

1 A bill to be entitled
 2 An act relating to music therapists; creating s.
 3 491.017, F.S.; providing legislative intent; providing
 4 definitions; establishing requirements for
 5 registration as a music therapist; providing
 6 responsibilities of a music therapist; requiring
 7 biennial renewal of registration; prohibiting the
 8 practice of music therapy unless registered; providing
 9 exemptions to registration; authorizing the Department
 10 of Health to adopt rules, to establish application,
 11 registration, and renewal fees, and to take
 12 disciplinary action against an applicant or registrant
 13 who violates the act; providing an effective date.

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 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Section 491.017, Florida Statutes, is created
 18 to read:

19 491.017 Registration of music therapists.-

20 (1) LEGISLATIVE INTENT.-It is the intent of this section
 21 to recognize that music therapy affects the health, safety, and
 22 welfare of the public and that the practice of music therapy
 23 should be subject to regulation to protect the public from the
 24 practice of music therapy by unregistered persons.

25 (2) DEFINITIONS.-As used in this section, the term:

26 (a) "Board-certified music therapist" means a person who
 27 has completed the education and clinical training requirements
 28 established by the American Music Therapy Association and who
 29 holds current board certification from the national
 30 Certification Board for Music Therapists.

31 (b) "Music therapist" means a person registered to
 32 practice music therapy pursuant to this section.

33 (c) "Music therapy" means the clinical and evidence-based
 34 use of music interventions by a board-certified music therapist
 35 to accomplish individualized goals for people of all ages and
 36 ability levels within a therapeutic relationship. The music
 37 therapy interventions may include music improvisation, receptive
 38 music listening, song writing, lyric discussion, music and
 39 imagery, singing, music performance, learning through music,
 40 music combined with other arts, music-assisted relaxation,
 41 music-based patient education, electronic music technology,
 42 adapted music intervention, and movement to music. The practice
 43 of music therapy does not include the diagnosis or assessment of
 44 any physical, mental, or communication disorder.

45 (3) REGISTRATION.—

46 (a) The department shall register an applicant as a music
 47 therapist when the applicant submits to the department:

48 1. A completed application on a form issued by the
 49 department;

50 2. Application and registration fees; and

51 3. Proof of passing the examination for board
52 certification offered by the national Certification Board for
53 Music Therapists, or any successor organization, or proof of
54 being transitioned into board certification and provides proof
55 that the applicant is currently a board-certified music
56 therapist.

57 (b) A registration issued under this section must be
58 renewed biennially by submitting to the department a renewal fee
59 and proof that the applicant holds an active certificate as a
60 board-certified music therapist.

61 (c) A registrant shall inform the department within 10
62 days after a change of the registrant's address or a change in
63 the registrant's status as a board-certified music therapist.

64 (4) RESPONSIBILITIES OF A MUSIC THERAPIST.—A music
65 therapist is authorized to:

66 (a) Accept referrals for music therapy services from
67 medical, developmental, mental health, or education
68 professionals; family members; clients; caregivers; or other
69 persons authorized to provide client services.

70 (b) Collaborate with a client's primary care provider to
71 review the client's diagnosis, treatment needs, and treatment
72 plan before providing services to a client with an identified
73 clinical or developmental need or collaborate with the client's
74 treatment team while providing music therapy services to the
75 client.

76 (c) Conduct a music therapy assessment of a client to
77 determine if treatment is indicated and, if treatment is
78 indicated, collect systematic, comprehensive, and accurate
79 information to determine the appropriateness and type of music
80 therapy services to provide for the client.

81 (d) Develop an individualized music therapy treatment
82 plan, including individualized goals, objectives, and specific
83 music therapy approaches or interventions, for the client that
84 is based on the results of the music therapy assessment and is
85 consistent with any other developmental, rehabilitative,
86 habilitative, medical, mental health, preventive, wellness, or
87 educational services being provided to the client.

88 (e) Evaluate the client's response to music therapy and
89 the music therapy treatment plan, documenting change and
90 progress and suggesting modifications, as appropriate.

91 (f) Develop a plan for determining when music therapy
92 services are no longer needed, in collaboration with the client
93 and the client's physician or other provider of health care or
94 education to the client, family members of the client, and any
95 other appropriate person upon whom the client relies for
96 support.

97 (g) Minimize barriers to ensure that the client receives
98 music therapy services in the least restrictive environment.

99 (h) Collaborate with and educate the client and the
100 client's family members, caregivers, and any other appropriate

101 persons regarding the needs of the client which are being
102 addressed in music therapy and the manner in which the music
103 therapy treatment addresses those needs.

104 (i) Use appropriate knowledge and skills to inform
105 practice, including the use of research, reasoning, and problem-
106 solving skills to determine appropriate actions in the context
107 of each specific clinical setting.

108 (5) PROHIBITED ACTS; EXEMPTIONS.—A person may not practice
109 music therapy or represent himself or herself as being able to
110 practice music therapy in this state unless the person is
111 registered pursuant to this section. This section does not
112 prohibit or restrict the practice, services, or activities of
113 the following:

114 (a) A person licensed, certified, or regulated under the
115 laws of this state in another profession or occupation, or
116 personnel supervised by a licensed professional in this state
117 performing work, including the use of music, incidental to the
118 practice of his or her licensed, certified, or regulated
119 profession or occupation, if that person does not represent
120 himself or herself as a music therapist;

121 (b) A person whose training and national certification
122 attests to the person's preparation and ability to practice his
123 or her certified profession or occupation, if that person does
124 not represent himself or herself as a music therapist;

125 (c) Any practice of music therapy as an integral part of a

126 program of study for students enrolled in an accredited music
 127 therapy program, if the student does not represent himself or
 128 herself as a music therapist; or

129 (d) A person who practices music therapy under the
 130 supervision of a registered music therapist, if the person does
 131 not represent himself or herself as a music therapist.

132 (6) DEPARTMENT AUTHORITY.—

133 (a) The department is authorized to establish application,
 134 registration, and renewal fees estimated necessary to implement
 135 this section, but each fee may not exceed \$50.

136 (b) The department is authorized to adopt rules to
 137 implement this section.

138 (c) The department may deny or revoke registration or
 139 renewal of registration for violations of this section.

140 Section 2. This act shall take effect July 1, 2017.

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