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HOUSE BILL NO. 1562

Offered January 13, 2020

A *BILL to amend the Code of Virginia by adding in Chapter 37 of Title 54.1 an article numbered 2, consisting of sections numbered 54.1-3709.1, 54.1-3709.2, and 54.1-3709.3, relating to music therapy; licensure.*

Patrons—Head and Hurst

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 37 of Title 54.1 an article numbered 2, consisting of sections numbered 54.1-3709.1, 54.1-3709.2, and 54.1-3709.3, as follows:

*Article 2.**Music Therapy.***§ 54.1-3709.1. Definitions.**

As used in this article, unless context requires a different meaning:

"Music therapy" means the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan for the client that identifies the goals, objectives, and potential strategies of the music therapy services appropriate for the client using music therapy interventions, which may include music improvisation, receptive music listening, songwriting, lyric discussion, music and imagery, music performance, learning through music, and movement to music. "Music therapy" does not include the screening, diagnosis, or assessment of any physical, mental, or communication disorder.

"Music therapist" means any person licensed by the Board to engage in the practice of music therapy.

§ 54.1-3709.2. Music therapy; licensure.

A. The Board shall adopt regulations governing the practice of music therapy, upon consultation with the Advisory Board on Music Therapy established in § 54.1-3709.3. The regulations shall (i) set forth the requirements for licensure to practice music therapy, (ii) provide for appropriate application and renewal fees, and (iii) include requirements for licensure renewal and continuing education.

B. No person shall engage in the practice of music therapy or hold himself out or otherwise represent himself as a music therapist unless he is licensed by the Board.

C. An applicant for licensure as a music therapist shall submit evidence satisfactory to the Board that he (i) holds a bachelor's degree or higher in music therapy, or its equivalent, from a program approved by the American Music Therapy Association or any successor organization within an accredited institution of higher education; (ii) has successfully completed a minimum of 1,200 hours of clinical training, with at least 180 hours in pre-internship experiences and at least 900 hours in internship experiences, provided that the internship has been approved by an accredited institution of higher education, the American Music Therapy Association or any successor organization, or both; and (iii) has passed the examination for board certification offered by the Certification Board for Music Therapists or any successor organization or provides proof of being transitioned into board certification, and provides proof that the applicant is currently a board-certified music therapist.

D. Nothing in this section shall prohibit (i) the practice of music therapy by a student pursuing a course of study in music therapy in a program approved by the American Music Therapy Association or any successor organization within an accredited institution of higher education or under the supervision of a person licensed as a music therapist, if such practice constitutes a part of the student's course of study and is adequately supervised, or (ii) a licensed health care provider, other professional registered, certified, or licensed in the Commonwealth, or any person whose training and national certification attests to his preparation and ability to practice his certified profession or occupation from engaging in the full scope of his practice, including the use of music incidental to his practice, provided that he does not represent himself as a music therapist.

§ 54.1-3709.3. Advisory Board on Music Therapy; membership; terms.

A. The Advisory Board on Music Therapy ("Advisory Board") is hereby established to assist the Board in formulating regulations related to the practice of music therapy. The Advisory Board shall also assist in such other matters relating to the practice of music therapy as the Board may require.

B. The Advisory Board shall have a total membership of five nonlegislative citizen members to be appointed by the Governor as follows: three members shall be licensed music therapists, one member shall be a licensed health care provider other than a music therapist, and one member shall be a citizen

59 *at large.*

60 *C. After the initial staggering of terms, members shall be appointed for a term of four years.*
61 *Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All*
62 *members may be reappointed. However, no member shall serve more than two consecutive four-year*
63 *terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute*
64 *a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same*
65 *manner as the original appointments.*

66 **2. That the initial appointments of nonlegislative citizen members of the Advisory Board on Music**
67 **Therapy, created by this act, to be appointed by the Governor shall be staggered as follows: one**
68 **member, who shall be a licensed music therapist, shall be appointed for a term of one year; one**
69 **member, who shall be a licensed music therapist, shall be appointed for a term of two years; one**
70 **member, who shall be a licensed health care provider other than a music therapist, shall be**
71 **appointed for a term of three years; and two members, one of whom shall be a licensed music**
72 **therapist and one of whom shall be a citizen at large representing the Commonwealth, shall be**
73 **appointed for a term of four years.**