

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)

SYNOPSIS

“Music Therapist Licensing Act.”

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT providing for the licensure of music therapists and
2 supplementing Title 45 of the Revised Statutes.

3

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

6

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

9

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

15

16 3. As used in this act:

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

23 “Committee” means the Music Therapy Advisory Committee
24 established pursuant to section 4 of this act.

25 “Licensed professional music therapist” means an individual who
26 holds a current, valid license issued pursuant to section 11 of this
27 act.

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

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

41 (1) accepting referrals for music therapy services from medical,
42 developmental, mental health or education professionals; family
43 members; clients; or caregivers. Before providing music therapy
44 services to a client for a medical, developmental, or mental health
45 condition, the licensed professional music therapist shall
46 collaborate, as applicable, with the client’s physician, psychologist,
47 licensed clinical social worker, or other mental health professional
48 to review the client’s diagnosis, treatment needs, and treatment

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

15 (2) conducting a music therapy assessment of a client to collect
16 systematic, comprehensive, and accurate information necessary to
17 determine the appropriate type of music therapy services to provide
18 for the client;

19 (3) developing an individualized music therapy treatment plan
20 for the client;

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

31 (5) evaluating the client's response to music therapy and the
32 individualized music therapy treatment plan, and suggesting
33 modifications, as appropriate;

34 (6) developing a plan for determining when the provision of
35 music therapy services is no longer needed in collaboration with the
36 client, any physician, or other provider of health care or education
37 of the client, any appropriate member of the family of the client,
38 and any other appropriate person upon whom the client relies for
39 support;

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

42 (8) collaborating with and educating the client, and the family or
43 caregiver of the client, or any other appropriate person, about the
44 needs of the client that are being addressed in music therapy and the
45 manner in which the music therapy addresses those needs.

46

47 4. There is created in the Division of Consumer Affairs in the
48 Department of Law and Public Safety under the State Board of

1 Medical Examiners, a Music Therapy Advisory Committee. The
2 committee shall consist of five members who are residents of the
3 State as follows: three members who are music therapists, one
4 member who is a licensed health care or mental health care
5 practitioner, and one member who is a public member. Except for
6 the music therapist members first appointed, three of the members
7 shall be licensed music therapists under the provisions of this act
8 and shall have been actively engaged in the practice of music
9 therapy in the State for at least five years immediately preceding
10 their appointment.

11 The Governor shall appoint the members with the advice and
12 consent of the Senate. Each member shall be appointed for a term
13 of three years, except that of the members first appointed, two shall
14 serve for a term of three years, two shall serve a term of two years
15 and one shall serve for a term of one year. Each member shall hold
16 office until his successor has been qualified and appointed. Any
17 vacancy in the membership of the committee shall be filled for the
18 unexpired term in the manner provided for in the original
19 appointment. No member of the committee may serve more than
20 two successive terms in addition to any unexpired term to which he
21 has been appointed.

22
23 5. Members of the committee shall be reimbursed for expenses
24 and provided with office and meeting facilities pursuant to section 2
25 of P.L.1977, c.285 (C.45:1-2.5).

26
27 6. The committee shall organize within 30 days after the
28 appointment of its members and shall annually elect from its
29 members a chairperson and a vice-chairperson, and may appoint a
30 secretary, who need not be a member of the committee. The
31 committee shall meet at least twice a year and may hold additional
32 meetings as necessary to discharge its duties. A majority of the
33 committee membership shall constitute a quorum.

34
35 7. The committee may have the following powers and duties,
36 as delegated by the State Board of Medical Examiners:

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

39 b. Suspend, revoke or fail to renew the license of a music
40 therapist pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et
41 seq.);

42 c. Maintain a record of every music therapist licensed in this
43 State, their place of business, place of residence, and the date and
44 number of their license;

45 d. Prescribe or change the charges for licensures, renewal and
46 other services performed pursuant to P.L.1974, c.46 (C.45:1-3.1 et
47 seq.);

