

# SENATE BILL No. 439

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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 35-52-25-31.5.

**Synopsis:** Licensure of art therapists. Provides that art therapy services provided 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 licensure 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 licensed art therapist and licensed art therapist associate.

**Effective:** July 1, 2020.

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## Grooms

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January 15, 2020, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## SENATE BILL No. 439

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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, 2020]: 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 licensed 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, 2020]: 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, 2020]: Sec. 22. IC 25-1-2-2.1 applies to licenses held by  
 33 social workers, marriage and family therapists, ~~and~~ mental health  
 34 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, 2020]: **Sec. 1.6. "Art therapist" means an**  
 38 **individual who is licensed 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, 2020]: **Sec. 1.7. "Art therapist associate"**  
 42 **means an individual who is licensed 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, 2020]: 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, **or an art therapist** who  
 7 is licensed 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, 2020]: **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) **consultation, referral, crisis intervention, client advocacy,**  
 38 **and education services to clients.**

39 SECTION 8. IC 25-23.6-2-2, AS AMENDED BY P.L.249-2019,  
 40 SECTION 106, IS AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The board consists of ~~ten (10)~~  
 42 **twelve (12)** members appointed by the governor. Subject to



- 1 IC 25-1-6.5-3, the board must include the following:  
 2 (1) Two (2) marriage and family therapists who:  
 3 (A) have at least a master's degree in marriage and family  
 4 therapy or a related field from an eligible postsecondary  
 5 educational institution;  
 6 (B) are licensed under this chapter; and  
 7 (C) have five (5) years of experience in marriage and family  
 8 therapy.  
 9 (2) One (1) social worker who:  
 10 (A) has at least a master's degree in social work from an  
 11 eligible postsecondary educational institution accredited by the  
 12 Council on Social Work Education;  
 13 (B) is licensed under this article; and  
 14 (C) has at least five (5) years of experience as a social worker.  
 15 (3) One (1) social services director of a hospital with a social  
 16 work degree who has at least three (3) years of experience in a  
 17 hospital setting.  
 18 (4) Two (2) mental health counselors who:  
 19 (A) have at least a master's degree in mental health counseling;  
 20 (B) are licensed under this article; and  
 21 (C) have at least five (5) years experience as a mental health  
 22 counselor.  
 23 (5) One (1) consumer who has never been credentialed under this  
 24 article.  
 25 (6) One (1) physician licensed under IC 25-22.5 who has training  
 26 in psychiatric medicine.  
 27 (7) Two (2) licensed clinical addiction counselors who:  
 28 (A) are licensed under IC 25-23.6-10.5; and  
 29 (B) have at least five (5) years experience in clinical addiction  
 30 counseling.  
 31 **(8) Two (2) art therapists who:**  
 32 **(A) have at least a master's degree in art therapy;**  
 33 **(B) are licensed under this article; and**  
 34 **(C) have at least five (5) years experience as an art**  
 35 **therapist.**  
 36 (b) Not more than ~~six (6)~~ **seven (7)** members of the board may be  
 37 from the same political party.  
 38 (c) A member appointed:  
 39 (1) before July 1, 2019, serves a three (3) year term; and  
 40 (2) after June 30, 2019, serves a term under IC 25-1-6.5.  
 41 SECTION 9. IC 25-23.6-2-8, AS AMENDED BY P.L.192-2017,  
 42 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2020]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2  
2 establishing standards for the following:

3 (1) The competent practice of marriage and family therapy,  
4 bachelor's degree social work, social work, clinical social work,  
5 mental health counseling, addiction counseling, ~~and~~ clinical  
6 addiction counseling, **and art therapy.**

7 (2) The renewal of licenses issued under this article.

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

9 (4) Continuing education requirements for an individual seeking  
10 renewal of licensure as a bachelor's degree social worker, social  
11 worker, clinical social worker, ~~or~~ marriage and family therapist,  
12 **or art therapist.**

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

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

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

17 (c) The board shall do the following:

18 (1) Consider the qualifications of individuals who apply for a  
19 license under this article.

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

21 (3) Subject to IC 25-1-8-6, renew licenses under this article.

