

# ASSEMBLY, No. 4353

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MAY 7, 2015

**Sponsored by:**

**Assemblyman BOB ANDRZEJCZAK**

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

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman ELIZABETH MAHER MUOIO**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

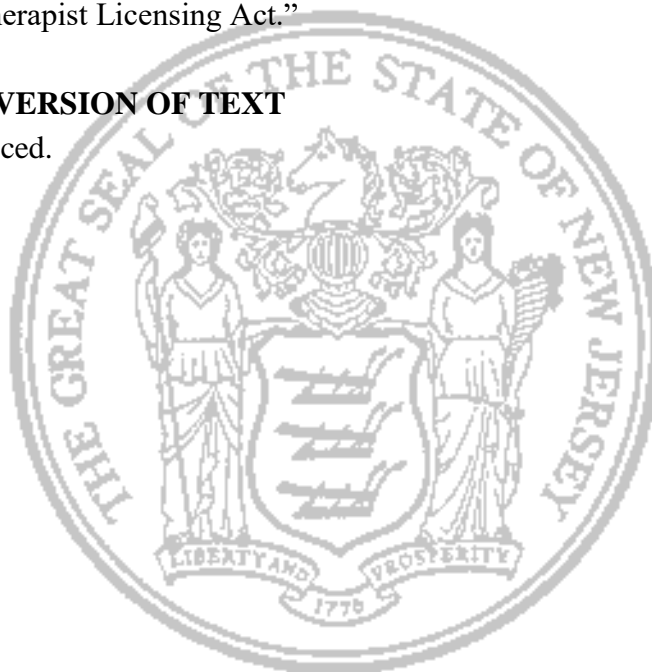
**Assemblyman Wilson, Assemblywoman Lampitt, Assemblymen Diegnan, Ciattarelli, Mazzeo, Assemblywoman Jasey, Assemblymen Giblin, Eustace, S.Kean, Assemblywomen Jimenez and Vainieri Huttie**

**SYNOPSIS**

“Music Therapist Licensing Act.”

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/11/2015)**

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 “Director” means the Director of the Division of Consumer  
26 Affairs in the Department of Law and Public Safety.

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

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

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

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

1 or mental health professional to review the client's diagnosis,  
2 treatment needs, and treatment plan. During the provision of music  
3 therapy services to a client, the licensed professional music  
4 therapist shall collaborate, as applicable, with the client's treatment  
5 team;

6 (2) conducting a music therapy assessment of a client to collect  
7 systematic, comprehensive, and accurate information necessary to  
8 determine the appropriate type of music therapy services to provide  
9 for the client;

10 (3) developing an individualized music therapy treatment plan  
11 for the client;

12 (4) carrying out an individualized music therapy treatment plan  
13 that is consistent with any other medical, developmental, mental  
14 health, or educational services being provided to the client;

15 (5) evaluating the client's response to music therapy and the  
16 individualized music therapy treatment plan, and suggesting  
17 modifications, as appropriate;

18 (6) developing a plan for determining when the provision of  
19 music therapy services is no longer needed in collaboration with the  
20 client, any physician, or other provider of health care or education  
21 of the client, any appropriate member of the family of the client,  
22 and any other appropriate person upon whom the client relies for  
23 support;

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

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

30

31 4. There is created in the Division of Consumer Affairs in the  
32 Department of Law and Public Safety a Music Therapy Advisory  
33 Committee, which shall serve as an advisory body to the Director of  
34 the Division of Consumer Affairs with respect to the licensure of  
35 music therapists. The committee shall consist of five members who  
36 are residents of the State as follows: three members who are music  
37 therapists, one member who is a licensed health care practitioner,  
38 and one member who is a public member. Except for the music  
39 therapist members first appointed, three of the members shall be  
40 licensed music therapists under the provisions of this act and shall  
41 have been actively engaged in the practice of music therapy in the  
42 State for at least five years immediately preceding their  
43 appointment.

44 The Governor shall appoint the members with the advice and  
45 consent of the Senate. Each member shall be appointed for a term  
46 of three years, except that of the members first appointed, two shall  
47 serve for a term of three years, two shall serve a term of two years  
48 and one shall serve for a term of one year. Each member shall hold

1 office until his successor has been qualified and appointed. Any  
2 vacancy in the membership of the committee shall be filled for the  
3 unexpired term in the manner provided for in the original  
4 appointment. No member of the committee may serve more than  
5 two successive terms in addition to any unexpired term to which he  
6 has been appointed.

7

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

11

12 6. The committee shall organize within 30 days after the  
13 appointment of its members and shall annually elect from its  
14 members a chairperson and a vice-chairperson, and may appoint a  
15 secretary, who need not be a member of the committee. The  
16 committee shall meet at least twice a year and may hold additional  
17 meetings as necessary to discharge its duties. A majority of the  
18 committee membership shall constitute a quorum.

19

20 7. The committee may have the following powers and duties,  
21 as delegated by the director:

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

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

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

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

33 e. Establish standards for the continuing education of music  
34 therapists; and

35 f. Promulgate rules and regulations to carry out matters  
36 delegated to the committee by the director concerning any  
37 provisions of this act, in conformance with the "Administrative  
38 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

39

40 8. a. No person shall engage in the practice of music therapy  
41 unless licensed as a professional music therapist pursuant to the  
42 provisions of this act.

43 b. No person shall use the title "licensed professional music  
44 therapist" or the abbreviation "LPMT" or any other title,  
45 designation, words, letters, abbreviations or insignia indicating the  
46 practice of music therapy unless licensed pursuant to the provisions  
47 of this act.

