

# SENATE BILL No. 317

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-15-5-1; IC 16-18-2-295; IC 25-0.5-2-22; IC 25-23.6; IC 35-52-25.

**Synopsis:** Art therapy. Provides that art therapy services provided by a certified art therapist or certified art therapist associate to an individual who receives mental health services or to an individual who receives services from a community mental health center are reimbursable under Medicaid. Provides for the certification of professional art therapists and art therapist associates by the behavioral health and human services licensing board through the professional licensing agency. Establishes qualifications and requirements for a certified art therapist and certified art therapist associate. Defines certain terms and makes conforming amendments.

**Effective:** July 1, 2022.

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January 11, 2022, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

## SENATE BILL No. 317

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-15-5-1, AS AMENDED BY P.L.149-2019,  
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2022]: Sec. 1. Except as provided in IC 12-15-2-12,  
4 IC 12-15-6, and IC 12-15-21, the following services and supplies are  
5 provided under Medicaid:  
6 (1) Inpatient hospital services.  
7 (2) Nursing facility services.  
8 (3) Physician's services, including services provided under  
9 IC 25-10-1 and IC 25-22.5-1.  
10 (4) Outpatient hospital or clinic services.  
11 (5) Home health care services.  
12 (6) Private duty nursing services.  
13 (7) Physical therapy and related services.  
14 (8) Dental services.  
15 (9) Prescribed laboratory and x-ray services.  
16 (10) Prescribed drugs and pharmacist services.  
17 (11) Eyeglasses and prosthetic devices.



- 1 (12) Optometric services.  
 2 (13) Diagnostic, screening, preventive, and rehabilitative services.  
 3 (14) Podiatric medicine services.  
 4 (15) Hospice services.  
 5 (16) Services or supplies recognized under Indiana law and  
 6 specified under rules adopted by the office.  
 7 (17) Family planning services except the performance of  
 8 abortions.  
 9 (18) Nonmedical nursing care given in accordance with the tenets  
 10 and practices of a recognized church or religious denomination to  
 11 an individual qualified for Medicaid who depends upon healing  
 12 by prayer and spiritual means alone in accordance with the tenets  
 13 and practices of the individual's church or religious denomination.  
 14 (19) Services provided to individuals described in IC 12-15-2-8.  
 15 (20) Services provided under IC 12-15-34 and IC 12-15-32.  
 16 (21) Case management services provided to individuals described  
 17 in IC 12-15-2-11 and IC 12-15-2-13.  
 18 (22) Any other type of remedial care recognized under Indiana  
 19 law and specified by the United States Secretary of Health and  
 20 Human Services.  
 21 (23) Examinations required under IC 16-41-17-2(a)(10).  
 22 (24) Inpatient substance abuse detoxification services.  
 23 (25) Chronic pain management.  
 24 **(26) Art therapy provided by an art therapist certified under**  
 25 **IC 25-23.6-10.8 to an individual who receives:**  
 26 **(A) mental health services under IC 12-17.6-4-2; or**  
 27 **(B) services from a community mental health center under**  
 28 **IC 12-29-2.**  
 29 SECTION 2. IC 16-18-2-295, AS AMENDED BY P.L.161-2014,  
 30 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2022]: Sec. 295. (a) "Provider", for purposes of IC 16-21-8,  
 32 has the meaning set forth in IC 16-21-8-0.2.  
 33 (b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for  
 34 IC 16-39-7), and IC 16-41-1 through IC 16-41-9, means any of the  
 35 following:  
 36 (1) An individual (other than an individual who is an employee or  
 37 a contractor of a hospital, a facility, or an agency described in  
 38 subdivision (2) or (3)) who is licensed, registered, or certified as  
 39 a health care professional, including the following:  
 40 (A) A physician.  
 41 (B) A psychotherapist.  
 42 (C) A dentist.



