

[First Reprint]

**ASSEMBLY, No. 2183**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED JANUARY 29, 2018

**Sponsored by:**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Senator NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

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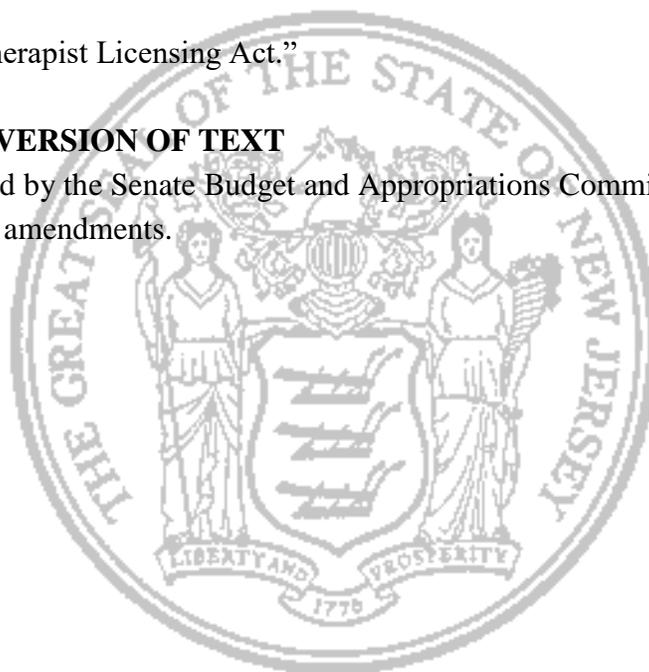
**Assemblyman Mukherji, Assemblywoman Murphy, Senators Van Drew,  
T.Kean, Diegnan, Ruiz, Bateman, A.M.Bucco, Stack and Cunningham**

**SYNOPSIS**

“Music Therapist Licensing Act.”

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on January 6, 2020, with amendments.



**(Sponsorship Updated As Of: 1/14/2020)**

1 AN ACT providing for the licensure of music therapists <sup>1</sup>, amending  
2 P.L.2019, c.273,<sup>1</sup> and supplementing Title 45 of the Revised  
3 Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. This act shall be known and may be cited as the “Music  
9 Therapist Licensing Act.”

10  
11 2. The profession of music therapy in the State of New Jersey  
12 is determined to affect the public safety and welfare, and to be  
13 subject to regulation and control in the public interest in order to  
14 protect the public by setting standards of qualification, education,  
15 training, and experience for music therapists.

16  
17 3. As used in this act:

18 <sup>1</sup>“Board” means the State Board of Creative Arts Therapies  
19 established in section 4 of P.L.2019, c.273 (C. \_\_\_\_\_).<sup>1</sup>

20 “Board certified music therapist” means an individual who has  
21 completed the education and clinical training requirements  
22 established by the American Music Therapy Association, has passed  
23 the Certification Board for Music Therapists certification  
24 examination or transitioned into board certification, and remains  
25 actively certified by the Certification Board for Music Therapists.

26 <sup>1</sup>**“Committee” means the Music Therapy Advisory Committee**  
27 **established pursuant to section 4 of this act.**<sup>1</sup>

28 “Licensed professional music therapist” means an individual who  
29 holds a current, valid license issued pursuant to section <sup>1</sup>**[11] 8**<sup>1</sup> of  
30 this act.

31 “Music therapist” means any person licensed to practice music  
32 therapy pursuant to the provisions of this act.

33 “Music therapy” means the clinical and evidence based use of  
34 music interventions to accomplish individualized goals within a  
35 therapeutic relationship through an individualized music therapy  
36 treatment plan for the client that identifies the goals, objectives, and  
37 potential strategies of the music therapy services appropriate for the  
38 client using music therapy interventions, which may include music  
39 improvisation, receptive music listening, song writing, lyric  
40 discussion, music and imagery, music performance, learning  
41 through music, and movement to music. The practice of music  
42 therapy does not include the diagnosis of any physical, mental, or  
43 communication disorder. This term may include:

44 (1) accepting referrals for music therapy services from medical,  
45 developmental, mental health or education professionals; family

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup>Senate SBA committee amendments adopted January 6, 2020.