- 1 e. Establish standards for the continuing education of music
2 therapists; and
- 3 f. Promulgate rules and regulations to carry out matters
4 delegated to the committee by the State Board of Medical
5 Examiners concerning any provisions of this act, in conformance
6 with the “Administrative Procedure Act,” P.L.1968, c.410
7 (C.52:14B-1 et seq.).
8
- 9 8. a. No person shall engage in the practice of music therapy
10 unless licensed as a professional music therapist pursuant to the
11 provisions of this act.
- 12 b. No person shall use the title “licensed professional music
13 therapist” or the abbreviation “LPMT” or any other title,
14 designation, words, letters, abbreviations or insignia indicating the
15 practice of music therapy unless licensed pursuant to the provisions
16 of this act.
17
- 18 9. Nothing in this act shall be construed to apply to:
- 19 a. The activities and services of qualified members of other
20 professions, including physicians, psychologists, psychoanalysts,
21 registered nurses, marriage and family therapists, social workers,
22 occupational therapists, professional or rehabilitation counselors,
23 speech-language pathologists or audiologists, or any other
24 professional licensed by the State, when acting within the scope of
25 their profession and doing work of a nature consistent with their
26 training, provided they do not hold themselves out to the public as
27 possessing a license issued pursuant to this act or represent
28 themselves by any professional title regulated by this act.
- 29 b. The activities of a music therapy nature on the part of
30 persons enrolled in a recognized training program, provided that
31 these activities and services constitute a part of a supervised course
32 of study and that those persons are designated by a title such as
33 “music therapy intern” or other title clearly indicating the training
34 status appropriate to the level of training.
- 35 c. The activities and services of any person whose training and
36 national certification attests to the individual’s preparation and
37 ability to practice his certified profession or occupation, if that
38 person does not represent himself by any professional title regulated
39 by this act.
40
- 41 10. To be eligible to be licensed as a professional music
42 therapist, an applicant shall fulfill the following requirements:
- 43 a. Is at least 18 years of age;
44 b. Is of good moral character;
45 c. Holds a bachelor’s degree, or higher degree, in music
46 therapy, or its equivalent, from a program approved by the
47 American Music Therapy Association, or any successor

1 organization, within an accredited educational institution that is
2 approved by the committee;

3 d. Has successfully completed a minimum of 1,200 hours of
4 clinical training, with not less than 180 hours of pre-internship
5 experience and not less than 900 hours of internship experience, as
6 determined by the committee, provided that the internship is
7 approved by an accredited educational institution approved by the
8 committee, or by the American Music Therapy Association, or any
9 successor organization, or both; and

10 e. Provides proof of passing the examination for board
11 certification offered by the Certification Board for Music
12 Therapists, or any successor organization, or that the applicant is a
13 board certified music therapist.

14

15 11. a. The State Board of Medical Examiners, in consultation
16 with the committee, shall issue a license to any applicant who has
17 satisfactorily met all the requirements of this act.

18 b. All licenses shall be issued for a two-year period upon the
19 payment of the prescribed licensure fee, and shall be renewed upon
20 filing of a renewal application, the payment of a licensure fee, and
21 presentation of satisfactory evidence to the State Board of Medical
22 Examiners that in the period since the license was issued or last
23 renewed any continuing education requirements have been
24 completed as specified by the State Board of Medical Examiners.

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26 12. Upon payment to the State Board of Medical Examiners of a
27 fee and the submission of a written application provided by the
28 State Board of Medical Examiners, the State Board of Medical
29 Examiners shall issue a music therapy license to any person who
30 holds a valid license issued by another state or possession of the
31 United States or the District of Columbia which has standards
32 substantially equivalent to those of this State, as determined by the
33 committee.

34

35 13. For 360 days after the date procedures are established by the
36 State Board of Medical Examiners for applying for licensure under
37 section 10 of this act, any person may qualify as a licensed
38 professional music therapist, upon application for licensure and
39 payment of the appropriate fee, provided the applicant furnishes
40 satisfactory evidence to the State Board of Medical Examiners that
41 he is either:

42 a. a board certified music therapist; or

43 b. designated as a registered music therapist, certified music
44 therapist, or advanced certified music therapist, and in good
45 standing, with the National Music Therapy Registry.

1 14. a. The State Board of Medical Examiners, in consultation
2 with the committee, shall require each licensed professional music
3 therapist, as a condition of biennial license renewal to:

4 (1) Submit proof of maintenance of the applicant's status as a
5 board certified music therapist; and

6 (2) Complete any continuing education requirement imposed by
7 the State Board of Medical Examiners, in consultation with the
8 committee, pursuant to this section.

9 b. The State Board of Medical Examiners, in consultation with
10 the committee, shall promulgate rules and regulations for
11 implementing continuing education requirements as a condition of
12 license renewal for licenses issued pursuant to this act, which shall
13 include a requirement that every applicant for license renewal shall
14 have completed a total of at least 40 continuing education credit
15 hours in a program approved by the Certification Board for Music
16 Therapists, or any successor organization, over the prior two-year
17 period.