- 1 (D) A registered nurse.  
 2 (E) A licensed practical nurse.  
 3 (F) An optometrist.  
 4 (G) A podiatrist.  
 5 (H) A chiropractor.  
 6 (I) A physical therapist.  
 7 (J) A psychologist.  
 8 (K) An audiologist.  
 9 (L) A speech-language pathologist.  
 10 (M) A dietitian.  
 11 (N) An occupational therapist.  
 12 (O) A respiratory therapist.  
 13 (P) A pharmacist.  
 14 (Q) A sexual assault nurse examiner.  
 15 **(R) An art therapist.**  
 16 (2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or  
 17 described in IC 12-24-1 or IC 12-29.  
 18 (3) A health facility licensed under IC 16-28-2.  
 19 (4) A home health agency licensed under IC 16-27-1.  
 20 (5) An employer of a certified emergency medical technician, a  
 21 certified advanced emergency medical technician, or a licensed  
 22 paramedic.  
 23 (6) The state department or a local health department or an  
 24 employee, agent, designee, or contractor of the state department  
 25 or local health department.  
 26 (c) "Provider", for purposes of IC 16-39-7-1, has the meaning set  
 27 forth in IC 16-39-7-1(a).  
 28 (d) "Provider", for purposes of IC 16-48-1, has the meaning set forth  
 29 in IC 16-48-1-3.  
 30 SECTION 3. IC 25-0.5-2-22, AS ADDED BY P.L.3-2014,  
 31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2022]: Sec. 22. IC 25-1-2-2.1 applies to licenses **or**  
 33 **certifications** held by social workers, marriage and family therapists,  
 34 **and** mental health counselors, **and art therapists.**  
 35 SECTION 4. IC 25-23.6-1-1.6 IS ADDED TO THE INDIANA  
 36 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2022]: **Sec. 1.6. "Art therapist" means an**  
 38 **individual who is certified under IC 25-23.6-10.8-1.**  
 39 SECTION 5. IC 25-23.6-1-1.7 IS ADDED TO THE INDIANA  
 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2022]: **Sec. 1.7. "Art therapist associate"**  
 42 **means an individual who is certified under IC 25-23.6-10.8-2.**



1 SECTION 6. IC 25-23.6-1-3.8, AS AMENDED BY P.L.122-2009,  
 2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2022]: Sec. 3.8. Except as provided in IC 25-23.6-7-5,  
 4 "counselor" refers to a social worker, a clinical social worker, a  
 5 marriage and family therapist, a mental health counselor, an addiction  
 6 counselor, ~~or~~ a clinical addiction counselor, **an art therapist, or an art**  
 7 **therapist associate** who is licensed **or certified** under this article.

8 SECTION 7. IC 25-23.6-1-5.8 IS ADDED TO THE INDIANA  
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2022]: Sec. 5.8. "Practice of art therapy"  
 11 means the application of art, art media, and the creative process in  
 12 the education, assessment, prevention, treatment, and amelioration  
 13 of cognitive, physical, developmental, and behavioral conditions  
 14 and disabilities. The term includes the:

- 15 (1) use of art creation to assess a client's issues with the goal  
 16 of improving physical, psychological, and emotional  
 17 functioning and well-being;  
 18 (2) employment of art based techniques to:  
 19 (A) assess levels of functioning;  
 20 (B) determine treatment goals; and  
 21 (C) implement appropriate interventions;  
 22 to treat a client;  
 23 (3) use of therapeutic interventions to facilitate alternative  
 24 modes of receptive and expressive communication and  
 25 engagement;  
 26 (4) use of art to help clients:  
 27 (A) improve cognitive and sensory motor functions;  
 28 (B) reduce symptoms of depression, anxiety, posttraumatic  
 29 stress, and attachment disorders;  
 30 (C) resolve conflicts and distress;  
 31 (D) develop interpersonal skills;  
 32 (E) manage behavior;  
 33 (F) improve social functioning; and  
 34 (G) achieve self-esteem and self-awareness;  
 35 (5) adjustment of techniques and treatments to address  
 36 multicultural and diversity issues; and  
 37 (6) provision of:  
 38 (A) consultation;  
 39 (B) referral;  
 40 (C) crisis intervention;  
 41 (D) client advocacy; and  
 42 (E) education;



- 1           **services to clients.**  
 2           SECTION 8. IC 25-23.6-2-2, AS AMENDED BY P.L.249-2019,  
 3 SECTION 106, IS AMENDED TO READ AS FOLLOWS  
 4 [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) The board consists of ~~ten (10)~~  
 5 **twelve (12)** members appointed by the governor. Subject to  
 6 IC 25-1-6.5-3, the board must include the following:  
 7           (1) Two (2) marriage and family therapists who:  
 8               (A) have at least a master's degree in marriage and family  
 9               therapy or a related field from an eligible postsecondary  
 10              educational institution;  
 11              (B) are licensed under this ~~chapter~~, **article**; and  
 12              (C) have five (5) years of experience in marriage and family  
 13              therapy.  
 14           (2) One (1) social worker who:  
 15               (A) has at least a master's degree in social work from an  
 16               eligible postsecondary educational institution accredited by the  
 17               Council on Social Work Education;  
 18               (B) is licensed under this article; and  
 19               (C) has at least five (5) years of experience as a social worker.  
 20           (3) One (1) social services director of a hospital with a social  
 21           work degree who has at least three (3) years of experience in a  
 22           hospital setting.  
 23           (4) Two (2) mental health counselors who:  
 24               (A) have at least a master's degree in mental health counseling;  
 25               (B) are licensed under this article; and  
 26               (C) have at least five (5) years experience as a mental health  
 27               counselor.  
 28           (5) One (1) consumer who has never been credentialed under this  
 29           article.  
 30           (6) One (1) physician licensed under IC 25-22.5 who has training  
 31           in psychiatric medicine.  
 32           (7) Two (2) licensed clinical addiction counselors who:  
 33               (A) are licensed under IC 25-23.6-10.5; and  
 34               (B) have at least five (5) years experience in clinical addiction  
 35               counseling.  
 36           **(8) Two (2) art therapists who:**  
 37               **(A) have at least a master's degree in art therapy;**  
 38               **(B) are certified under this article; and**  
 39               **(C) have at least five (5) years experience as an art**  
 40               **therapist.**  
 41           (b) Not more than ~~six (6)~~ **seven (7)** members of the board may be  
 42           from the same political party.