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

23 SECTION 10. IC 25-23.6-2-9.7 IS ADDED TO THE INDIANA  
24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
25 [EFFECTIVE JULY 1, 2020]: **Sec. 9.7. (a) The art therapist section  
26 of the board is established. The section consists of the following:**

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

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

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

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

32 SECTION 11. IC 25-23.6-2-11, AS AMENDED BY P.L.122-2009,  
33 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2020]: Sec. 11. The social worker, marriage and family  
35 therapist, mental health counselor, ~~and~~ addiction counselor, **and art  
36 therapist** sections of the board shall do the following:

37 (1) Approve continuing education courses authorized under this  
38 article.

39 (2) Propose rules to the board concerning the practice of the  
40 profession regulated by each section.

41 (3) Other duties as directed by the board.

42 SECTION 12. IC 25-23.6-4.7 IS ADDED TO THE INDIANA



1 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2020]:

3 **Chapter 4.7. Art Therapists**

4 **Sec. 1. (a) An individual may not:**

- 5 (1) profess to be an art therapist;  
 6 (2) use the title:  
 7 (A) "licensed art therapist"; or  
 8 (B) "art therapist";  
 9 (3) use any other words, letters, abbreviations, or insignia  
 10 indicating or implying that the individual is an art therapist;  
 11 or  
 12 (4) practice art therapy for compensation;  
 13 unless the individual is licensed under this article.

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

- 15 (1) profess to be an art therapist associate;  
 16 (2) use the title:  
 17 (A) "licensed art therapist associate"; or  
 18 (B) "art therapist associate";  
 19 (3) use any other words, letters, abbreviations, or insignia  
 20 indicating or implying that the individual is an art therapist  
 21 associate; or  
 22 (4) practice art therapy for compensation;  
 23 unless the individual is licensed under this article.

24 **Sec. 2. (a) This article may not be construed to limit art therapy**  
 25 **services performed by an individual who does not use a title**  
 26 **specified in this article and who is one (1) of the following:**

- 27 (1) A licensed health care professional acting within the scope  
 28 of the person's license.  
 29 (2) A student, an intern, or a trainee pursuing a course of  
 30 study in art therapy to gain licensure under this article in an  
 31 accredited postsecondary educational institution if:  
 32 (A) the services are performed under qualified supervision  
 33 and constitute a part of the individual's supervised course  
 34 of study or other level of supervision; and  
 35 (B) the student or graduate uses a title that contains the  
 36 term "student", "intern", or "trainee".  
 37 (3) Not a resident of Indiana if the individual performed the  
 38 services in Indiana for not more than five (5) days in any one  
 39 (1) month or fifteen (15) days within any one (1) calendar year  
 40 and the person is authorized to perform such services under  
 41 the laws of the state or country in which the individual  
 42 resides.





- 1           **(4) A rabbi, priest, Christian Science practitioner, minister, or**
- 2           **other member of the clergy.**
- 3           **(5) An employee or a volunteer for an organization**
- 4           **performing charitable, religious, or educational functions,**
- 5           **providing pastoral counseling, or providing other assistance.**
- 6           **(6) An individual who is certified by a state or national**
- 7           **organization that is recognized by the Indiana division of**
- 8           **mental health and addiction and who provides services in the**
- 9           **areas of alcohol or drug abuse addiction.**
- 10          **(7) A governmental employee who remains in the same job**
- 11          **classification or job family of that job classification.**

12          **(b) Nothing in this section prohibits a person referred to in**  
 13          **subsection (a) from qualifying for licensure under this article.**

14          **Sec. 3. (a) An individual who is licensed as an art therapist shall:**

- 15           **(1) display the license or a clear copy of the license at each**
- 16           **location where the art therapist regularly practices; and**
- 17           **(2) include the words "art therapist" or the letters "AT" on**
- 18           **all promotional materials, including business cards,**
- 19           **brochures, stationery, advertisements, and signs that name**
- 20           **the individual.**

21          **(b) An individual who is licensed as an art therapist associate**  
 22          **shall:**