1 members; clients; or caregivers. Before providing music therapy  
2 services to a client for a medical, developmental, or mental health  
3 condition, the licensed professional music therapist shall  
4 collaborate, as applicable, with the client's physician, psychologist,  
5 licensed clinical social worker, or other mental health professional  
6 to review the client's diagnosis, treatment needs, and treatment  
7 plan. Before providing music therapy services to a client for a  
8 speech, language, voice, fluency, cognitive-linguistic, or  
9 swallowing disorder the licensed professional music therapist shall  
10 collaborate, as applicable, with the client's speech-language  
11 pathologist or audiologist to review the client's diagnosis, treatment  
12 needs, and treatment plan. During the provision of music therapy  
13 services to a client, the licensed professional music therapist shall  
14 collaborate, as applicable, with the client's physician, psychologist,  
15 licensed clinical social worker, or other mental health professional.  
16 During the provision of music therapy services to a client for a  
17 speech, language, voice, fluency, cognitive-linguistic, or  
18 swallowing disorder the licensed professional music therapist shall  
19 collaborate, as applicable, with the client's speech-language  
20 pathologist or audiologist;

21 (2) conducting a music therapy assessment of a client to collect  
22 systematic, comprehensive, and accurate information necessary to  
23 determine the appropriate type of music therapy services to provide  
24 for the client;

25 (3) developing an individualized music therapy treatment plan  
26 for the client;

27 (4) carrying out an individualized music therapy treatment plan  
28 that is consistent with any other medical, developmental, mental  
29 health, educational, or rehabilitation services being provided to the  
30 client. When providing educational services a music therapist may  
31 not replace the services typically provided by a speech-language  
32 specialist, and when providing rehabilitation services a music  
33 therapist may not replace the services typically provided by a  
34 speech-language pathologist; however, nothing in this section shall  
35 be construed as prohibiting a music therapist from working with a  
36 client diagnosed with a communication disorder;

37 (5) evaluating the client's response to music therapy and the  
38 individualized music therapy treatment plan, and suggesting  
39 modifications, as appropriate;

40 (6) developing a plan for determining when the provision of  
41 music therapy services is no longer needed in collaboration with the  
42 client, any physician, or other provider of health care or education  
43 of the client, any appropriate member of the family of the client,  
44 and any other appropriate person upon whom the client relies for  
45 support;

46 (7) minimizing any barriers so that the client may receive music  
47 therapy services in the least restrictive environment; and

1 (8) collaborating with and educating the client, and the family or  
2 caregiver of the client, or any other appropriate person, about the  
3 needs of the client that are being addressed in music therapy and the  
4 manner in which the music therapy addresses those needs.  
5

6 <sup>1</sup>4. There is created in the Division of Consumer Affairs in the  
7 Department of Law and Public Safety under the State Board of  
8 Medical Examiners, a Music Therapy Advisory Committee. The  
9 committee shall consist of five members who are residents of the  
10 State as follows: three members who are music therapists, one  
11 member who is a licensed health care or mental health care  
12 practitioner, and one member who is a public member. Except for  
13 the music therapist members first appointed, three of the members  
14 shall be licensed music therapists under the provisions of this act  
15 and shall have been actively engaged in the practice of music  
16 therapy in the State for at least five years immediately preceding  
17 their appointment.

18 The Governor shall appoint the members with the advice and  
19 consent of the Senate. Each member shall be appointed for a term  
20 of three years, except that of the members first appointed, two shall  
21 serve for a term of three years, two shall serve a term of two years  
22 and one shall serve for a term of one year. Each member shall hold  
23 office until his successor has been qualified and appointed. Any  
24 vacancy in the membership of the committee shall be filled for the  
25 unexpired term in the manner provided for in the original  
26 appointment. No member of the committee may serve more than  
27 two successive terms in addition to any unexpired term to which he  
28 has been appointed.】<sup>1</sup>  
29

30 <sup>1</sup>5. Members of the committee shall be reimbursed for  
31 expenses and provided with office and meeting facilities pursuant to  
32 section 2 of P.L.1977, c.285 (C.45:1-2.5).】<sup>1</sup>  
33

34 <sup>1</sup>6. The committee shall organize within 30 days after the  
35 appointment of its members and shall annually elect from its  
36 members a chairperson and a vice-chairperson, and may appoint a  
37 secretary, who need not be a member of the committee. The  
38 committee shall meet at least twice a year and may hold additional  
39 meetings as necessary to discharge its duties. A majority of the  
40 committee membership shall constitute a quorum.】<sup>1</sup>  
41

42 <sup>1</sup>7.】<sup>4.1</sup> The <sup>1</sup>committee may have the following powers and  
43 duties, as delegated by the State Board of Medical Examiners】State  
44 Board of Creative Arts Therapies shall<sup>1</sup>:

45 a. Issue and renew licenses to music therapists pursuant to the  
46 provisions of this act;

- 1       b. Suspend, revoke or fail to renew the license of a music  
2 therapist pursuant to the provisions of P.L.1978, c.73 (C.45:1-  
3 14 et seq.);
- 4       c. Maintain a record of every music therapist licensed in this  
5 State, their place of business, place of residence, and the date and  
6 number of their license;
- 7       d. Prescribe or change the charges for licensures, renewal and  
8 other services performed pursuant to P.L.1974, c.46 (C.45:1-  
9 3.1 et seq.);
- 10      e. Establish standards for the continuing education of music  
11 therapists; and
- 12      f. Promulgate rules and regulations <sup>1</sup>[to carry out matters  
13 delegated to the committee by the State Board of Medical  
14 Examiners]<sup>1</sup> concerning any provisions of this act, in conformance  
15 with the “Administrative Procedure Act,” P.L.1968, c.410  
16 (C.52:14B-1 et seq.).

