

# HOUSE BILL 1458

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By: **Delegates Sample–Hughes, Pena–Melnyk, Hill, and Morales**

Introduced and read first time: February 10, 2017

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Professional Counselors and Therapists – Maryland Music**  
3 **Therapists Act**

4 FOR the purpose of establishing the Music Therapist Advisory Committee within the State  
5 Board of Professional Counselors and Therapists; requiring the Board to adopt  
6 certain regulations and a certain code of ethics; requiring the Board to set certain  
7 fees for services provided by the Board to music therapists; requiring the Board to  
8 pay the fees to the Comptroller; requiring the Comptroller to distribute the fees to  
9 the Board; requiring the fees to be used to cover certain costs; providing for the  
10 composition, appointment, terms, compensation, and removal of the Committee  
11 members; requiring the Committee to elect a chair and a vice chair and to determine  
12 the manner of election of officers and the duties of each officer; providing that a  
13 majority of the members then serving on the Committee is a quorum; providing for  
14 meetings of the Committee; establishing certain powers and duties of the Committee;  
15 requiring individuals, beginning on a certain date, to be licensed by the Board as  
16 music therapists before performing certain work in the State except under certain  
17 circumstances; establishing certain certification, education, training, and other  
18 requirements to qualify for a license; requiring the Board to waive certain license  
19 requirements for a certain applicant until a certain date; establishing certain  
20 application fees and requirements for obtaining a license; establishing certain license  
21 terms and procedures for the renewal of a license; requiring the Board to issue a  
22 license to certain applicants; providing that a music therapist license authorizes the  
23 licensee to engage in the practice of music therapy; specifying the contents of a  
24 license; prohibiting the Board from issuing a license if certain information has not  
25 been received; requiring the Board to place a licensee on inactive status under  
26 certain circumstances; providing that a license may not lapse under certain  
27 circumstances; requiring a licensee to notify the Board of a change of name or  
28 address in a certain manner and within a certain time period; authorizing the Board  
29 to deny a license to an applicant, reprimand a licensee, place a licensee on probation,  
30 or suspend or revoke a license under certain circumstances; establishing certain  
31 requirements for reinstatement of a license; providing for certain criminal, civil, and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 administrative penalties; establishing certain hearing and appeal procedures for  
2 certain persons; authorizing the Board to issue a cease and desist order under certain  
3 circumstances; authorizing a certain action to be maintained to enjoin the  
4 unauthorized practice of music therapy or certain conduct; providing for a certain  
5 music therapist rehabilitation subcommittee; specifying the manner in which the  
6 music therapist rehabilitation subcommittee may function; providing that the  
7 proceedings, records, and files of the music therapist rehabilitation subcommittee  
8 are not discoverable or admissible in evidence in certain actions under certain  
9 circumstances; providing that a certain individual is not civilly liable for certain  
10 action as a member of the music therapist rehabilitation subcommittee; prohibiting  
11 a person from practicing, attempting to practice, or offering to practice music therapy  
12 in the State unless licensed by the Board except under certain circumstances;  
13 prohibiting an individual from representing to the public that the individual is a  
14 licensed music therapist or using certain titles, abbreviations, signs, cards, or other  
15 representations except under certain circumstances; establishing a certain short  
16 title; providing that the Committee is subject to the provisions of the Maryland  
17 Program Evaluation Act; requiring that an evaluation of the Committee and the  
18 statutes and regulations that relate to the Committee be performed on or before a  
19 certain date; defining certain terms; specifying the terms of the initial members of  
20 the Committee; providing for the termination of certain provisions of this Act; and  
21 generally relating to the licensing and regulation of music therapists and the Music  
22 Therapist Advisory Committee.

23 BY renumbering

24 Article – State Government  
25 Section 8–403(b)(38) through (58), respectively  
26 to be Section 8–403(b)(39) through (59), respectively  
27 Annotated Code of Maryland  
28 (2014 Replacement Volume and 2016 Supplement)

29 BY adding to

30 Article – Health Occupations  
31 Section 17–6B–01 through 17–6B–31 to be under the new subtitle “Subtitle 6B.  
32 Music Therapists”  
33 Annotated Code of Maryland  
34 (2014 Replacement Volume and 2016 Supplement)

35 BY repealing and reenacting, without amendments,

36 Article – State Government  
37 Section 8–403(a)  
38 Annotated Code of Maryland  
39 (2014 Replacement Volume and 2016 Supplement)

40 BY adding to

41 Article – State Government  
42 Section 8–403(b)(38)  
43 Annotated Code of Maryland

1 (2014 Replacement Volume and 2016 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
3 That Section(s) 8–403(b)(38) through (58), respectively, of Article – State Government of  
4 the Annotated Code of Maryland be renumbered to be Section(s) 8–403(b)(39) through (59),  
5 respectively.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
7 as follows:

8 **Article – Health Occupations**

9 **SUBTITLE 6B. MUSIC THERAPISTS.**

10 **17–6B–01.**

11 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
12 INDICATED.

