

## Hypnosis: Informed Consent

Hypnotic techniques can be used in the treatment of psychological and physical strain, pain, anxiety, depression, habit disorders, performance enhancement, and other purposes. However, it may not be successful for all problems or for all patients / clients. It is strongly recommended to only seek hypnotherapy with a mental health care professional who is trained in hypnosis. I am a licensed psychologist with comprehensive training in hypnosis. It is recommended to discuss all questions or concerns regarding hypnosis before treatment and when they arise.

### Hypnotic Interventions

Similar to other therapeutic techniques a psychologist only uses hypnosis after the patient has consented to treatment. Hypnosis is best used in conjunction with other treatment options to enhance the patient's own strengths and abilities. When using hypnosis, I prefer a patient-centered, interactive, and permissive approach; this is very different from the "authoritarian" style seen in stage performances. Hypnosis has been described by the American Psychological Association as a procedure during which a psychologist suggests that a client may experience changes in perception, sensation, emotion, thought, or behavior. When using hypnosis, the patient is usually guided by the psychologist to respond to an induction process which may include suggestions for calmness and well-being. While procedures traditionally involve suggestions to relax, relaxation is not necessary for hypnosis and a wide variety of suggestions can be used.

Hypnotic trance is a form of an altered state of consciousness: it is NOT sleep, being unconscious, having one's mind weakened, or losing control. While patients typically feel deeply relaxed, they still are conscious, alert and attentive. Patients often feel they have better access to their thoughts, feelings, memories and problem-solving abilities. Individuals can respond to hypnosis in different ways. Many describe hypnosis as a state of focused attention just like reading a book or watching a movie where one gets completely absorbed. Regardless of how and to what degree the individual's responsiveness, most people describe the experience as very pleasant. Some people are extremely responsive to hypnosis and others are less responsive. Hypnosis can sometimes produce intense emotional experiences that may be temporarily unsettling. Should this be the case, the continued competent use of hypnosis will help to make any such intense emotions more manageable.

### The Nature of Memory

Memory is imperfect, whether or not hypnosis is used. Memory is not like a tape recorder, and rarely will all the details of a recollection be fully accurate. People have been shown to be capable of filling in memory gaps, distorting information, or being influenced by leading questions or suggestions. Our memories may sometimes be influenced through books, movies, TV, or conversations. Thus, research has shown that there is no guarantee that information remembered through hypnosis (or ordinary recall) is factually accurate. Thus, memory and hypnosis researchers agree generally that it is inappropriate to confront someone in or out of court based on information retrieved under hypnosis.

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## **Potential Legal Issues**

In many jurisdictions, courts have held that a person who has been hypnotized cannot testify in court of law about anything remembered during or after the hypnosis. Consequently, if you consent to hypnosis, there is a possibility that anything you remember, once the hypnosis begins, will not be admissible during litigation. The only way to fully protect your potential right to testify is to forego the use of hypnosis. If you believe that there is some reason to anticipate that memories retrieved by hypnosis may have legal consequences and / or you are (or will be) involved in any legal proceedings, please inform Dr. Flory immediately. The laws governing testimony are complex. In situations where specific advice is required, you should seek legal advice through an attorney.

## **Statement of Choice**

Dr. Flory has provided me with an explanation about the nature of hypnosis, the fact that the ability to be hypnotized varies from person to person, and the fact that sometimes exploratory hypnotic procedures (as therapy in general) may create emotional distress. My questions about hypnosis have been answered.

## **Release from Liability**

The potential legal problems have been explained to me by Dr. Flory. I understand that, because of the rulings of some legal authorities, there may be limitations placed on my ability to rely on my recollections after hypnosis for purposes of litigation. I hereby agree, freely and voluntarily, to undergo hypnosis. I further agree to release and hold harmless Dr. Flory from any claims or liability arising from the use of or inability to use my recollections, the therapist's notes, or any other limitations on my or the therapist's testimony in a courtroom or forensic setting. In consenting to hypnosis, I hereby agree that I do not have a cause of action against Dr. Flory based on her professional and competent use of hypnosis with me.

Patient's Signature: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Patient Name (PRINT): \_\_\_\_\_ Date of Birth: \_\_\_\_\_