48

1 9. Nothing in this act shall be construed to apply to:

2 a. The activities and services of qualified members of other  
3 professions, including physicians, psychologists, psychoanalysts,  
4 registered nurses, marriage and family therapists, social workers,  
5 occupational therapists, professional or rehabilitation counselors or  
6 any other professional licensed by the State, when acting within the  
7 scope of their profession and doing work of a nature consistent with  
8 their training, provided they do not hold themselves out to the  
9 public as possessing a license issued pursuant to this act or  
10 represent themselves by any professional title regulated by this act.

11 b. The activities of a music therapy nature on the part of  
12 persons enrolled in a recognized training program, provided that  
13 these activities and services constitute a part of a supervised course  
14 of study and that those persons are designated by a title such as  
15 “music therapy intern” or other title clearly indicating the training  
16 status appropriate to the level of training.

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

22

23 10. To be eligible to be licensed as a professional music  
24 therapist, an applicant shall fulfill the following requirements:

25 a. Is at least 18 years of age;

26 b. Is of good moral character;

27 c. Holds a bachelor’s degree, or higher degree, in music  
28 therapy, or its equivalent, from a program approved by the  
29 American Music Therapy Association, or any successor  
30 organization, within an accredited educational institution that is  
31 approved by the committee;

32 d. Has successfully completed a minimum of 1,200 hours of  
33 clinical training, with not less than 180 hours of pre-internship  
34 experience and not less than 900 hours of internship experience, as  
35 determined by the committee, provided that the internship is  
36 approved by an accredited educational institution approved by the  
37 committee, or by the American Music Therapy Association, or any  
38 successor organization, or both; and

39 e. Provides proof of passing the examination for board  
40 certification offered by the Certification Board for Music  
41 Therapists, or any successor organization, or that the applicant is a  
42 board certified music therapist.

43

44 11. a. The director, in consultation with the committee, shall  
45 issue a license to any applicant who has satisfactorily met all the  
46 requirements of this act.

47 b. All licenses shall be issued for a two-year period upon the  
48 payment of the prescribed licensure fee, and shall be renewed upon

1 filing of a renewal application, the payment of a licensure fee, and  
2 presentation of satisfactory evidence to the committee that in the  
3 period since the license was issued or last renewed any continuing  
4 education requirements have been completed as specified by the  
5 committee.

6  
7 12. Upon payment to the director of a fee and the submission of  
8 a written application provided by the director, the director shall  
9 issue a music therapy license to any person who holds a valid  
10 license issued by another state or possession of the United States or  
11 the District of Columbia which has standards substantially  
12 equivalent to those of this State, as determined by the committee.

13  
14 13. For 360 days after the date procedures are established by the  
15 committee for applying for licensure under section 10 of this act,  
16 any person may qualify as a licensed professional music therapist,  
17 upon application for licensure and payment of the appropriate fee,  
18 provided the applicant furnishes satisfactory evidence to the  
19 director that he is either:

- 20 a. a board certified music therapist; or  
21 b. designated as a registered music therapist, certified music  
22 therapist, or advanced certified music therapist, and in good  
23 standing, with the National Music Therapy Registry.

24  
25 14. a. The director, in consultation with the committee, shall  
26 require each licensed professional music therapist, as a condition of  
27 biennial license renewal to:

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

30 (2) Complete any continuing education requirement imposed by  
31 the director, in consultation with the committee, pursuant to this  
32 section.

33 b. The director, in consultation with the committee, shall  
34 promulgate rules and regulations for implementing continuing  
35 education requirements as a condition of license renewal for  
36 licenses issued pursuant to this act, which shall include a  
37 requirement that every applicant for license renewal shall have  
38 completed a total of at least 40 continuing education credit hours in  
39 a program approved by the Certification Board for Music  
40 Therapists, or any successor organization, over the prior two-year  
41 period.

42  
43 15. This act shall take effect on the 180th day following  
44 enactment.

45

## STATEMENT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

This bill provides for the licensure of music therapists and establishes a Music Therapy Advisory Committee in the Division of Consumer Affairs in the Department of Law and Public Safety. The committee is to consist of five members who are residents of the State as follows: three members who have been actively engaged in the practice of music therapy in the State for at least five years immediately preceding their appointment; one member who is a licensed health care practitioner; and one member who is a public member.

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

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

“Music therapy” is defined in the bill as the clinical and evidence based use of music interventions to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan for the client that identifies the goals, objectives, and potential strategies of the music therapy services appropriate for the client using music therapy interventions, which may include music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, music performance, learning through music, and movement to music. The practice of music therapy does not include the diagnosis of any physical, mental, or communication disorder.

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

1 For a period of 360 days after the date procedures are established  
2 by the committee for applying for licensure as a music therapist,  
3 any person may qualify as a licensed music therapist, upon  
4 application for licensure and payment of the appropriate fee,  
5 provided the applicant furnishes satisfactory evidence to the  
6 Director of the Division of Consumer Affairs that he is either: a  
7 board certified music therapist; or designated as a registered music  
8 therapist, certified music therapist, or advanced certified music  
9 therapist, and in good standing, with the National Music Therapy  
10 Registry. As defined in the bill, “board certified music therapist”  
11 means an individual who has completed the education and clinical  
12 training requirements established by the American Music Therapy  
13 Association, has passed the Certification Board for Music  
14 Therapists certification examination or transitioned into board  
15 certification, and remains actively certified by the Certification  
16 Board for Music Therapists.

17 Professional music therapist licenses shall be issued for a two-  
18 year period upon the payment of the prescribed licensure fee. As a  
19 condition for license renewal, an applicant shall submit proof of  
20 having maintained status as a board certified music therapist and  
21 having completed continuing education requirements, as stipulated  
22 in the bill. For license renewal, an applicant shall have completed  
23 at least 40 continuing education credit hours in a program approved  
24 by the Certification Board for Music Therapists, or any successor  
25 organization, over the prior two-year period.