- 23           **(1) display the license or a clear copy of the license at each**
- 24           **location where the art therapist associate regularly practices;**
- 25           **and**
- 26           **(2) include the words "art therapist associate" or the letters**
- 27           **"ATA" on all promotional materials, including business**
- 28           **cards, brochures, stationery, advertisements, and signs that**
- 29           **name the individual.**

30          **Sec. 4. An individual who knowingly or intentionally violates**  
 31          **this chapter commits a Class A misdemeanor.**

32          SECTION 13. IC 25-23.6-10.1-2, AS AMENDED BY P.L.49-2019,  
 33          SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34          JULY 1, 2020]: Sec. 2. (a) This article may not be construed to limit  
 35          addiction counselor or clinical addiction counselor services performed  
 36          by a person who does not use a title specified in this article and who is  
 37          any of the following:

- 38           (1) A licensed or certified health care professional acting within
- 39           the scope of the person's license or certificate, including: ~~a~~
- 40           (A) a social worker licensed under this article;
- 41           (B) a clinical social worker licensed under this article;
- 42           (C) a marriage and family therapist licensed under this article;



- 1 (D) a mental health counselor licensed under this article;  
 2 (E) a psychologist licensed under IC 25-33;  
 3 (F) a physician licensed under IC 25-22.5; ~~or~~  
 4 (G) a nurse licensed under IC 25-23; **or**  
 5 **(H) an art therapist licensed under this article;**  
 6 and who has training and experience in addiction counseling.
- 7 (2) A student, an intern, or a trainee pursuing a course of study in  
 8 medicine or psychology or a course of study to gain licensure  
 9 under this article as follows:
- 10 (A) In an accredited eligible postsecondary educational  
 11 institution or training institution recognized by the Council for  
 12 Higher Education Accreditation (CHEA) for undergraduate  
 13 and graduate institutions. Accreditation by the Council for  
 14 Accreditation of Counseling and Related Educational  
 15 Programs or a substantially equivalent accreditation program  
 16 approved by the board is required for graduate institutions.
- 17 (B) Through a National Association of Alcohol and Drug  
 18 Abuse Counselors approved academic education provider; or  
 19 (C) By a graduate accumulating experience required for  
 20 licensure if:
- 21 (i) the services are performed under qualified supervision  
 22 and constitute a part of the person's supervised course of  
 23 study or other level of supervision; and  
 24 (ii) the student or graduate uses a title that contains the term  
 25 "intern", "student", or "trainee".
- 26 (3) A nonresident of Indiana if the person performs addiction  
 27 counseling or therapy in Indiana for not more than:
- 28 (A) five (5) days in any one (1) month; or  
 29 (B) fifteen (15) days in any one (1) calendar year;
- 30 and the person is authorized to perform such services under the laws of  
 31 the state or country in which the person resides.
- 32 (4) A rabbi, priest, Christian Science practitioner, minister, or  
 33 other member of the clergy.
- 34 (5) An employee or a volunteer for an organization performing  
 35 charitable, religious, or educational functions or providing  
 36 pastoral counseling or other assistance.
- 37 (6) A person who provides school counseling.
- 38 (7) A governmental employee who remains in the same job  
 39 classification or job family of that job classification.
- 40 (8) An employee of a court alcohol and drug program, a drug  
 41 court, or a reentry court certified by the office of judicial  
 42 administration when performing assigned job duties.



1 (9) A probation officer when performing assigned job duties.

2 (b) This section does not prohibit a person referred to in subsection  
3 (a) from qualifying for licensure under this article.

4 SECTION 14. IC 25-23.6-10.8 IS ADDED TO THE INDIANA  
5 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2020]:

7 **Chapter 10.8. Art Therapist Licensure**

8 **Sec. 1. (a) An individual who applies for an art therapist license  
9 must furnish satisfactory evidence to the board that the individual:**

10 (1) has received a master's or doctoral degree in art therapy  
11 from an accredited postsecondary educational institution  
12 that:

13 (A) is approved by the American Art Therapy Association  
14 or accredited by the Commission on Accreditation of  
15 Allied Health Education Programs;

16 (B) includes the education requirements under sections 3  
17 and 4 of this chapter;

