

Representative Rebecca P. Edwards proposes the following substitute bill:

MUSIC THERAPY CERTIFICATE DESIGNATION AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca P. Edwards

Senate Sponsor: _____

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 licensed professional music therapist and makes similar conforming changes;
- ▶ modifies limitation and unlawful conduct provisions of the act; 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



- 26 **58-84-201**, as enacted by Laws of Utah 2014, Chapter 340
- 27 **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[:(~~†~~)] "practice
40 of music therapy" means the clinical and evidence-based use of music interventions to
41 accomplish individualized goals within a therapeutic relationship.

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

45 [~~(3) "State certified" 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 requirements related to~~
48 ~~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 requirements~~
50 ~~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~~] issue a license to a person who qualifies
54 under this chapter to engage in the practice of music therapy as a [~~state certified~~] licensed
55 professional music therapist.

56 (2) Each applicant for [~~state certification as a state certified~~] licensure as a licensed

57 professional music 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 professional music therapist
73 required for obtaining or renewing state [~~certification~~] licensure under this chapter is
74 suspended, placed on probation, revoked, or has expired for any reason, the person:

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

77 (b) shall suspend representing to others that the person is a [~~state certified~~] licensed
78 professional 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 professional music therapist required for obtaining or renewing state [~~certification~~] licensure
83 under this chapter is suspended, placed on probation, revoked, or has expired for any reason,
84 that person's [~~state certification~~] license shall be revoked and may not be reinstated unless the
85 person meets the requirements and again applies for [~~state certification~~] licensure as described
86 in 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~~] person's profession, including the use
91 of music, if the person does not use the title music therapist or licensed professional music
92 therapist in connection with the person's name or business.

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

94 **58-84-301. Unlawful conduct.**

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

99 (2) It is unlawful for a [~~state-certified person~~] person licensed under this chapter whose
100 board certification is suspended, placed on probation, revoked, or has expired for any reason to
101 use the title [~~state-certified~~] music therapist or licensed professional music therapist, or
102 represent that the person is a [~~state-certified~~] music therapist or licensed professional music
103 therapist, in connection with the person's name or business.