1 (c) A member appointed:

2 (1) before July 1, 2019, serves a three (3) year term; and

3 (2) after June 30, 2019, serves a term under IC 25-1-6.5.

4 SECTION 9. IC 25-23.6-2-8, AS AMENDED BY P.L.192-2017,  
5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2022]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2  
7 establishing standards for the following:

8 (1) The competent practice of marriage and family therapy,  
9 bachelor's degree social work, social work, clinical social work,  
10 mental health counseling, addiction counseling, ~~and~~ clinical  
11 addiction counseling, **and art therapy.**

12 (2) The renewal of licenses **or certifications** issued under this  
13 article.

14 (3) Standards for the administration of this article.

15 (4) Continuing education requirements for an individual seeking  
16 renewal of licensure **or certification** as a bachelor's degree social  
17 worker, social worker, clinical social worker, ~~or~~ marriage and  
18 family therapist, **art therapist, or art therapist associate.**

19 (5) The retention of patient records and reports by a counselor.

20 (6) The approval of continuing education providers, programs,  
21 courses, fees, and proof of course completion.

22 (b) The board shall establish fees under IC 25-1-8-2.

23 (c) The board shall do the following:

24 (1) Consider the qualifications of individuals who apply for a  
25 license **or certification** under this article.

26 (2) Provide for examinations required under this article.

27 (3) Subject to IC 25-1-8-6, renew licenses **or certifications** under  
28 this article.

29 (4) Conduct proceedings under IC 25-1-9.

30 SECTION 10. IC 25-23.6-2-9.7 IS ADDED TO THE INDIANA  
31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2022]: **Sec. 9.7. (a) The art therapist section  
33 of the board is established. The section consists of the following:**

34 **(1) Two (2) art therapist members of the board.**

35 **(2) Two (2) consumer members of the board.**

36 **(3) One (1) physician member of the board.**

37 **(b) Three (3) members of the art therapist section, two (2) of  
38 whom must be art therapists, constitute a quorum.**

39 SECTION 11. IC 25-23.6-2-11, AS AMENDED BY P.L.122-2009,  
40 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2022]: Sec. 11. The social worker, marriage and family  
42 therapist, mental health counselor, ~~and~~ addiction counselor, **and art**



1 **therapist** sections of the board shall do the following:

- 2 (1) Approve continuing education courses authorized under this  
 3 article.  
 4 (2) Propose rules to the board concerning the practice of the  
 5 profession regulated by each section.  
 6 (3) Other duties as directed by the board.

7 SECTION 12. IC 25-23.6-4.7 IS ADDED TO THE INDIANA  
 8 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
 9 [EFFECTIVE JULY 1, 2022]:

10 **Chapter 4.7. Art Therapists; Unlawful Practices**

11 **Sec. 1. This chapter applies after December 31, 2022.**

12 **Sec. 2. (a) An individual may not:**

- 13 (1) **profess to be a certified art therapist;**  
 14 (2) **use the title:**  
 15 (A) **"certified art therapist"; or**  
 16 (B) **"art therapist"; or**  
 17 (3) **use any other words, letters, abbreviations, or insignia**  
 18 **indicating or implying that the individual is a certified art**  
 19 **therapist;**

20 **unless the individual is certified under this article.**

21 **(b) An individual may not:**

- 22 (1) **profess to be a certified art therapist associate;**  
 23 (2) **use the title:**  
 24 (A) **"certified art therapist associate"; or**  
 25 (B) **"art therapist associate"; or**  
 26 (3) **use any other words, letters, abbreviations, or insignia**  
 27 **indicating or implying that the individual is a certified art**  
 28 **therapist associate;**

29 **unless the individual is certified under this article.**

30 **Sec. 3. (a) This article may not be construed to limit the practice**  
 31 **of art therapy performed by an individual who does not use a title**  
 32 **specified in this article and who is one (1) of the following:**