18 (C) is determined by the board to be substantially  
19 equivalent to an approved or accredited program in art  
20 therapy; or

21 (D) has been accepted by the Art Therapy Credentials  
22 Board, Inc., as meeting the educational requirements to  
23 qualify an individual for a credential as a registered art  
24 therapist;

25 (2) has met the work experience requirements under section  
26 5 of this chapter;

27 (3) has passed an examination approved by the board;

28 (4) has not been convicted of a crime that has a direct bearing  
29 on the individual's ability to practice competently;

30 (5) has not been the subject of a disciplinary action by a  
31 licensing or certification agency of another state or  
32 jurisdiction prohibiting the individual from practicing as an  
33 art therapist; and

34 (6) pays the fee established by the board.

35 (b) An individual who applies for an art therapist license under  
36 this section, except as provided in section 14 of this chapter, must  
37 furnish satisfactory evidence that the individual:

38 (1) holds a valid art therapist associate license;

39 (A) in good standing; and

40 (B) issued under section 2 of this chapter; or

41 (2) is licensed or certified to practice as an art therapist in  
42 another state or jurisdiction under section 12 of this chapter.



1           **Sec. 2. (a) An individual who applies for a license as an art**  
2 **therapist associate must furnish satisfactory evidence to the board**  
3 **that the individual has:**

- 4           **(1) received a master's or doctoral degree in art therapy that**  
5 **meets the requirements in section 1(a)(1) of this chapter;**
- 6           **(2) completed the education requirements under sections 3**  
7 **and 4 of this chapter;**
- 8           **(3) not been convicted of a crime that has a direct bearing on**  
9 **the individual's ability to practice competently;**
- 10           **(4) not been the subject of a disciplinary action by a licensing**  
11 **or certification agency of another state or jurisdiction**  
12 **prohibiting the individual from practicing as an art therapist**  
13 **associate;**
- 14           **(5) paid a fee established by the board; and**
- 15           **(6) passed an examination provided by the board.**

16           **(b) The board shall issue an associate temporary permit to**  
17 **practice art therapy to an individual who:**

- 18           **(1) meets the educational requirements for a license as an art**  
19 **therapist under sections 3 and 4 of this chapter;**
- 20           **(2) is pursuing the required clinical supervisory hours for a**  
21 **license as an art therapist under section 5 of this chapter; and**
- 22           **(3) pays a fee set by the board for the temporary permit.**

23           **(c) An associate temporary permit issued under this subsection**  
24 **expires one (1) year after the date the permit is issued without**  
25 **regard to the number of times the individual passes or fails the**  
26 **required examination to become a licensed art therapist.**

27           **(d) An associate temporary permit may not be renewed.**

28           **Sec. 3. (a) An individual who applies for a license as an art**  
29 **therapist under section 1 of this chapter or as an art therapist**  
30 **associate under section 2 of this chapter must:**

- 31           **(1) have received a master's or doctoral degree in art therapy,**  
32 **or in a related area as determined by the board; and**
- 33           **(2) have attended an eligible postsecondary educational**  
34 **institution that meets the following requirements:**
  - 35           **(A) If the institution is located in the United States or a**  
36 **territory of the United States, the institution must be**  
37 **accredited by a regional accrediting body recognized by**  
38 **the Council for Higher Education Accreditation.**
  - 39           **(B) If the institution is located in Canada, the institution**  
40 **must be a member in good standing with the Association of**  
41 **Universities and Colleges of Canada.**
  - 42           **(C) If the institution is located in a foreign country other**



1 than Canada, the institution must:

- 2 (i) be recognized as a program to train in the practice of  
 3 mental health counseling or psychotherapy; and  
 4 (ii) have maintained a standard of training that is  
 5 substantially equivalent to the standards of institutions  
 6 accredited by a regional accrediting body recognized by  
 7 the Council for Higher Education Accreditation.