17

18      <sup>1</sup>[8.] 5.<sup>1</sup> a. No person shall engage in the practice of music  
19 therapy unless licensed as a professional music therapist pursuant to  
20 the provisions of this act.

21      b. No person shall use the title “licensed professional music  
22 therapist” or the abbreviation “LPMT” or any other title,  
23 designation, words, letters, abbreviations or insignia indicating the  
24 practice of music therapy unless licensed pursuant to the provisions  
25 of this act.

26

27      <sup>1</sup>[9.] 6.<sup>1</sup> Nothing in this act shall be construed to apply to:

28      a. The activities and services of qualified members of other  
29 professions, including physicians, psychologists, psychoanalysts,  
30 registered nurses, marriage and family therapists, social workers,  
31 occupational therapists, professional or rehabilitation counselors,  
32 speech-language pathologists or audiologists, or any other  
33 professional licensed by the State, when acting within the scope of  
34 their profession and doing work of a nature consistent with their  
35 training, provided they do not hold themselves out to the public as  
36 possessing a license issued pursuant to this act or represent  
37 themselves by any professional title regulated by this act.

38      b. The activities of a music therapy nature on the part of  
39 persons enrolled in a recognized training program, provided that  
40 these activities and services constitute a part of a supervised course  
41 of study and that those persons are designated by a title such as  
42 “music therapy intern” or other title clearly indicating the training  
43 status appropriate to the level of training.

44      c. The activities and services of any person whose training and  
45 national certification attests to the individual’s preparation and  
46 ability to practice his certified profession or occupation, if that  
47 person does not represent himself by any professional title regulated  
48 by this act.

- 1       <sup>1</sup>**[10.] 7.**<sup>1</sup> To be eligible to be licensed as a professional music  
2 therapist, an applicant shall <sup>1</sup>**[fulfill the following requirements]**<sup>1</sup>:
- 3       a. <sup>1</sup>**[Is]** be<sup>1</sup> at least 18 years of age;
- 4       b. <sup>1</sup>**[Is]** be<sup>1</sup> of good moral character;
- 5       c. <sup>1</sup>**[Holds]** hold<sup>1</sup> a bachelor's degree, or higher degree, in  
6 music therapy, or its equivalent, from a program approved by the  
7 American Music Therapy Association, or any successor  
8 organization, within an accredited educational institution that is  
9 approved by the <sup>1</sup>**[committee]** board<sup>1</sup>;
- 10      d. <sup>1</sup>**[Has successfully completed]** complete<sup>1</sup> a minimum of  
11 1,200 hours of clinical training, with not less than 180 hours of pre-  
12 internship experience and not less than 900 hours of internship  
13 experience, as determined by the <sup>1</sup>**[committee]** board<sup>1</sup>, provided  
14 that the internship is approved by an accredited educational  
15 institution approved by the <sup>1</sup>**[committee]** board<sup>1</sup>, or by the  
16 American Music Therapy Association, or any successor  
17 organization, or both; and
- 18      e. <sup>1</sup>**[Provides]** provide<sup>1</sup> proof of passing the examination for  
19 board certification offered by the Certification Board for Music  
20 Therapists, or any successor organization, or that the applicant is a  
21 board certified music therapist.
- 22
- 23       <sup>1</sup>**[11.] 8.**<sup>1</sup> a. The <sup>1</sup>**[State Board of Medical Examiners, in**  
24 **consultation with the committee,]** board<sup>1</sup> shall issue a license to any  
25 applicant who has satisfactorily met all the requirements of this act.
- 26      b. All licenses shall be issued for a two-year period upon the  
27 payment of the prescribed licensure fee, and shall be renewed upon  
28 filing of a renewal application, the payment of a licensure fee, and  
29 presentation of satisfactory evidence to the <sup>1</sup>**[State Board of**  
30 **Medical Examiners]** board<sup>1</sup> that in the period since the license was  
31 issued or last renewed any continuing education requirements have  
32 been completed as specified by the <sup>1</sup>**[State Board of Medical**  
33 **Examiners]** board<sup>1</sup>.
- 34
- 35       <sup>1</sup>**[12.] 9.**<sup>1</sup> Upon payment to the <sup>1</sup>**[State Board of Medical**  
36 **Examiners]** board<sup>1</sup> of a fee and the submission of a written  
37 application provided by the <sup>1</sup>**[State Board of Medical Examiners]**  
38 board<sup>1</sup>, the <sup>1</sup>**[State Board of Medical Examiners]** board<sup>1</sup> shall issue  
39 a music therapy license to any person who holds a valid license  
40 issued by another state or possession of the United States or the  
41 District of Columbia which has standards substantially equivalent to  
42 those of this State, as determined by the <sup>1</sup>**[committee]** board<sup>1</sup>.
- 43
- 44       <sup>1</sup>**[13.] 10.**<sup>1</sup> For 360 days after the date procedures are  
45 established by the <sup>1</sup>**[State Board of Medical Examiners]** board<sup>1</sup> for  
46 applying for licensure under section <sup>1</sup>**[10] 7**<sup>1</sup> of this act, any person