- 33 (1) **A student, an intern, or a trainee pursuing a course of**  
 34 **study in art therapy to gain certification under this article in**  
 35 **an accredited postsecondary educational institution if:**  
 36 (A) **the services are performed under qualified supervision**  
 37 **and constitute a part of the individual's supervised course**  
 38 **of study or other level of supervision; and**  
 39 (B) **the student or graduate uses a title that contains the**  
 40 **term "student", "intern", or "trainee".**  
 41 (2) **Not a resident of Indiana if the individual performed the**  
 42 **services in Indiana for not more than five (5) days in any one**





1 (1) month or fifteen (15) days within any one (1) calendar year  
 2 and the person is authorized to perform such services under  
 3 the laws of the state or country in which the individual  
 4 resides.

5 (3) A rabbi, priest, Christian Science practitioner, minister, or  
 6 other member of the clergy.

7 (4) An employee or a volunteer for an organization  
 8 performing charitable, religious, or educational functions,  
 9 providing pastoral counseling, or providing other assistance.

10 (5) An individual who is certified by a state or national  
 11 organization that is recognized by the Indiana division of  
 12 mental health and addiction and who provides services in the  
 13 areas of alcohol or drug abuse addiction.

14 (6) A governmental employee who remains in the same job  
 15 classification or job family of that job classification.

16 (b) This article may not be construed to prohibit or limit any  
 17 service or treatment that involves the use of art or art media by a  
 18 licensed health care professional who:

19 (1) is acting within the scope of the person's license; and

20 (2) does not use a title specified in this article.

21 (c) Nothing in this section prohibits a person referred to in  
 22 subsection (a) from qualifying for certification under this article.

23 Sec. 4. (a) An individual who is certified as an art therapist  
 24 shall:

25 (1) display the certificate or a clear copy of the certificate at  
 26 each location where the art therapist regularly practices; and

27 (2) include the words "art therapist" or the letters "AT" on  
 28 all promotional materials, including business cards,  
 29 brochures, stationery, advertisements, and signs that name  
 30 the individual.

31 (b) An individual who is certified as an art therapist associate  
 32 shall:

33 (1) display the certificate or a clear copy of the certificate at  
 34 each location where the art therapist associate regularly  
 35 practices; and

36 (2) include the words "art therapist associate" or the letters  
 37 "ATA" on all promotional materials, including business  
 38 cards, brochures, stationery, advertisements, and signs that  
 39 name the individual.

40 Sec. 5. An individual who knowingly or intentionally violates  
 41 this chapter after December 31, 2022, commits a Class A  
 42 misdemeanor.



1 SECTION 13. IC 25-23.6-7-1 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) This chapter  
 3 applies to an individual licensed **or certified** under this article.

4 (b) This chapter does not apply to:

- 5 (1) physicians licensed under IC 25-22.5;
- 6 (2) nurses licensed under IC 25-23;
- 7 (3) psychologists licensed under IC 25-33; or
- 8 (4) attorneys licensed to practice law in Indiana;

9 when providing counseling services within the scope of practice for  
 10 which they are licensed.

11 SECTION 14. IC 25-23.6-7-5 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 5. As used in this  
 13 chapter, "counselor" means an individual licensed **or certified** under  
 14 this article who provides counseling services on a fee-for-services,  
 15 prepaid, or other compensatory basis.

16 SECTION 15. IC 25-23.6-10.1-2, AS AMENDED BY P.L.49-2019,  
 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2022]: Sec. 2. (a) This article may not be construed to limit  
 19 addiction counselor or clinical addiction counselor services performed  
 20 by a person who does not use a title specified in this article and who is  
 21 any of the following:

22 (1) A licensed or certified health care professional acting within  
 23 the scope of the person's license or certificate, including: ~~a~~

- 24 (A) **a** social worker licensed under this article;
- 25 (B) **a** clinical social worker licensed under this article;
- 26 (C) **a** marriage and family therapist licensed under this article;
- 27 (D) **a** mental health counselor licensed under this article;
- 28 (E) **a** psychologist licensed under IC 25-33;
- 29 (F) **a** physician licensed under IC 25-22.5; ~~or~~
- 30 (G) **a** nurse licensed under IC 25-23; ~~or~~
- 31 **(H) an art therapist or art therapist associate certified**  
 32 **under this article;**

33 and who has training and experience in addiction counseling.