8 (b) An individual who applies for a license as an art therapist  
 9 under section 1 of this chapter or a license as an art therapist  
 10 associate under section 2 of this chapter and who has a master's or  
 11 doctoral degree from a program that did not emphasize art  
 12 therapy may complete the course work requirements from an  
 13 institution that is:

- 14 (1) accredited by the Art Therapy Credential Board, Inc.; and  
 15 (2) recognized by the United States Department of Education.

16 Sec. 4. (a) An individual who applies for a license as an art  
 17 therapist under section 1 of this chapter or as an art therapist  
 18 associate under section 2 of this chapter must complete the  
 19 following educational requirements:

- 20 (1) Except as provided in subsection (b), complete qualifying  
 21 course work that must include graduate level course credits  
 22 in at least the following content areas:  
 23 (A) Application of art therapy with people in different  
 24 treatment settings.  
 25 (B) Art therapy assessment.  
 26 (C) Counseling or psychological theories.  
 27 (D) Ethical and legal issues of art therapy practice.  
 28 (E) Group art therapy.  
 29 (F) History of art therapy.  
 30 (G) Human growth and development.  
 31 (H) Matters of cultural and social diversity bearing on the  
 32 practice of art therapy.  
 33 (I) Psychopathology or abnormal psychology.  
 34 (J) Psychological assessment.  
 35 (K) Research.  
 36 (L) Standards of good art therapy practice.  
 37 (M) Techniques of practice in art therapy.  
 38 (N) Theory of art therapy.

39 The content areas may be combined into any one (1) graduate  
 40 level course if the applicant can prove that the course work  
 41 was devoted to each separate content area.

- 42 (2) At least one (1):



1 (A) supervised clinical practicum of at least one hundred  
2 (100) hours; or

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

5 The requirements under clauses (A) and (B) may be met by  
6 experience away from a postsecondary educational  
7 institution, but that is certified by an official of that institution  
8 as equivalent to a graduate level practicum or internship  
9 program.

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

12 (1) Thesis or dissertation work.

13 (2) Practicums.

14 (3) Internships.

15 (4) Fieldwork.

16 Sec. 5. (a) An individual who applies for a license as an art  
17 therapist must have:

18 (1) at least two (2) years of paid or volunteer supervised work  
19 experience in the delivery of art therapy services; and

20 (2) supervised work experience must be conducted according  
21 to requirements in subsections (b) through (g).

22 (b) An individual who applies for a license as an art therapist  
23 must have:

24 (1) at least three thousand (3,000) hours of postgraduate work  
25 experience in a clinical setting under supervision of a qualified  
26 supervisor;

27 (2) at least one thousand (1,000) hours of contact with clients;  
28 and

29 (3) at least one hundred (100) hours of face-to-face supervised  
30 training with a qualified supervisor.

31 (c) A qualified supervisor may be an art therapist or other  
32 licensed mental health professional who has met standards for  
33 supervision specified in rules approved by the board.

34 (d) A qualified supervisor must observe the successful  
35 application of art therapy knowledge, skills, and values in the  
36 diagnosis and treatment of psychological function, disability, or  
37 impairment.

38 (e) Except as provided in subsection (f), the work experience  
39 requirement may be met by work performed either at the premises  
40 of the supervisor or away from the premises of the supervisor.

41 (f) The work experience requirement may not be performed  
42 away from the premises of the supervisor if:



- 1 (1) the work premises is the independent private practice of a  
 2 licensed art therapist; and  
 3 (2) the work is not performed at a place that has the  
 4 supervision of a licensed art therapist or qualified supervisor.  
 5 (g) A doctoral internship may be applied toward the supervised  
 6 work experience requirement.
- 7 **Sec. 6. An individual who satisfies the requirements of:**  
 8 (1) section 1 or 2 of this chapter; and  
 9 (2) section 4 of this chapter;  
 10 may take the examination provided by the board.
- 11 **Sec. 7. The board shall provide for examinations to be given at**  
 12 **least once each year at times and places established by the board.**
- 13 **Sec. 8. (a) The board shall issue a license to an applicant as an**  
 14 **art therapist under section 1 of this chapter or an art therapist**  
 15 **associate under section 2 of this chapter who:**  
 16 (1) achieves a passing score on the examination under this  
 17 chapter; and  
 18 (2) is otherwise qualified under this chapter.  
 19 (b) A person issued a license under this section may engage in  
 20 the practice of art therapy.
- 21 **Sec. 9. (a) Subject to IC 25-1-2-6(e), an art therapist license**  
 22 **issued by the board is valid for the remainder of the renewal**  
 23 **period in effect on the date the license was issued.**  
 24 (b) An individual may renew an art therapist license by:  
 25 (1) paying a renewal fee on or before the expiration date of  
 26 the license; and  
 27 (2) completing at least twenty (20) hours of continuing  
 28 education each licensure year.  
 29 (c) If an individual fails to pay a renewal fee on or before the  
 30 expiration of a license, the license becomes invalid.
- 31 **Sec. 10. (a) Subject to IC 25-1-2-6(e), an art therapist associate**  
 32 **license issued by the board is valid for the remainder of the**  
 33 **renewal period in effect on the date the license was issued.**  
 34 (b) An individual may renew an art therapist associate license  
 35 two (2) times by:  
 36 (1) paying a renewal fee on or before the expiration date of  
 37 the license; and  
 38 (2) completing at least twenty (20) hours of continuing  
 39 education each licensure year.  
 40 (c) If an individual fails to pay a renewal fee on or before the  
 41 expiration of a license, the license becomes invalid.  
 42 (d) The board may renew an art therapist associate license for



1 additional periods at the board's discretion.

2 (e) An art therapist associate license expires when:

- 3 (1) the individual is issued an art therapist license under this  
4 chapter;  
5 (2) the board denies the individual's application for an art  
6 therapist license under this chapter; or  
7 (3) the individual fails to apply for renewal of the art therapist  
8 associate license under this chapter.

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

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

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

24 Sec. 12. The board shall issue an art therapist license to an  
25 individual if the individual:

- 26 (1) has a valid license or certificate to practice art therapy  
27 from another state or jurisdiction;  
28 (2) has engaged in at least three (3) years of full-time,  
29 postdegree practice of art therapy, or its equivalent in  
30 part-time practice as determined by the board;  
31 (3) has passed an examination substantially equivalent to the  
32 examination approved by the board under this chapter;  
33 (4) has not been the subject of a disciplinary action by a  
34 licensing or certification agency of another state or  
35 jurisdiction prohibiting the individual from practicing as an  
36 art therapist without endangering the public; and  
37 (5) has paid a fee established by the board.

38 Sec. 13. (a) An individual who has an art therapist license under  
39 this chapter shall notify the board in writing when the individual  
40 retires from practice.

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

- 42 (1) record the individual as retired;





- 1           **(2) release the individual from further payment of renewal**
- 2           **fees; and**
- 3           **(3) release the individual from further continuing education**
- 4           **requirements.**

5           **Sec. 14. The board may waive the requirements of section**  
 6           **1(a)(1) and 1(a)(3) of this chapter and issue an art therapy license**  
 7           **to an individual who furnishes satisfactory evidence to the board**  
 8           **that the individual:**

- 9           **(1) is a resident of Indiana;**
- 10          **(2) holds a credential in good standing as a board certified art**
- 11          **therapist in another state or jurisdiction;**
- 12          **(3) has at least three (3) years of full-time, postdegree practice**
- 13          **of art therapy, or its equivalent in part-time practice prior to**
- 14          **submitting an application to the board;**
- 15          **(4) does not have a conviction for a crime that has a direct**
- 16          **bearing on the individual's ability to practice competently;**
- 17          **(5) has not been the subject of a disciplinary action by a**
- 18          **licensing or certification agency of another state or**
- 19          **jurisdiction prohibiting the individual from practicing as an**
- 20          **art therapist without endangering the public; and**
- 21          **(6) has paid the fee established by the board.**

22           **SECTION 15. IC 35-52-25-31.5 IS ADDED TO THE INDIANA**  
 23           **CODE AS A NEW SECTION TO READ AS FOLLOWS**  
 24           **[EFFECTIVE JULY 1, 2020]: Sec. 31.5. IC 25-23.6-4.7-4 defines a**  
 25           **crime concerning art therapists.**