1 may qualify as a licensed professional music therapist, upon  
 2 application for licensure and payment of the appropriate fee,  
 3 provided the applicant furnishes satisfactory evidence to the <sup>1</sup>【State  
 4 Board of Medical Examiners】 board<sup>1</sup> that he is either:

- 5 a. a board certified music therapist; or  
 6 b. designated as a registered music therapist, certified music  
 7 therapist, or advanced certified music therapist, and in good  
 8 standing, with the National Music Therapy Registry.

9  
 10 <sup>1</sup>【14.】 11.<sup>1</sup> a. The <sup>1</sup>【State Board of Medical Examiners, in  
 11 consultation with the committee,】 board<sup>1</sup> shall require each licensed  
 12 professional music therapist, as a condition of biennial license  
 13 renewal to:

- 14 (1) Submit proof of maintenance of the applicant’s status as a  
 15 board certified music therapist; and  
 16 (2) Complete any continuing education requirement imposed by  
 17 the <sup>1</sup>【State Board of Medical Examiners, in consultation with the  
 18 committee,】 board<sup>1</sup> pursuant to this section.

19 b. The <sup>1</sup>【State Board of Medical Examiners, in consultation  
 20 with the committee,】 board<sup>1</sup> shall promulgate rules and regulations  
 21 for implementing continuing education requirements as a condition  
 22 of license renewal for licenses issued pursuant to this act, which  
 23 shall include a requirement that every applicant for license renewal  
 24 shall have completed a total of at least 40 continuing education  
 25 credit hours in a program approved by the Certification Board for  
 26 Music Therapists, or any successor organization, over the prior two-  
 27 year period.

28  
 29 <sup>1</sup>12. Section 4 of P.L.2019, c.273 (C. ) is amended to read  
 30 as follows:

31 4. There is created within the Division of Consumer Affairs in  
 32 the Department of Law and Public Safety, the State Board of  
 33 Creative Arts Therapies. The board shall consist of eleven  
 34 members who are residents of the State. Except for the members  
 35 first appointed: eight of the members shall be therapists who are  
 36 licensed in creative arts therapies, including but not limited to two  
 37 members licensed in art therapy, two members licensed in  
 38 dance/movement therapy, two members licensed in drama therapy,  
 39 and two members licensed in music therapy under the provisions of  
 40 **【this act】** the “Art Therapist Licensing Act,” P.L.2015, c.199  
 41 (C.45:8B-51 et seq.), the “Creative Arts Therapies Licensing Act,”  
 42 P.L.2019, c.273 (C. ), or the “Music Therapist Licensing Act,”  
 43 P.L. , c. (C. ) (pending before the Legislature as this bill), as  
 44 applicable, and shall have been actively engaged in the practice of a  
 45 creative arts therapy for at least five years immediately preceding  
 46 their appointment. The remaining members shall be public  
 47 members. The members first appointed shall include: two members

1 licensed in art therapy, two members who practice dance/movement  
2 therapy, two members who practice drama therapy, and two  
3 members who practice music therapy.

4 The Governor shall appoint the members with the advice and  
5 consent of the Senate. Each member shall be appointed for a term  
6 of three years, except that of the members first appointed, **[three]**  
7 five shall serve for a term of three years, **[two]** four shall serve for  
8 a term of two years and **[one]** two shall serve for a term of one  
9 year. Each member shall hold office until his successor has been  
10 qualified and appointed. Any vacancy in the membership of the  
11 board shall be filled for the unexpired term in the manner provided  
12 for in the original appointment. No member of the board may serve  
13 more than two successive terms in addition to any unexpired term to  
14 which the member has been appointed.<sup>1</sup>

15 (cf: P.L.2019, c.273, s.4)

16

17 <sup>1</sup>**[15.] 13.**<sup>1</sup> This act shall take effect on the 180th day following  
18 enactment.