

Senate File 313 - Introduced

SENATE FILE 313

BY MATHIS

(COMPANION TO HF 180)

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. "*Board certified music therapist*" means an individual
29 who has completed the education and clinical training
30 requirements established by the American music therapy
31 association, has passed the certification board for music
32 therapists certification examination or transitioned into
33 board certification, and remains actively certified by the
34 certification board for music therapists.

35 3. "*Music therapist*" means a person licensed to practice

1 music therapy pursuant to this chapter.

2 4. "*Music therapy*" means the clinical and evidence-based
3 use of music interventions to accomplish individualized goals
4 within a therapeutic relationship through an individualized
5 music therapy treatment plan for the client that identifies
6 the goals, objectives, and potential strategies of the music
7 therapy services appropriate for the client using music therapy
8 interventions, which may include music improvisation, receptive
9 music listening, song writing, lyric discussion, music and
10 imagery, music performance, learning through music, and
11 movement to music. "*Music therapy*" may include the following:

12 a. Accepting referrals for music therapy services
13 from medical, developmental, mental health, or education
14 professionals; family members; clients; or caregivers. Before
15 providing music therapy services to a client for a medical,
16 developmental, or mental health condition, the licensee shall
17 collaborate, as applicable, with the client's physician,
18 psychologist, or mental health professional to review the
19 client's diagnosis, treatment needs, and treatment plan.
20 During the provision of music therapy services to a client, the
21 licensee shall collaborate, as applicable, with the client's
22 treatment team.

23 b. Conducting a music therapy assessment of a client to
24 collect systematic, comprehensive, and accurate information
25 necessary to determine the appropriate type of music therapy
26 services to provide for the client.

27 c. Developing an individualized music therapy treatment plan
28 for the client.

29 d. Carrying out an individualized music therapy treatment
30 plan that is consistent with any other medical, developmental,
31 mental health, or educational services being provided to the
32 client.

33 e. Evaluating the client's response to music therapy and
34 the individualized music therapy treatment plan and suggesting
35 modifications, as appropriate.

1 *f.* Developing a plan for determining when the provision of
2 music therapy services is no longer needed in collaboration
3 with the client, any physician, or other provider of health
4 care or education of the client, any appropriate member of the
5 family of the client, and any other appropriate person upon
6 whom the client relies for support.

7 *g.* Minimizing any barriers so that the client may receive
8 music therapy services in the least restrictive environment.

9 *h.* Collaborating with and educating the client and the
10 family or caregiver of the client or any other appropriate
11 person about the needs of the client that are being addressed
12 in music therapy and the manner in which the music therapy
13 addresses those needs.

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

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

18 *a.* A bachelor's degree or higher in music therapy, or its
19 equivalent, from a program within an accredited college or
20 university which program has been approved by the American
21 music therapy association or any successor organization.

22 *b.* Successful completion of an examination approved and
23 prescribed by the board.

24 *c.* Hold in good standing a designation approved by the
25 board, including any of the following:

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

28 (2) A professional designation of registered music
29 therapist, certified music therapist, or advanced certified
30 music therapist and listed as such on the national music
31 therapy registry.

32 *d.* Successful completion of a minimum of one thousand two
33 hundred hours of clinical training, with at least one hundred
34 eighty hours in pre-internship experiences and at least nine
35 hundred hours in internship experiences, provided that the

1 internship is approved by an academic institution, the American
2 music therapy association or any successor organization, or
3 both.

4 *e.* Evidence of physical, mental, and professional capability
5 for the practice of music therapy in a manner acceptable to the
6 board.

7 *f.* Evidence, upon review by the board, that the applicant
8 has not had a license to practice music therapy or other health
9 care license, registration, or certificate refused, revoked, or
10 suspended by any other jurisdiction for reasons that relate to
11 the applicant's ability to practice music therapy unless that
12 license, registration, or certification has been restored to
13 good standing by that jurisdiction.

14 2. The application must be accompanied by the license
15 fees and application fees established by the board and by the
16 documents, affidavits, and certificates necessary to establish
17 that the applicant possesses the necessary qualifications.

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

19 1. A person shall not represent oneself to the public as a
20 music therapist or as being otherwise authorized to practice
21 music therapy or use any titles, words, letters, abbreviations,
22 or insignia indicating or implying that the person is a
23 licensed music therapist unless the person has been licensed
24 according to this chapter.

25 2. This chapter and chapter 147 do not prevent a person
26 licensed in another profession, or personnel supervised by such
27 a licensed professional, from providing services consistent
28 with the nature of music therapy, but these persons shall not
29 use a title or description denoting that they are licensed
30 music therapists.

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

32 The board shall adopt rules consistent with this chapter,
33 chapter 147, and chapter 272C as necessary for the performance
34 of its duties under this chapter, chapter 147, and chapter
35 272C.

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

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

5 Sec. 10. INITIAL BOARD.

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

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

14 b. One professional member holding a designation described
15 in section 154G.2, subsection 1, paragraph "c", and meeting the
16 requirements of section 147.16 and one member representing the
17 general public shall be appointed for a term of two years.

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

20 EXPLANATION

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

24 The bill provides that the practice of music therapy shall
25 be regulated by a board of music therapy. The board consists
26 of five members, three music therapists, and two members
27 representing the general public.

28 The bill empowers the board to establish license fees and
29 application fees.

30 The bill requires the board of music therapy to adopt
31 rules consistent with Code chapter 147, relating to licensure
32 of health professionals, generally, new Code chapter 154G,
33 and Code chapter 272C, relating to regulation of licensed
34 professions and occupations and to continuing education.

35 The bill provides for appointment of the initial board of

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1 music therapy.