

Testimony of Jeanine Oburchay of Bridgeport in support of
HB 6243 AN ACT MAKING A TECHNICAL CHANGE TO THE
STATUTE CONCERNING ADVERTISING BY MASSAGE THERAPISTS

Public Health Committee Public Hearing

Friday, March 15, 2013

Representative Johnson, Senator Gerratana and members of the Public Health Committee, for the record my name is Jeanine Oburchay and I am submitting testimony in favor of H.B. No. 6243 AN ACT MAKING A TECHNICAL CHANGE TO THE STATUTE CONCERNING ADVERTISING BY MASSAGE THERAPISTS.

I am in favor of the bill that will remove the language “thai yoga” from section 20-206g of the general statutes. I am a resident of Bridgeport, and am grateful for the bill that has cleaned up my neighborhood of the illegal/illicit “massage” parlors. However, I don’t think the legislative intent of the original bill was to harm my business as a Yoga instructor and Thai Yoga practitioner. And in fact, to my knowledge not one illicit “massage” parlor in the state of CT has ever advertised the phrase “thai yoga”.

I want to thank you for taking on this seemingly Solomonic task of trying to determine if thai yoga is yoga, or if it falls under the purview of massage. I had hoped to come here with more of my colleagues who are interested in the same thing as me. We are a loosely knit group of fellow practitioners and yoga teachers who share a love of the art of thai yoga. We have no lobby, we have no political power. And some are so tired of being bullied, harassed and threatened with their very livelihood by Licensed Massage Therapists Rick Haeschke and Fran Ray, among others, who have both repeatedly sent threatening letters and complained to the state health department about our perfectly legal behavior, that they’ve been intimidated into staying away. When state legislators such as Jack Hennessy (a Licensed Massage Therapist himself), who have opposed this bill tell me to stay away from a meeting with other lawmakers to discuss the

bill because he would support it, when in fact he was adamantly fighting it, that dishonesty and disingenuousness creates a specter of fear and intimidation, and good people stay quiet.

I have practiced and studied yoga for more than 15 years, and practiced and studied Thai Yoga for more than 10 years. I have an “Experienced” 500-hour certification in my yoga teaching, as determined by the Yoga Alliance. I have studied yoga teaching for considerably more than those 500 hours. I have also studied the ancient art of Thai Yoga for more than 500 hours. Beyond my required training, I have done a significant amount of extra training, including substantial training in anatomy (cadaver labs), along with the work I do as a dedicated assistant to a teacher of Anatomy/Yoga Therapy, and author of Yoga Anatomy text books. I am, and will always be, a **student** of yoga.

In yoga, there are countless styles of the practice. The most modern styles cover such a broad spectrum that you can take a Bikram class and never be touched by a teacher, and yet in an Iyengar class or many forms of Hatha yoga, hands-on adjustments are paramount. I was trained in a style that uses a lot of hands-on adjustments. And in my training I learned the benefit of a little extra help in stretching. Not to make me go further into the stretch, but to align myself properly so that I could feel it more deeply and more safely. One common thread in all yoga teaching and practice is “ahimsa” or non-harming. Ahimsa is not just something we think about once in a while. The practice of ahimsa governs my life.

I came to Thai Yoga with the same mentality. I have studied with several different teachers throughout the years, but when I began to study, one of my teachers was Kam Thye Chow, who studied directly with Asokananda (born Harald Brust), who is widely credited as being one of the people to bring this practice to the west. I was drawn to Kam Thye and to the practice because of the intention of “metta” or spiritual loving kindness, that rules every session. To me, the practice

is about stretching the body into yoga poses in a way that allows the yogi to feel, not only his or her own body but also the intention behind the movement. And it's also about stretching and awakening sen lines, or energetic lines in the body, to bring about more clarity and more peace. So not only is it not the same physical practice as modern day "massage," there is a spiritual element associated with Thai Yoga that is very separate from modern day "massage".

(an additional difference from massage – thai yoga is practiced fully dressed, typically in yoga clothes, on mats on the floor)

The art of "thai yoga," like the practice of yoga, is thousands of years old. And like yoga, it originated in India, and then was brought over to Thailand. And like yoga, there are thousands of years of content. And thousands of years of styles. So with all that content and all those different styles, it would be the height of arrogance for me (or anyone) to tell you that I (or they) know exactly how it was handed down and for what intention. We have been told it was handed down through families, with elders teaching the children in Thailand. And we know that modern practitioners in Thailand are considered healers. But "thai yoga" the phrase, is a Western construct, mostly promoted by western tourists in Thailand.

It is NOT massage, as defined by western massage therapists. It has no relation to the commonly known western types of massage (Swedish, soft tissue manipulation, rubbing and manipulating muscles). In fact, I recommend to a lot of my yoga students to receive deep tissue massage to open up muscles that are chronically tight and to improve the movement of fascia. I myself receive a deep tissue massage from a Licensed Massage Therapist once every two weeks. And I receive Active Release Therapy (ART) from a Licensed Chiropractor every two weeks to manipulate tight muscles. When I can afford it, I even go to a Rolfer, who is a Licensed Massage Therapist. But what I do when I'm adjusting yoga students and what I do when I used to offer thai yoga is very different from all of this, and

doesn't even begin to approach the same modality. I stretch my clients with a focus on opening sen lines and I move them into yoga poses so that they can experience the poses in their bodies.

I have heard the people who represent the Massage Therapy Association say that "all stretching and range of motion is massage." To legislate stretching and movement would mean that the State would need to legislate every fitness instructor, every sports coach, every ballet teacher. I am also a diving coach at the High School and National age group levels. I put my divers into yoga stretches every day. I most decidedly do not massage them. If they need a massage, I direct them to a Licensed Massage Therapist.

I have heard the Licensed Massage Therapists who are arguing against this bill say that thai yoga practitioners are a threat to public health because we have no massage training. I would argue, conversely, that that is like saying massage therapists who practice thai yoga are a threat to public health if they have no yoga training. To prevent yoga practitioners/teachers from practicing this ancient art of stretching *in yoga poses* and energy balancing is to set a very dangerous precedent around all movement and athletic endeavors in the state.

In every endeavor I set out to do, like I'll assume, the Massage Therapists here, I work for excellence. I educate myself continually. And yet despite my commitment to educating myself, I am neither arrogant, nor reckless. I hold insurance for my yoga teaching, I hold insurance for my diving team and each individual diver, and I held insurance for my thai yoga practice when I had one.

I know that you all want to keep the public safe, and I do as well. I wish that we could legislate quality, in every endeavor. I know of some very experienced Massage Therapists whose table I would never get on, or never get on again, for fear for my safety. And I know of some very experienced yoga teachers whose classes I would avoid at all costs. I even know of some diving coaches who I would never

recommend to anyone. Sad to say, no amount of misguided regulation will fix that.

But please don't take away the livelihood of people who are well-trained and mean no harm at all. With all this said, I would ask you to tread mindfully. Please allow us to continue to keep the tradition of thai yoga alive by removing the words "thai yoga" from the bill.