

**House File 180 - Introduced**

HOUSE FILE 180

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**A BILL FOR**

1 An Act providing for the licensure of music therapists and  
2 providing for fees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 147.1, subsections 3 and 6, Code 2013,  
2 are amended to read as follows:

3 3. "*Licensed*" or "*certified*", when applied to a physician  
4 and surgeon, podiatric physician, osteopathic physician and  
5 surgeon, physician assistant, psychologist, chiropractor,  
6 nurse, dentist, dental hygienist, dental assistant,  
7 optometrist, speech pathologist, audiologist, pharmacist,  
8 physical therapist, physical therapist assistant, occupational  
9 therapist, occupational therapy assistant, orthotist,  
10 prosthetist, pedorthist, respiratory care practitioner,  
11 practitioner of cosmetology arts and sciences, practitioner  
12 of barbering, funeral director, dietitian, marital and  
13 family therapist, mental health counselor, social worker,  
14 massage therapist, athletic trainer, acupuncturist, nursing  
15 home administrator, hearing aid dispenser, ~~or~~ sign language  
16 interpreter or transliterator, or music therapist means a  
17 person licensed under this subtitle.

18 6. "*Profession*" means medicine and surgery, podiatry,  
19 osteopathic medicine and surgery, practice as a physician  
20 assistant, psychology, chiropractic, nursing, dentistry,  
21 dental hygiene, dental assisting, optometry, speech pathology,  
22 audiology, pharmacy, physical therapy, physical therapist  
23 assisting, occupational therapy, occupational therapy  
24 assisting, respiratory care, cosmetology arts and sciences,  
25 barbering, mortuary science, marital and family therapy, mental  
26 health counseling, social work, dietetics, massage therapy,  
27 athletic training, acupuncture, nursing home administration,  
28 hearing aid dispensing, sign language interpreting or  
29 transliterating, orthotics, prosthetics, ~~or~~ pedorthics, or  
30 music therapy.

31 Sec. 2. Section 147.2, subsection 1, Code 2013, is amended  
32 to read as follows:

33 1. A person shall not engage in the practice of medicine  
34 and surgery, podiatry, osteopathic medicine and surgery,  
35 psychology, chiropractic, physical therapy, physical

1 therapist assisting, nursing, dentistry, dental hygiene,  
2 dental assisting, optometry, speech pathology, audiology,  
3 occupational therapy, occupational therapy assisting,  
4 orthotics, prosthetics, pedorthics, respiratory care,  
5 pharmacy, cosmetology arts and sciences, barbering, social  
6 work, dietetics, marital and family therapy or mental health  
7 counseling, massage therapy, mortuary science, athletic  
8 training, acupuncture, nursing home administration, hearing aid  
9 dispensing, ~~or~~ sign language interpreting or transliterating,  
10 or music therapy, or shall not practice as a physician  
11 assistant, unless the person has obtained a license for that  
12 purpose from the board for the profession.

13 Sec. 3. Section 147.13, Code 2013, is amended by adding the  
14 following new subsection:

15 NEW SUBSECTION. 25. For music therapy, the board of music  
16 therapy.

17 Sec. 4. Section 147.14, subsection 1, Code 2013, is amended  
18 by adding the following new paragraph:

19 NEW PARAGRAPH. *x.* For music therapy, three members licensed  
20 to practice music therapy and two members who are not licensed  
21 to practice music therapy and who shall represent the general  
22 public.

23 Sec. 5. NEW SECTION. 154G.1 **Definitions.**

24 As used in this chapter, unless the context otherwise  
25 requires:

26 1. "*Board*" means the board of music therapy designated in  
27 section 147.13.

28 2. "*Music therapist*" is an individual who practices music  
29 therapy.

30 3. *a.* "*Music therapy*" is the specialized use of music and  
31 music materials to restore, maintain, and improve cognitive,  
32 psychological, social, emotional, affective, physical, sensory  
33 or sensorimotor, motor, communicative, or physiological  
34 functioning.

35 *b.* The practice of music therapy means the application

1 of principles, methods, and procedures involving the use of  
2 music to provide therapeutic development of verbal skills and  
3 nonverbal behavior, memory recall, improved self-expression  
4 and socialization, enhancement of self-esteem, stress and pain  
5 management, cultural and spiritual expression, development of  
6 fine and gross motor skills, improved respiratory functioning  
7 and speech, and sensory integration and stimulation.

