

By Senator Rouson

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1 A bill to be entitled
2 An act relating to fees; amending s. 491.019, F.S.;
3 requiring an applicant for a professional art
4 therapist license or an art therapist intern
5 registration to pay a nonrefundable application fee
6 set by rule of the Board of Clinical Social Work,
7 Marriage and Family Therapy, and Mental Health
8 Counseling; providing for fees for annual license and
9 registration renewal, inactive licenses, and license
10 reactivation; providing a contingent effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (a) of subsection (2), paragraph (b)
15 of subsection (3), and subsections (4), (5), and (6) of section
16 491.019, Florida Statutes, as created by SB ____, 2023 Regular
17 Session, are amended to read:

18 491.019 Professional art therapy.-

19 (2) The department shall issue a professional art therapist
20 license to an applicant who the board certifies has met all of
21 the following requirements:

22 (a) Has submitted a completed application and paid a
23 nonrefundable application fee set by board rule.

24 (3)

25 (b) The department shall register an applicant as an art
26 therapist intern after the board certifies that he or she has
27 met all of the following requirements:

28 1. Has submitted a completed application and paid a
29 nonrefundable application fee set by board rule.

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30 2. Has completed the education requirements specified in
31 paragraph (2)(b).

32 3. Has submitted an acceptable supervision plan, as
33 determined by board rule.

34 4. Has identified a qualified supervisor, as determined by
35 board rule.

36 (4)(a) The department shall issue a license by endorsement
37 to an applicant who the board certifies has met all of the
38 following requirements:

39 1. Has submitted a completed application and paid a
40 nonrefundable application fee set by board rule.

41 2. Holds a professional art therapist license in good
42 standing, or its equivalent, issued by another state or
43 jurisdiction, if the qualifications for licensure in such other
44 state or jurisdiction are equal to or greater than those
45 specified in subsection (2).

46 3. Has demonstrated, in a manner designated by board rule,
47 knowledge of the laws and rules governing the practice of
48 clinical social work, marriage and family therapy, mental health
49 counseling, and professional art therapy.

50 4. Has actively engaged in the practice of professional art
51 therapy in such other state or jurisdiction for 3 of the 5 years
52 immediately preceding his or her application for licensure by
53 endorsement under this subsection.

54 5. Is not under investigation for, and has not been found
55 guilty of, any act that would constitute a violation of this
56 chapter.

57 (b) The department shall waive the requirements of
58 subsection (2) and issue a professional art therapist license to

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59 an applicant who, before July 1, 2024, submits a completed
60 application, pays a nonrefundable application fee set by board
61 rule, and demonstrates to the board that he or she has met all
62 of the following requirements:

63 1. Has passed the Art Therapy Credentials Board Examination
64 offered by the Art Therapy Credentials Board, Inc., or an
65 examination offered by any successor organization.

66 2. Has engaged in the practice of professional art therapy
67 for at least 5 years, which may include up to 1 year of practice
68 under supervision, as determined by board rule.

69 3. Has completed appropriate training, as determined by
70 board rule, in the assessment, diagnosis, treatment, or
71 resolution of mental, behavioral, and emotional disorders and
72 dysfunctions as part of the approved course of study for his or
73 her master's or doctoral degree or following completion of such
74 degree.

75 4. Has demonstrated, in a manner designated by board rule,
76 knowledge of the laws and rules governing the practice of
77 clinical social work, marriage and family therapy, mental health
78 counseling, and professional art therapy.

79 5. Is not under investigation for, and has not been found
80 guilty of, any act that would constitute a violation of this
81 chapter.

82 (5) (a) The board or department shall adopt rules
83 establishing requirements for the annual renewal of professional
84 art therapist licenses at a fee set by board rule.

85 (b)1. An applicant for license renewal shall present
86 satisfactory evidence that, in the period since the license was
87 issued, the applicant has completed continuing education

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88 requirements, as determined by board rule or department.

89 2. The board or department shall require continuing
90 education which must include, at a minimum, the continuing
91 education requirements for maintaining national board
92 certification in good standing with the Art Therapy Credentials
93 Boards, Inc., or any successor organization. The board or
94 department may not require more than 100 hours of continuing
95 education in a 5-year period.

96 (c) Continuing education providers, programs, and courses,
97 and laws and rules governing such providers, programs, and
98 courses, must be approved by the board or department as
99 specified in s. 491.0085.

100 (d) The board or department shall adopt rules establishing
101 requirements for the annual renewal of art therapist intern
102 registrations at a fee set by board rule.

103 (6) (a) Inactive status is the licensure status that results
104 when a licensee has applied to the department to be placed on
105 inactive status and has paid a nonrefundable fee set by board
106 rule.

107 (b) An inactive license may be renewed annually by paying a
108 nonrefundable fee set by board rule.

109 (c) An inactive license may be reactivated by submitting a
110 completed application to the department and paying a
111 nonrefundable fee set by board rule.

112 Section 2. This act shall take effect on the same date that
113 SB ____ or other similar legislation takes effect, if such
114 legislation is adopted in the same legislative session or an
115 extension thereof and becomes a law.