34 (2) A student, an intern, or a trainee pursuing a course of study in  
 35 medicine or psychology or a course of study to gain licensure  
 36 under this article as follows:

- 37 (A) In an accredited eligible postsecondary educational  
 38 institution or training institution recognized by the Council for  
 39 Higher Education Accreditation (CHEA) for undergraduate  
 40 and graduate institutions. Accreditation by the Council for  
 41 Accreditation of Counseling and Related Educational  
 42 Programs or a substantially equivalent accreditation program



- 1 approved by the board is required for graduate institutions.
- 2 (B) Through a National Association of Alcohol and Drug
- 3 Abuse Counselors approved academic education provider; or
- 4 (C) By a graduate accumulating experience required for
- 5 licensure if:
- 6 (i) the services are performed under qualified supervision
- 7 and constitute a part of the person's supervised course of
- 8 study or other level of supervision; and
- 9 (ii) the student or graduate uses a title that contains the term
- 10 "intern", "student", or "trainee".
- 11 (3) A nonresident of Indiana if the person performs addiction
- 12 counseling or therapy in Indiana for not more than:
- 13 (A) five (5) days in any one (1) month; or
- 14 (B) fifteen (15) days in any one (1) calendar year;
- 15 and the person is authorized to perform such services under the
- 16 laws of the state or country in which the person resides.
- 17 (4) A rabbi, priest, Christian Science practitioner, minister, or
- 18 other member of the clergy.
- 19 (5) An employee or a volunteer for an organization performing
- 20 charitable, religious, or educational functions or providing
- 21 pastoral counseling or other assistance.
- 22 (6) A person who provides school counseling.
- 23 (7) A governmental employee who remains in the same job
- 24 classification or job family of that job classification.
- 25 (8) An employee of a court alcohol and drug program, a drug
- 26 court, or a reentry court certified by the office of judicial
- 27 administration when performing assigned job duties.
- 28 (9) A probation officer when performing assigned job duties.
- 29 (b) This section does not prohibit a person referred to in subsection
- 30 (a) from qualifying for licensure under this article.

31 SECTION 16. IC 25-23.6-10.8 IS ADDED TO THE INDIANA  
 32 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2022]:

34 **Chapter 10.8. Art Therapist Certification**

35 **Sec. 1. (a) An individual who applies to be certified as an art**  
 36 **therapist must furnish satisfactory evidence to the board that the**  
 37 **individual:**

- 38 (1) has received:
- 39 (A) a master's or doctoral degree from an accredited
- 40 postsecondary educational institution in a program in art
- 41 therapy, or a related field as approved by the board, that:
- 42 (i) is approved by the American Art Therapy Association



- 1 or accredited by the Commission on Accreditation of  
 2 Allied Health Education Programs; or  
 3 (ii) is determined by the board to be substantially  
 4 equivalent to an approved or accredited program in art  
 5 therapy under sections 3 and 4 of this chapter; or  
 6 (B) at least a master's degree from an accredited  
 7 postsecondary educational institution in a program or  
 8 course of studies that:  
 9 (i) is determined by the board to meet the educational  
 10 requirements under sections 3 and 4 of this chapter; or  
 11 (ii) has been accepted by the Art Therapy Credentials  
 12 Board, Inc., or a successor organization, as meeting the  
 13 educational requirements to qualify an individual for a  
 14 credential as a registered art therapist;  
 15 (2) has met the work experience requirements under section  
 16 5 of this chapter;  
 17 (3) has not been convicted of a crime that has a direct bearing  
 18 on the individual's ability to practice competently;  
 19 (4) has not been the subject of a disciplinary action by a  
 20 licensing or certification agency of another state or  
 21 jurisdiction prohibiting the individual from practicing as an  
 22 art therapist or art therapist associate;  
 23 (5) pays the fee established by the board; and  
 24 (6) has passed an examination provided by the board.  
 25 (b) An individual who applies to be certified as an art therapist  
 26 under this section, except as provided in section 14 of this chapter,  
 27 must furnish satisfactory evidence to the board that the individual:  
 28 (1) holds a valid art therapist associate certificate issued  
 29 under section 2 of this chapter and has met the work  
 30 experience requirements under section 5 of this chapter;  
 31 (2) has met the work experience requirements under section  
 32 5 of this chapter in another state or jurisdiction; or  
 33 (3) is licensed or certified to practice as an art therapist in  
 34 another state or jurisdiction under section 12 of this chapter.  
 35 Sec. 2. (a) An individual who applies to be certified as an art  
 36 therapist associate must furnish satisfactory evidence to the board  
 37 that the individual has:  
 38 (1) received a master's or doctoral degree in art therapy that  
 39 meets the requirements under section 1(a)(1) of this chapter;  
 40 (2) not been convicted of a crime that has a direct bearing on  
 41 the individual's ability to practice competently;  
 42 (3) not been the subject of a disciplinary action by a licensing



1 or certification agency of another state or jurisdiction  
 2 prohibiting the individual from practicing as an art therapist  
 3 or art therapist associate; and

4 (4) paid a fee established by the board.

