

Bonus Video:

Health Coach Threatened with Jail for Dietary Advice

Segment Length: 2:34 minutes

This video will spark good discussion in a government, health, critical thinking, or ethics class.

Description:

Should there be limits on what advice people can give others? Should people need licenses or permits--government permission—to give advice? Does it matter if the advice giver is being paid? What does that say about the First Amendment? This is a thought-provoking video about free speech and occupational licensing.

Preview Activity and Questions:

Use Think, Pair, Share to have students answer the preview questions. After a few minutes, poll the students and ask them to discuss their answers.

If you want to get advice about good eating habits, should you be able to ask anyone you think can help you, or should you have to ask a person licensed by the state?

OR

Does free speech include advice? Can the advice be paid for or does it have to be free? What's the difference?

Discussion and Analysis:

1. Have you ever given someone advice? Did you check to make sure it was legal? Why / Why not?
2. If Heather Kokesch Del Castillo has a certification as a holistic health coach, why should she also need a state license to advise people?
3. Should the government regulate who can give advice? If so, what kinds of advice should be regulated? What kinds of advice should not be regulated?
4. Heather Kokesch Del Castillo says that what she does is no different from what a blogger or book author does—give advice—but without a state license, she cannot meet with a person face-to-face or electronically without breaking the law. Does that make sense? Why have a law like that?
5. Why doesn't the state prohibit blogs or the sale of books that include advice from people who have not obtained a state license?
6. Why shouldn't the person seeking advice get to decide whom to ask? Why does the state need to be involved? Should this law be abolished?

Post-Viewing Activities:

1. Research occupational licensing laws in your state. What jobs require licenses or certifications? Are there any pending proposals to require licensing for other jobs? How does such licensing impact the ability of people to get jobs?
2. Is there a trend toward increasing or decreasing occupational licensing laws across America? Are any states bucking that trend? Which ones? Why?

Answers to Viewing Guide:

1. certified
2. offense
3. publish
4. First Amendment

Health Coach Threatened With Jail

Viewing Guide

Name _____

Date _____

Class _____

Teacher _____

Directions: As you watch the video, fill in the blanks with the correct words.

1. I am a _____ holistic health coach. I guide people to put in healthier foods and in doing that we can take away unhealthy foods.
2. The penalty is, if I don't cease and desist, first-degree misdemeanor, a year in prison, and a thousand dollar fine for each _____.
3. What I do is no different than a blogger or a book author who is able to _____ freely their words and advice about nutrition.
4. With the Institute for Justice, I am suing the state of Florida in federal court for my _____ right to discuss health and nutrition with other individuals.

Now, take a few moments to reflect on the video and answer the questions below:

What arguments can be made to support states licensing health coaches? _____

What arguments can be made to oppose states licensing health coaches? _____

Why might states have their own occupational licensing laws rather than have a national law? _____

What do you think about Heather's argument that laws regulating health coaching violate her right to free speech? _____

