

Effective 5/13/2014

Chapter 84
State Certification of Music Therapists Act

Part 1
General Provisions

58-84-101 Title.

This chapter is known as the "State Certification of Music Therapists Act."

Enacted by Chapter 340, 2014 General Session

58-84-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Practice of music therapy" means the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship.
- (2) "State certification" means a designation granted by the division on behalf of the state to an individual who has met the requirements for state certification related to an occupation or profession described in this chapter.
- (3) "State certified" means, when used in conjunction with an occupation or profession described in this chapter, a title that:
 - (a) may be used by a person who has met the state certification requirements related to that occupation or profession described in this chapter; and
 - (b) may not be used by a person who has not met the state certification requirements related to that occupation or profession described in this chapter.

Enacted by Chapter 340, 2014 General Session

58-84-103 Rulemaking.

When exercising rulemaking authority under this chapter, the division shall comply with the requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Enacted by Chapter 340, 2014 General Session

Part 2
State Certification

58-84-201 Qualifications for state certification.

- (1) The division shall grant state certification to a person who qualifies under this chapter to engage in the practice of music therapy as a state certified music therapist.
- (2) Each applicant for state certification as a state certified music therapist shall:
 - (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63J-1-504;
 - (c) be of good moral character; and

- (d) provide satisfactory documentation that the applicant is board certified by, and in good standing with, the Certification Board for Music Therapists, or an equivalent board as determined by division rule.

Enacted by Chapter 340, 2014 General Session

58-84-202 Term of state certification.

- (1) The division shall grant state certification under this chapter in accordance with a two-year renewal cycle established by division rule.
- (2) At the time of renewal, an applicant for renewal shall provide satisfactory documentation that the applicant is board certified by, and in good standing with, the Certification Board for Music Therapists, or an equivalent board as determined by division rule.
- (3) If the board certification of a state certified music therapist required for obtaining or renewing state certification under this chapter is suspended, placed on probation, revoked, or has expired for any reason, the person:
 - (a) shall suspend using the title state certified music therapist in connection with the person's name or business;
 - (b) shall suspend representing to others that the person is a state certified music therapist; and
 - (c) shall inform the division within two weeks of the suspension, probation, revocation, or expiration of the board certification.
- (4) When the division learns that the board certification of a state certified music therapist required for obtaining or renewing state certification under this chapter is suspended, placed on probation, revoked, or has expired for any reason, that person's state certification shall be revoked and may not be reinstated unless the person meets the requirements and again applies for state certification as described in Section 58-84-201.

Enacted by Chapter 340, 2014 General Session

58-84-203 Limitation of state certification.

Nothing in this chapter shall be construed to prevent a person from lawfully engaging in the practice of music therapy without state certification.

Enacted by Chapter 340, 2014 General Session

**Part 3
Unlawful Conduct - Penalties**

58-84-301 Unlawful conduct.

- (1) It is unlawful for a person who is not a state certified music therapist to use the title state certified music therapist, or represent that the person is a state certified music therapist, in connection with the person's name or business.
- (2) It is unlawful for a state certified person whose board certification is suspended, placed on probation, revoked, or has expired for any reason to use the title state certified music therapist, or represent that the person is a state certified music therapist, in connection with the person's name or business.

Enacted by Chapter 340, 2014 General Session