5 (b) The board may require an individual who applies to be  
 6 certified as an art therapist associate to pass an examination  
 7 administered by an entity approved by the board.

8 **Sec. 3. (a) For purposes of section 1(a)(1)(A)(ii) and 1(a)(1)(B)(i)**  
 9 **of this chapter, an individual who applies for certification as an art**  
 10 **therapist or art therapist associate must:**

11 (1) have received a master's or doctoral degree that meets the  
 12 educational requirements for certification under section  
 13 1(a)(1) of this chapter; and

14 (2) have attended an eligible postsecondary educational  
 15 institution that meets the following requirements:

16 (A) If the institution is located in the United States or a  
 17 territory of the United States, the institution must be  
 18 accredited by a regional accrediting body recognized by  
 19 the Council for Higher Education Accreditation.

20 (B) If the institution is located in Canada, the institution  
 21 must be a member in good standing with the Association of  
 22 Universities and Colleges of Canada.

23 (C) If the institution is located in a foreign country other  
 24 than Canada, the institution must:

25 (i) be recognized as a program to train in the practice of  
 26 mental health counseling or psychotherapy; and

27 (ii) have maintained a standard of training that is  
 28 substantially equivalent to the standards of institutions  
 29 accredited by a regional accrediting body recognized by  
 30 the Council for Higher Education Accreditation.

31 (b) An individual who applies to be certified as an art therapist  
 32 under section 1 of this chapter or as an art therapist associate  
 33 under section 2 of this chapter and who has a master's or doctoral  
 34 degree from a program that did not emphasize art therapy may  
 35 complete the course work requirements from an institution:

36 (1) with a program in art therapy accredited by the  
 37 Commission on Accreditation of Allied Health Education  
 38 Programs; or

39 (2) that is accredited by a regional accrediting body  
 40 recognized by the Council for Higher Education  
 41 Accreditation, as approved by the board.

42 **Sec. 4. (a) For purposes of section 1(a)(1)(A)(ii) and 1(a)(1)(B)(i)**



1 of this chapter, the board may determine that an individual's  
 2 graduate level education program or course of study is  
 3 substantially equivalent to an approved or accredited program in  
 4 art therapy if the individual has completed the following  
 5 requirements:

6 (1) Except as provided in subsection (b), complete qualifying  
 7 course work that must include graduate level course credits  
 8 in at least the following content areas:

9 (A) Application of art therapy with people in different  
 10 treatment settings.

11 (B) Art therapy assessment.

12 (C) Counseling or psychological theories.

13 (D) Ethical and legal issues of art therapy practice.

14 (E) Group art therapy.

15 (F) History of art therapy.

16 (G) Human growth and development.

17 (H) Matters of cultural and social diversity bearing on the  
 18 practice of art therapy.

19 (I) Psychopathology or abnormal psychology.

20 (J) Psychological assessment.

21 (K) Research.

22 (L) Standards of good art therapy practice.

23 (M) Techniques of practice in art therapy.

24 (N) Theory of art therapy.

25 The content areas may be combined into any one (1) graduate  
 26 level course if the applicant can prove that the course  
 27 included instruction in all cognitive, psychomotor, and  
 28 behavior competencies required in the content area for  
 29 competent entry level practice of art therapy.

30 (2) At least one (1):

31 (A) supervised clinical practicum of at least one hundred  
 32 (100) hours; or

33 (B) qualifying internship or field experience in an art  
 34 therapy setting of at least six hundred (600) hours.

35 The requirements under clauses (A) and (B) may be met by  
 36 experience away from a postsecondary educational  
 37 institution, but that is certified by an official of that institution  
 38 as equivalent to a graduate level practicum or internship  
 39 program.

40 (b) The following may not be used to satisfy the educational  
 41 requirements under subsection (a):

42 (1) Thesis or dissertation work.



