

**MUSIC THERAPY CERTIFICATE DESIGNATION**

**AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rebecca P. Edwards**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions of the State Certification of Music Therapists Act (the act).

**Highlighted Provisions:**

This bill:

- ▶ modifies the name of the act;
- ▶ changes the title of a state certified music therapist to a state licensed music therapist and makes similar conforming changes; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-84-101**, as enacted by Laws of Utah 2014, Chapter 340

**58-84-102**, as enacted by Laws of Utah 2014, Chapter 340

**58-84-201**, as enacted by Laws of Utah 2014, Chapter 340

**58-84-202**, as enacted by Laws of Utah 2014, Chapter 340



28 **58-84-203**, as enacted by Laws of Utah 2014, Chapter 340

29 **58-84-301**, as enacted by Laws of Utah 2014, Chapter 340



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **58-84-101** is amended to read:

33 **CHAPTER 84. MUSIC THERAPISTS LICENSING ACT**

34 **58-84-101. Title.**

35 This chapter is known as the [~~"State Certification of Music Therapists Act."~~] "Music  
36 Therapists Licensing Act."

37 Section 2. Section **58-84-102** is amended to read:

38 **58-84-102. Definitions.**

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

40 (1) "Practice of music therapy" means the clinical and evidence-based use of music  
41 interventions to accomplish individualized goals within a therapeutic relationship.

42 (2) "State [~~certification~~] licensure" means a designation granted by the division on  
43 behalf of the state to an individual who has met the requirements for state [~~certification~~]  
44 licensure related to an occupation or profession described in this chapter.

45 (3) "State [~~certified~~] licensed" means, when used in conjunction with an occupation or  
46 profession described in this chapter, a title that:

47 (a) may be used by a person who has met the state [~~certification~~] licensure  
48 requirements related to that occupation or profession described in this chapter; and

49 (b) may not be used by a person who has not met the state [~~certification~~] licensure  
50 requirements related to that occupation or profession described in this chapter.

51 Section 3. Section **58-84-201** is amended to read:

52 **58-84-201. Qualifications for state licensure.**

53 (1) The division shall grant state [~~certification~~] licensure to a person who qualifies  
54 under this chapter to engage in the practice of music therapy as a state [~~certified~~] licensed  
55 music therapist.

56 (2) Each applicant for state [~~certification~~] licensure as a state [~~certified~~] licensed music  
57 therapist shall:

58 (a) submit an application in a form prescribed by the division;

- 59 (b) pay a fee determined by the department under Section 63J-1-504;  
60 (c) be of good moral character; and  
61 (d) provide satisfactory documentation that the applicant is board certified by, and in  
62 good standing with, the Certification Board for Music Therapists, or an equivalent board as  
63 determined by division rule.

64 Section 4. Section 58-84-202 is amended to read:

65 **58-84-202. Term of state licensure.**

66 (1) The division shall grant state [~~certification~~] licensure under this chapter in  
67 accordance with a two-year renewal cycle established by division rule.

68 (2) At the time of renewal, an applicant for renewal shall provide satisfactory  
69 documentation that the applicant is board certified by, and in good standing with, the  
70 Certification Board for Music Therapists, or an equivalent board as determined by division  
71 rule.

72 (3) If the board certification of a state [~~certified~~] licensed music therapist required for  
73 obtaining or renewing state [~~certification~~] licensure under this chapter is suspended, placed on  
74 probation, revoked, or has expired for any reason, the person:

75 (a) shall suspend using the title state [~~certified~~] licensed music therapist in connection  
76 with the person's name or business;

77 (b) shall suspend representing to others that the person is a state [~~certified~~] licensed  
78 music therapist; and

79 (c) shall inform the division within two weeks of the suspension, probation, revocation,  
80 or expiration of the board certification.

81 (4) When the division learns that the board certification of a state [~~certified~~] licensed  
82 music therapist required for obtaining or renewing state [~~certification~~] licensure under this  
83 chapter is suspended, placed on probation, revoked, or has expired for any reason, that person's  
84 state [~~certification~~] licensure shall be revoked and may not be reinstated unless the person  
85 meets the requirements and again applies for state [~~certification~~] licensure as described in  
86 Section 58-84-201.

87 Section 5. Section 58-84-203 is amended to read:

88 **58-84-203. Limitation of state licensure.**

89 Nothing in this chapter shall be construed to prevent a person from lawfully engaging in

90 the practice of music therapy without state [~~certification~~] licensure.

91 Section 6. Section **58-84-301** is amended to read:

92 **58-84-301. Unlawful conduct.**

93 (1) It is unlawful for a person who is not a state [~~certified~~] licensed music therapist to  
94 use the title state [~~certified~~] licensed music therapist, or represent that the person is a state  
95 [~~certified~~] licensed music therapist, in connection with the person's name or business.

96 (2) It is unlawful for a state [~~certified~~] licensed person whose board certification is  
97 suspended, placed on probation, revoked, or has expired for any reason to use the title state  
98 [~~certified~~] licensed music therapist, or represent that the person is a state [~~certified~~] licensed  
99 music therapist, in connection with the person's name or business.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**