

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Health Quality  
 2 Subcommittee  
 3 Representative Campbell offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 491.017 Registration of Music Therapists.-

10 (1) LEGISLATIVE INTENT.- The intent of this section is to  
 11 recognize that music therapy affects public health, safety, and  
 12 welfare, and that the practice of music therapy should be  
 13 subject to regulation to protect the public from the practice of  
 14 music therapy by unregistered individuals.

15 (2) DEFINITIONS.-

16 (a) "Board certified music therapist" means an individual  
 17 who has completed the education and clinical training

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18 requirements established by the American Music Therapy  
19 Association, and who holds current board certification from the  
20 national Certification Board for Music Therapists.

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

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

36 1. Accepting referrals for music therapy services from  
37 medical, developmental, mental health, or education  
38 professionals; family members; clients; caregivers or others  
39 involved and authorized with provision of client services;

40 2. Collaborating with primary care providers to review the  
41 client's diagnosis, treatment needs, and treatment plan before  
42 providing services to a client with an identified clinical or  
43 developmental need, or collaborating with the client's treatment

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44 team while providing music therapy services to the client;

45 3. Conducting a music therapy assessment of a client to  
46 determine if treatment is indicated, and if so, collecting  
47 systematic, comprehensive, and accurate information to determine  
48 the appropriateness and type of music therapy services to  
49 provide for the client;

50 4. Developing an individualized music therapy treatment  
51 plan, including individualized goals, objectives, and specific  
52 music therapy approaches or interventions, for the client that  
53 is based upon the results of the music therapy assessment;

54 5. Developing and implementing an individualized music  
55 therapy treatment plan that is consistent with any other  
56 developmental, rehabilitative, habilitative, medical, mental  
57 health, preventive, wellness care, or educational services being  
58 provided to the client;

59 6. Evaluating the client's response to music therapy and  
60 the music therapy treatment plan, documenting change and  
61 progress and suggesting modifications, as appropriate;

62 7. Developing a plan for determining when the provision of  
63 music therapy services is no longer needed in collaboration with  
64 the client, physician, or other provider of health care or  
65 education of the client, family members of the client, and any  
66 other appropriate person upon whom the client relies for  
67 support;

68 8. Minimizing any barriers to ensure that the client  
69 receives music therapy services in the least restrictive

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70 environment;

71 9. Collaborating with and educating the client and the  
72 family or caregiver of the client, or any other appropriate  
73 person regarding the needs of the client that are being  
74 addressed in music therapy and the manner in which the music  
75 therapy treatment addresses those needs; and

76 10. Utilizing appropriate knowledge and skills to maintain  
77 informed practice including use of research, reasoning, and  
78 problem solving skills to determine appropriate actions in the  
79 context of each specific clinical setting.

80 (3) REGISTRATION.—

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

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

84 2. Application and registration fees; and

85 3. Proof of passing the examination for board  
86 certification offered by the national Certification Board for  
87 Music Therapists, or any successor organization, or submits  
88 proof of being transitioned into board certification, and  
89 submits proof that the applicant is currently a board certified  
90 music therapist.

91 (b) A music therapist registered under this section shall  
92 renew such registration biennially by submitting to the  
93 department a renewal fee and proof that the applicant holds an  
94 active certificate as a board certified music therapist.

95 (c) A registrant shall inform the department within 10

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96 days of a change of the registrant's address or change in status  
97 as a board certified music therapist.

98 (4) PROHIBITED ACTS; EXEMPTIONS.- A person shall not  
99 practice music therapy or represent himself or herself as being  
100 able to practice music therapy in this state unless the person  
101 is registered pursuant to this section. Nothing in this section  
102 may be construed to prohibit or restrict the practice, services,  
103 or activities of the following:

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

111 (b) Any person whose training and national certification  
112 attests to the individual's preparation and ability to practice  
113 his or her certified profession or occupation, if that person  
114 does not represent himself or herself as a music therapist;

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

119 (d) Any person who practices music therapy under the  
120 supervision of a registered music therapist, if the person does  
121 not represent himself or herself as a music therapist.

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122 (5) DEPARTMENT AUTHORITY.-

123 (a) The department is authorized to establish application,  
124 registration, and renewal fees estimated necessary to implement  
125 the provisions of this section, but each fee shall not exceed  
126 \$50.

127 (b) The department is authorized to adopt rules to  
128 implement this section.

129 (c) The department may deny or revoke registration or  
130 renewal of registration for failing to meet the requirements in  
131 this section.

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

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134 **T I T L E A M E N D M E N T**

135 Remove everything before the enacting clause and insert:  
136 An act relating to music therapists; amending s. 491.017, F.S.;  
137 providing definitions; requiring registration to provide music  
138 therapy services; providing registration criteria; requiring  
139 biennial renewal of registration; prohibiting the practice of  
140 music therapy unless registered; providing exemptions to  
141 registration; providing the Department of Health with rulemaking  
142 and disciplinary authority; providing an effective date.