

HB0352S01 compared with HB0352

~~{deleted text}~~ shows text that was in HB0352 but was deleted in HB0352S01.

Inserted text shows text that was not in HB0352 but was inserted into HB0352S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 ~~{state}~~ licensed professional music therapist and makes similar conforming changes;
- ▶ modifies limitation and unlawful conduct provisions of the act; and
- ▶ makes technical changes.

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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

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

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

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

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

CHAPTER 84. MUSIC THERAPISTS LICENSING ACT

58-84-101. Title.

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

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

58-84-102. Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:
~~_____ } (1) { }]~~ "~~{Practice}~~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 { } licensure]" means a designation granted by the division on behalf of the state to an individual who has met the requirements for state { } certification { } licensure} related to an occupation or profession described in this chapter.]~~

~~[(3) "State { } certified { } licensed]" 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 { } licensure} requirements related to that occupation or profession described in this chapter; and]~~

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

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

58-84-201. Qualifications for state licensure.

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

(2) Each applicant for ~~[state ~~{}~~ certification ~~{}~~ licensure] as a state ~~{}~~ certified] licensure as a licensed professional 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.

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

58-84-202. Term of state licensure.

(1) The division shall grant ~~[state ~~{}~~ certification] licensure~~ 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] licensed professional~~ music therapist required for obtaining or renewing state ~~[certification] licensure~~ 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] licensed professional~~ music therapist in connection with the person's name or business;
- (b) shall suspend representing to others that the person is a ~~[state ~~{}~~ certified] licensed professional~~ music therapist; and
- (c) shall inform the division within two weeks of the suspension, probation, revocation,

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or expiration of the board certification.

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

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

58-84-203. Limitation of state licensure.

Nothing in this chapter shall be construed to prevent a person from lawfully engaging in the ~~[practice of music therapy without state-{}certification]~~ ~~{licensure}~~ person's profession, including the use of music, if the person does not use the title music therapist or licensed professional music therapist in connection with the person's name or business.

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

58-84-301. Unlawful conduct.

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

(2) It is unlawful for a ~~[state-{}certified-person]~~ person licensed ~~{person}~~ under this chapter whose board certification is suspended, placed on probation, revoked, or has expired for any reason to use the title ~~[state-{}certified]~~ music therapist or licensed professional music therapist, or represent that the person is a ~~[state-{}certified]~~ music therapist or licensed professional 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