- 1           **(2) Practicums.**
- 2           **(3) Internships.**
- 3           **(4) Fieldwork.**
- 4           **Sec. 5. (a) An individual who applies for certification as an art**
- 5 **therapist must have:**
- 6           **(1) at least two (2) years of paid or volunteer supervised work**
- 7 **experience in the delivery of art therapy services; and**
- 8           **(2) supervised work experience conducted according to**
- 9 **requirements in subsections (b) through (g).**
- 10          **(b) An individual who applies for certification as an art**
- 11 **therapist must have:**
- 12           **(1) at least three thousand (3,000) hours of postgraduate work**
- 13 **experience in a clinical setting under supervision of a qualified**
- 14 **supervisor;**
- 15           **(2) at least one thousand (1,000) hours of contact with clients;**
- 16 **and**
- 17           **(3) at least one hundred (100) hours of face-to-face supervised**
- 18 **training with a qualified supervisor.**
- 19          **(c) A qualified supervisor may be a certified art therapist, a**
- 20 **board certified art therapist, or other licensed mental health**
- 21 **professional who has met standards for supervision specified in**
- 22 **rules approved by the board.**
- 23          **(d) A qualified supervisor must observe the successful**
- 24 **application of art therapy knowledge, skills, and values in the**
- 25 **diagnosis and treatment of psychological function, disability, or**
- 26 **impairment.**
- 27          **(e) Except as provided in subsection (f), the work experience**
- 28 **requirement may be met by work performed either at the premises**
- 29 **of the supervisor or away from the premises of the supervisor.**
- 30          **(f) The work experience requirement may not be performed**
- 31 **away from the premises of the supervisor if:**
- 32           **(1) the work premises is the independent private practice of a**
- 33 **certified art therapist or qualified supervisor; and**
- 34           **(2) the work is not performed at a place that has the**
- 35 **supervision of a certified art therapist or qualified supervisor.**
- 36          **(g) A doctoral internship may be applied toward the supervised**
- 37 **work experience requirement.**
- 38          **Sec. 6. An individual who satisfies the requirements of section**
- 39 **1(a)(1) through 1(a)(5) of this chapter may take the examination**
- 40 **provided by the board.**
- 41          **Sec. 7. The board shall provide for examinations to be given at**
- 42 **least once each year at times and places established by the board.**



1           **Sec. 8. (a) The board shall issue an art therapist certificate to an**  
 2 **applicant under section 1 of this chapter who:**

3           **(1) achieves a passing score on the examination under this**  
 4 **chapter; and**

5           **(2) is otherwise qualified under this chapter.**

6           **(b) The board shall issue an art therapist associate certificate to**  
 7 **an applicant under section 2 of this chapter who is otherwise**  
 8 **qualified under this chapter.**

9           **(c) A person issued a certificate under this section may engage**  
 10 **in the practice of art therapy.**

11           **Sec. 9. (a) Subject to IC 25-1-2-6(e), an art therapist certificate**  
 12 **issued by the board is valid for the remainder of the renewal**  
 13 **period in effect on the date the certificate was issued.**

14           **(b) An individual may renew an art therapist certificate by:**

15           **(1) paying a renewal fee on or before the expiration date of**  
 16 **the certificate; and**

17           **(2) completing at least twenty (20) hours of continuing**  
 18 **education each certification year.**

19           **(c) If an individual fails to pay a renewal fee on or before the**  
 20 **expiration of a certificate, the certificate becomes invalid.**

21           **Sec. 10. (a) Subject to IC 25-1-2-6(e), an art therapist associate**  
 22 **certificate issued by the board is valid for the remainder of the**  
 23 **renewal period in effect on the date the certificate was issued.**

24           **(b) An individual may renew an art therapist associate**  
 25 **certificate two (2) times by paying a renewal fee on or before the**  
 26 **expiration date of the certificate.**

27           **(c) If an individual fails to pay a renewal fee on or before the**  
 28 **expiration of a certificate, the certificate becomes invalid.**

29           **(d) The board may renew an art therapist associate certificate**  
 30 **for additional periods at the board's discretion.**

31           **(e) An art therapist associate certificate expires when:**

32           **(1) the individual is issued an art therapist certificate under**  
 33 **this chapter;**

34           **(2) the board denies the individual's application for an art**  
 35 **therapist certificate under this chapter; or**

36           **(3) the individual fails to apply for renewal of the art therapist**  
 37 **associate certificate under this chapter.**

38           **Sec. 11. (a) The board may reinstate an invalid art therapist**  
 39 **certificate issued under section 9 of this chapter up to three (3)**  
 40 **years after the expiration date of the certificate if the individual**  
 41 **holding the invalid certificate meets the requirements under**  
 42 **IC 25-1-8-6.**





1 (b) If more than three (3) years have elapsed since the date an  
 2 art therapist certificate expired, the individual holding the  
 3 certificate may renew the certificate by satisfying the requirements  
 4 for renewal established by the board and meeting the requirements  
 5 under IC 25-1-8-6.

6 (c) The board may reinstate an invalid art therapist associate  
 7 certificate issued under section 10 of this chapter up to one (1) year  
 8 after the expiration date of the certificate if the individual holding  
 9 the invalid certificate meets the requirements under IC 25-1-8-6.  
 10 An art therapist associate certificate that has been expired for  
 11 more than one (1) year may not be reinstated under IC 25-1-8-6.

