

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

5 [S 633]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

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

10 *Article 2.*11 *Music Therapy.*12 **§ 54.1-3709.1. Definitions.**13 *As used in this article, unless the context requires a different meaning:*

14 *"Music therapist" means a person who has (i) completed a bachelor's degree or higher in music*
15 *therapy, or its equivalent; (ii) satisfied the requirements for licensure set forth in regulations adopted by*
16 *the Board pursuant to § 54.1-3709.2; and (iii) been issued a license for the independent practice of*
17 *music therapy by the Board.*

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

25 **§ 54.1-3709.2. Music therapy; licensure.**

26 *A. The Board shall adopt regulations governing the practice of music therapy, upon consultation*
27 *with the Advisory Board on Music Therapy established in § 54.1-3709.3. The regulations shall (i) set*
28 *forth the educational, clinical training, and examination requirements for licensure to practice music*
29 *therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for*
30 *licensure renewal and continuing education. In developing such regulations, the Board shall consider*
31 *requirements for board certification offered by the Certification Board for Music Therapists or any*
32 *successor organization.*

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

35 *C. Nothing in this section shall prohibit (i) the practice of music therapy by a student pursuing a*
36 *course of study in music therapy if such practice constitutes part of the student's course of study and is*
37 *adequately supervised or (ii) a licensed health care provider, other professional registered, certified, or*
38 *licensed in the Commonwealth, or any person whose training and national certification attests to his*
39 *preparation and ability to practice his certified profession or occupation from engaging in the full scope*
40 *of his practice, including the use of music incidental to his practice, provided that he does not represent*
41 *himself as a music therapist.*

42 **§ 54.1-3709.3. Advisory Board on Music Therapy; membership; terms.**

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

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

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

56 **2. That the initial appointments of nonlegislative citizen members of the Advisory Board on Music**

57 Therapy, created by this act, to be appointed by the Governor shall be staggered as follows: one
58 member, who shall be a music therapist who holds a certification issued by the Certification Board
59 for Music Therapists, shall be appointed for a term of one year; one member, who shall be a
60 music therapist who holds a certification issued by the Certification Board for Music Therapists,
61 shall be appointed for a term of two years; one member, who shall be a licensed health care
62 provider other than a music therapist, shall be appointed for a term of three years; and two
63 members, one of whom shall be a music therapist who holds a certification issued by the
64 Certification Board for Music Therapists and one of whom shall be a citizen at large representing
65 the Commonwealth, shall be appointed for a term of four years.