



676326

LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 01/19/2016 | . | |
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The Committee on Health Policy (Braynon) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 491.017, Florida Statutes, is created to
read:

491.017 Registration of music therapists.-

(1) LEGISLATIVE INTENT.—It is the intent of this section to
recognize that music therapy affects the health, safety, and
welfare of the public, and that the practice of music therapy



676326

11 should be subject to regulation to protect the public from the
12 practice of music therapy by unregistered persons.

13 (2) DEFINITIONS.—As used in this section, the term:

14 (a) "Board-certified music therapist" means a person who
15 has completed the education and clinical training requirements
16 established by the American Music Therapy Association and who
17 holds current board certification from the national
18 Certification Board for Music Therapists.

19 (b) "Music therapist" means a person registered to practice
20 music therapy pursuant to this section.

21 (c) "Music therapy" means the clinical and evidence-based
22 use of music interventions by a board-certified music therapist
23 to accomplish individualized goals for people of all ages and
24 ability levels within a therapeutic relationship. The music
25 therapy interventions may include music improvisation, receptive
26 music listening, song writing, lyric discussion, music and
27 imagery, singing, music performance, learning through music,
28 music combined with other arts, music-assisted relaxation,
29 music-based patient education, electronic music technology,
30 adapted music intervention, and movement to music. The practice
31 of music therapy does not include the diagnosis or assessment of
32 any physical, mental, or communication disorder.

33 (3) REGISTRATION.—

34 (a) The department shall register an applicant as a music
35 therapist when the applicant submits to the department:

36 1. A completed application form issued by the department;

37 2. Application and registration fees; and

38 3. Proof of passing the examination for board certification
39 offered by the national Certification Board for Music



676326

40 Therapists, or any successor organization, or proof of being
41 transitioned into board certification, and provides proof that
42 the applicant is currently a board-certified music therapist.

43 (b) A registration issued under this section must be
44 renewed biennially by submitting to the department a renewal fee
45 and proof that the applicant holds an active certificate as a
46 board-certified music therapist.

47 (c) A registrant shall inform the department within 10 days
48 after a change of the registrant's address or a change in the
49 registrant's status as a board-certified music therapist.

50 (4) RESPONSIBILITIES OF A MUSIC THERAPIST.—A music
51 therapist is authorized to:

52 (a) Accept referrals for music therapy services from
53 medical, developmental, mental health, or education
54 professionals; family members; clients; caregivers; or other
55 persons authorized to provide client services.

56 (b) Collaborate with a client's primary care provider to
57 review the client's diagnosis, treatment needs, and treatment
58 plan before providing services to a client with an identified
59 clinical or developmental need or collaborate with the client's
60 treatment team while providing music therapy services to the
61 client.

62 (c) Conduct a music therapy assessment of a client to
63 determine if treatment is indicated and, if treatment is
64 indicated, collect systematic, comprehensive, and accurate
65 information to determine the appropriateness and type of music
66 therapy services to provide for the client.

67 (d) Develop an individualized music therapy treatment plan,
68 including individualized goals, objectives, and specific music



676326

69 therapy approaches or interventions, for the client that is
70 based on the results of the music therapy assessment and is
71 consistent with any other developmental, rehabilitative,
72 habilitative, medical, mental health, preventive, wellness, or
73 educational services being provided to the client.

74 (e) Evaluate the client's response to music therapy and the
75 music therapy treatment plan, documenting change and progress
76 and suggesting modifications, as appropriate.

77 (f) Develop a plan for determining when music therapy
78 services are no longer needed, in collaboration with the client
79 and the client's physician or other provider of health care or
80 education to the client, family members of the client, and any
81 other appropriate person upon whom the client relies for
82 support.

83 (g) Minimize barriers to ensure that the client receives
84 music therapy services in the least restrictive environment.

85 (h) Collaborate with and educate the client and the
86 client's family members, caregivers, and any other appropriate
87 persons regarding the needs of the client that are being
88 addressed in music therapy and the manner in which the music
89 therapy treatment addresses those needs.

90 (i) Use appropriate knowledge and skills to inform
91 practice, including the use of research, reasoning, and problem-
92 solving skills to determine appropriate actions in the context
93 of each specific clinical setting.

94 (5) PROHIBITED ACTS; EXEMPTIONS.—A person may not practice
95 music therapy or represent himself or herself as being able to
96 practice music therapy in this state unless the person is
97 registered pursuant to this section. This section does not



676326

98 prohibit or restrict the practice, services, or activities of
99 the following:

100 (a) A person licensed, certified, or regulated under the
101 laws of this state in another profession or occupation, or
102 personnel supervised by a licensed professional in this state
103 performing work, including the use of music, incidental to the
104 practice of his or her licensed, certified, or regulated
105 profession or occupation, if that person does not represent
106 himself or herself as a music therapist;

107 (b) A person whose training and national certification
108 attests to the person's preparation and ability to practice his
109 or her certified profession or occupation, if that person does
110 not represent himself or herself as a music therapist;

111 (c) Any practice of music therapy as an integral part of a
112 program of study for students enrolled in an accredited music
113 therapy program, if the student does not represent himself or
114 herself as a music therapist; or

115 (d) A person who practices music therapy under the
116 supervision of a registered music therapist, if the person does
117 not represent himself or herself as a music therapist.

118 (6) DEPARTMENT AUTHORITY.—

119 (a) The department is authorized to establish application,
120 registration, and renewal fees estimated necessary to implement
121 the provisions of this section, but each fee may not exceed \$50.

122 (b) The department is authorized to adopt rules to
123 implement this section.

124 (c) The department may deny or revoke registration or
125 renewal of registration for violations of this section.

126 Section 2. This act shall take effect July 1, 2016.



676326

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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to music therapists; creating s.
491.017, F.S.; providing legislative intent; providing
definitions; establishing requirements for
registration as a music therapist; providing
responsibilities of a music therapist; requiring
biennial renewal of registration; prohibiting the
practice of music therapy unless the therapist is
registered; providing exemptions to registration;
authorizing the Department of Health to adopt rules
and take disciplinary action against an applicant or
registrant who violates the act; providing an
effective date.