12 **Sec. 12.** The board shall issue an art therapist certificate to an  
 13 individual if the individual:

14 (1) has a valid license or certificate to practice art therapy  
 15 from another state or jurisdiction;

16 (2) has engaged in at least three (3) years of full-time,  
 17 postdegree practice of art therapy, or its equivalent in  
 18 part-time practice as determined by the board;

19 (3) has passed an examination substantially equivalent to the  
 20 examination provided by the board under this chapter;

21 (4) has not been the subject of a disciplinary action by a  
 22 licensing or certification agency of another state or  
 23 jurisdiction prohibiting the individual from practicing as an  
 24 art therapist or art therapist associate without endangering  
 25 the public; and

26 (5) has paid a fee established by the board.

27 **Sec. 13.** (a) An individual who has an art therapist certificate  
 28 under this chapter shall notify the board in writing when the  
 29 individual retires from practice.

30 (b) Upon receipt of the notice, the board shall:

31 (1) record the individual as retired;

32 (2) release the individual from further payment of renewal  
 33 fees; and

34 (3) release the individual from further continuing education  
 35 requirements.

36 **Sec. 14.** The board may waive the requirements of section  
 37 1(a)(1) and 1(a)(6) of this chapter and issue an art therapy  
 38 certificate to an individual who furnishes satisfactory evidence to  
 39 the board that the individual:

40 (1) is a resident of Indiana;

41 (2) holds a credential in good standing as a board certified art  
 42 therapist with the Art Therapy Credentials Board;



1           **(3) has at least three (3) years of full-time, postdegree practice**  
 2           **of art therapy, or its equivalent in part-time practice prior to**  
 3           **submitting an application to the board;**

4           **(4) does not have a conviction for a crime that has a direct**  
 5           **bearing on the individual's ability to practice competently;**

6           **(5) has not been the subject of a disciplinary action by a**  
 7           **licensing or certification agency of another state or**  
 8           **jurisdiction prohibiting the individual from practicing as an**  
 9           **art therapist or art therapist associate without endangering**  
 10           **the public; and**

11           **(6) has paid the fee established by the board.**

12           SECTION 17. IC 25-23.6-11-1, AS AMENDED BY P.L.129-2018,  
 13           SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14           JULY 1, 2022]: Sec. 1. (a) Except for an individual who is licensed  
 15           under IC 25-22.5, is licensed under IC 25-33, is an advanced practice  
 16           registered nurse (as defined by IC 25-23-1-1(b)), or is licensed **or**  
 17           **certified** under this article, and who uses the terms within the scope of  
 18           the individual's education, training, and licensure, an individual may  
 19           not knowingly describe services the individual performs using the  
 20           following terms:

21                 (1) "Psychotherapy".

22                 (2) "Clinical psychology".

23           (b) An individual who violates this section commits a Class A  
 24           misdemeanor.

25           SECTION 18. IC 25-23.6-11-2 IS AMENDED TO READ AS  
 26           FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) An individual  
 27           may not knowingly use a license **or certificate** issued under this article  
 28           unless:

29                 (1) the license **or certificate** was issued to the individual; and

30                 (2) the license **or certificate** is valid.

31           (b) An individual who violates this section commits a Class A  
 32           misdemeanor.

33           SECTION 19. IC 25-23.6-11-3 IS AMENDED TO READ AS  
 34           FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) An individual  
 35           may not knowingly present false or forged information or documents  
 36           to the board for the purpose of obtaining a license **or certificate** under  
 37           this article.

38           (b) An individual who violates this section commits a Class A  
 39           misdemeanor.

40           SECTION 20. IC 35-52-25-31.5 IS ADDED TO THE INDIANA  
 41           CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 42           [EFFECTIVE JULY 1, 2022]: **Sec. 31.5. IC 25-23.6-4.7-5 defines a**



1 **crime concerning art therapists.**  
2 SECTION 21. IC 35-52-25-34, AS ADDED BY P.L.169-2014,  
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2022]: Sec. 34. IC 25-23.6-11-1 defines a crime concerning  
5 **marriage and family therapists: a description of services an**  
6 **individual performs.**  
7 SECTION 22. IC 35-52-25-35, AS ADDED BY P.L.169-2014,  
8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2022]: Sec. 35. IC 25-23.6-11-2 defines a crime concerning  
10 **marriage and family therapists: the use of a license or certificate**  
11 **issued.**  
12 SECTION 23. IC 35-52-25-36, AS ADDED BY P.L.169-2014,  
13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2022]: Sec. 36. IC 25-23.6-11-3 defines a crime concerning  
15 **marriage and family therapists: false or forged information or**  
16 **documents.**

