social worker, clergyman, marital and  
79 family therapist, mental health service provider, hypnotist or other  
80 person, whether or not licensed or certified by the state, who performs  
81 or purports to perform psychotherapy.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	53a-65(9)

**PH**      *Joint Favorable Subst.*