8 Sec. 6. NEW SECTION. **154G.2 Requirements for licensure.**

9 1. To qualify for a license to practice music therapy, an  
10 applicant must be at least eighteen years of age and shall meet  
11 all of the following requirements:

12 a. A bachelor's degree or higher in music therapy from an  
13 educational program that included clinical training, and such  
14 program is approved by the board.

15 b. Successful completion of an examination approved and  
16 prescribed by the board.

17 c. Hold in good standing a designation approved by the  
18 board, including any of the following:

19 (1) The credential "music therapist — board certified"  
20 granted by the certification board for music therapists.

21 (2) A professional designation of registered music  
22 therapist, certified music therapist, or advanced certified  
23 music therapist and listed as such on the national music  
24 therapy registry.

25 d. Evidence of physical, mental, and professional capability  
26 for the practice of music therapy in a manner acceptable to the  
27 board.

28 e. Evidence, upon review by the board, that the applicant  
29 has not had a license to practice music therapy or other health  
30 care license, registration, or certificate refused, revoked, or  
31 suspended by any other jurisdiction for reasons that relate to  
32 the applicant's ability to practice music therapy unless that  
33 license, registration, or certification has been restored to  
34 good standing by that jurisdiction.

35 2. The application must be accompanied by the license

1 fees and application fees established by the board and by the  
2 documents, affidavits, and certificates necessary to establish  
3 that the applicant possesses the necessary qualifications.

4 Sec. 7. NEW SECTION. 154G.3 Use of title — exceptions.

5 1. A person shall not represent oneself to the public as a  
6 music therapist or as being otherwise authorized to practice  
7 music therapy or use any titles, words, letters, abbreviations,  
8 or insignia indicating or implying that the person is a  
9 licensed music therapist unless the person has been licensed  
10 according to this chapter.

11 2. This chapter and chapter 147 do not prevent a person  
12 licensed in another profession, or personnel supervised by such  
13 a licensed professional, from providing services consistent  
14 with the nature of music therapy, but these persons shall not  
15 use a title or description denoting that they are licensed  
16 music therapists.

17 Sec. 8. NEW SECTION. 154G.4 Duties of the board.

18 The board shall adopt rules consistent with this chapter,  
19 chapter 147, and chapter 272C as necessary for the performance  
20 of its duties under this chapter, chapter 147, and chapter  
21 272C.

22 Sec. 9. Section 272C.1, subsection 6, Code 2013, is amended  
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *ag.* The board of music therapy, created  
25 pursuant to chapter 147.

26 Sec. 10. INITIAL BOARD.

27 1. Notwithstanding the requirement of licensure pursuant  
28 to section 147.14, subsection 1, paragraph "x", the initial  
29 members of the board of music therapy established pursuant to  
30 this Act shall be appointed as follows to the following terms:

31 a. Two professional members holding a designation described  
32 in section 154G.2, subsection 1, paragraph "c", and meeting the  
33 requirements of section 147.16 and one member representing the  
34 general public shall be appointed for a term of three years.

35 b. One professional member holding a designation described

1 in section 154G.2, subsection 1, paragraph "c", and meeting the  
2 requirements of section 147.16 and one member representing the  
3 general public shall be appointed for a term of two years.

4 2. Subsequent appointments to the board shall be for a term  
5 of three years, in accordance with section 147.19.

6

EXPLANATION

7 This bill enacts new Code chapter 154G, which requires the  
8 licensing of music therapists. The bill provides a definition  
9 for the practice of music therapy.

10 The bill provides that the practice of music therapy shall  
11 be regulated by a board of music therapy. The board consists  
12 of five members, three music therapists, and two members  
13 representing the general public.

14 The bill empowers the board to establish license fees and  
15 application fees.

16 The bill requires the board of music therapy to adopt  
17 rules consistent with Code chapter 147, relating to licensure  
18 of health professionals, generally, new Code chapter 154G,  
19 and Code chapter 272C, relating to regulation of licensed  
20 professions and occupations and to continuing education.

21 The bill provides for appointment of the initial board of  
22 music therapy.