18

19 15. This act shall take effect on the 180th day following
20 enactment.

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22

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STATEMENT

24

25 This bill provides for the licensure of music therapists and
26 establishes a Music Therapy Advisory Committee under the State
27 Board of Medical Examiners in the Division of Consumer Affairs in
28 the Department of Law and Public Safety. The advisory committee
29 is to consist of five members who are residents of the State as
30 follows: three members who have been actively engaged in the
31 practice of music therapy in the State for at least five years
32 immediately preceding their appointment; one member who is a
33 licensed health care or mental health care practitioner; and one
34 member who is a public member.

35 To be eligible for licensure as a professional music therapist, an
36 applicant must be at least 18 years of age and be of good moral
37 character. In addition, the applicant must hold a bachelor's degree,
38 or higher degree, in music therapy, or its equivalent from a program
39 approved by the American Music Therapy Association, or any
40 successor organization, within an accredited educational institution
41 that is approved by the Music Therapy Advisory Committee. The
42 applicant shall also have completed: a minimum of 1,200 hours of
43 clinical training, with not less than 180 hours of pre-internship
44 experience and not less than 900 hours of internship experience, as
45 determined by the advisory committee, provided that the internship
46 is approved by an accredited educational institution approved by the
47 committee, or by the American Music Therapy Association, or any
48 successor organization, or both.

1 Additionally, each applicant is required to provide proof of
2 passing the examination for board certification offered by the
3 Certification Board for Music Therapists, or any successor
4 organization, or that the applicant is a board certified music
5 therapist.

6 “Music therapy” is defined in the bill as the clinical and evidence
7 based use of music interventions to accomplish individualized goals
8 within a therapeutic relationship through an individualized music
9 therapy treatment plan for the client that identifies the goals,
10 objectives, and potential strategies of the music therapy services
11 appropriate for the client using music therapy interventions, which
12 may include music improvisation, receptive music listening, song
13 writing, lyric discussion, music and imagery, music performance,
14 learning through music, and movement to music. The practice of
15 music therapy does not include the diagnosis of any physical,
16 mental, or communication disorder. The bill also stipulates that,
17 prior to providing music therapy services to a client referred from a
18 medical, developmental, mental health or education professional, a
19 licensed professional music therapist must collaborate with the
20 client’s licensed clinical social worker, if applicable, in addition to
21 the client’s physician, psychologist, or other mental health
22 professional, if applicable. Before and during the provision of
23 music therapy services to a client for a speech, language, voice,
24 fluency, cognitive-linguistic, or swallowing disorder, the licensed
25 professional music therapist must also collaborate, as applicable,
26 with the client’s speech-language pathologist or audiologist.

27 The bill provides that no person is permitted to engage in the
28 practice of music therapy unless licensed as a professional music
29 therapist. Additionally, the bill provides that no person is permitted
30 to use the title “licensed professional music therapist” or the
31 abbreviation “LPMT” or any other title, designation, words, letters,
32 abbreviations or insignia indicating the practice of music therapy
33 unless licensed pursuant to the provisions of this bill.

34 For a period of 360 days after the date procedures are established
35 by the State Board of Medical Examiners for applying for licensure
36 as a music therapist, any person may qualify as a licensed music
37 therapist, upon application for licensure and payment of the
38 appropriate fee, provided the applicant furnishes satisfactory
39 evidence to the State Board of Medical Examiners that the applicant
40 is either: a board certified music therapist; or designated as a
41 registered music therapist, certified music therapist, or advanced
42 certified music therapist, and in good standing, with the National
43 Music Therapy Registry. As defined in the bill, “board certified
44 music therapist” means an individual who has completed the
45 education and clinical training requirements established by the
46 American Music Therapy Association, has passed the Certification
47 Board for Music Therapists certification examination or transitioned

1 into board certification, and remains actively certified by the
2 Certification Board for Music Therapists.

3 Under the bill, professional music therapist licenses are issued
4 for a two-year period upon the payment of the prescribed licensure
5 fee. As a condition for license renewal, an applicant must submit
6 proof of having maintained status as a board certified music
7 therapist and having completed continuing education requirements,
8 as stipulated in the bill. For license renewal, an applicant must
9 complete at least 40 continuing education credit hours in a program
10 approved by the Certification Board for Music Therapists, or any
11 successor organization, over the prior two-year period.