13 (B) “BOARD CERTIFIED MUSIC THERAPIST” MEANS AN INDIVIDUAL WHO:

14 (1) HAS COMPLETED THE EDUCATION AND CLINICAL TRAINING  
15 REQUIREMENTS ESTABLISHED BY THE AMERICAN MUSIC THERAPY ASSOCIATION;  
16 AND

17 (2) HOLDS CURRENT BOARD CERTIFICATION FROM THE  
18 CERTIFICATION BOARD FOR MUSIC THERAPISTS.

19 (C) “COMMITTEE” MEANS THE MUSIC THERAPIST ADVISORY COMMITTEE  
20 ESTABLISHED UNDER § 17–6B–05 OF THIS SUBTITLE.

21 (D) “INDIVIDUALIZED MUSIC THERAPY TREATMENT PLAN” MEANS A MUSIC  
22 THERAPY TREATMENT PLAN FOR A CLIENT THAT IDENTIFIES THE GOALS,  
23 OBJECTIVES, AND POTENTIAL STRATEGIES FOR THE MUSIC THERAPY SERVICES  
24 APPROPRIATE FOR THE CLIENT USING MUSIC THERAPY INTERVENTIONS,  
25 INCLUDING:

26 (1) MUSIC IMPROVISATION;

27 (2) RECEPTIVE MUSIC LISTENING;

28 (3) SONG WRITING;

29 (4) LYRIC DISCUSSION;

1           **(5) MUSIC AND IMAGERY;**

2           **(6) MUSIC PERFORMANCE;**

3           **(7) LEARNING THROUGH MUSIC; AND**

4           **(8) MOVEMENT TO MUSIC.**

5           **(E) “LICENSE” MEANS A LICENSE ISSUED BY THE BOARD TO ENGAGE IN THE**  
6 **PRACTICE OF MUSIC THERAPY.**

7           **(F) “LICENSED PROFESSIONAL MUSIC THERAPIST” OR “LICENSEE” MEANS**  
8 **AN INDIVIDUAL WHO IS LICENSED BY THE BOARD TO ENGAGE IN THE PRACTICE OF**  
9 **MUSIC THERAPY.**

10           **(G) (1) “PRACTICE OF MUSIC THERAPY” MEANS THE CLINICAL AND**  
11 **EVIDENCE-BASED USE OF MUSIC THERAPY INTERVENTIONS TO ACCOMPLISH**  
12 **INDIVIDUALIZED GOALS FOR PEOPLE OF ALL AGES AND ABILITY LEVELS WITHIN A**  
13 **THERAPEUTIC RELATIONSHIP.**

14           **(2) “PRACTICE OF MUSIC THERAPY” INCLUDES:**

15                   **(I) ACCEPTING REFERRALS FOR MUSIC THERAPY SERVICES**  
16 **FROM:**

17                           1. **MEDICAL, DEVELOPMENTAL, MENTAL HEALTH, OR**  
18 **EDUCATION PROFESSIONALS;**

19                           2. **FAMILY MEMBERS;**

20                           3. **CLIENTS;**

21                           4. **CAREGIVERS; OR**

22                           5. **OTHERS INVOLVED AND AUTHORIZED WITH**  
23 **PROVISION OF CLIENT SERVICES;**

24                           **(II) COLLABORATING WITH A CLIENT’S TREATMENT TEAM TO**  
25 **REVIEW THE CLIENT’S DIAGNOSIS, TREATMENT NEEDS, AND TREATMENT PLAN**  
26 **BEFORE PROVIDING MUSIC THERAPY SERVICES TO A CLIENT FOR AN IDENTIFIED**  
27 **CLINICAL OR DEVELOPMENTAL NEED;**

1 (III) COLLABORATING WITH A CLIENT'S TREATMENT TEAM  
2 DURING THE PROVISION OF MUSIC THERAPY SERVICES TO THE CLIENT;

3 (IV) CONDUCTING A MUSIC THERAPY ASSESSMENT OF A CLIENT  
4 TO COLLECT SYSTEMATIC, COMPREHENSIVE, AND ACCURATE INFORMATION  
5 NECESSARY TO DETERMINE THE APPROPRIATE TYPE OF MUSIC THERAPY SERVICES  
6 TO PROVIDE FOR THE CLIENT;

7 (V) DEVELOPING AN INDIVIDUALIZED MUSIC THERAPY  
8 TREATMENT PLAN FOR A CLIENT THAT IS BASED ON THE MUSIC THERAPY  
9 ASSESSMENT;

10 (VI) IMPLEMENTING AN INDIVIDUALIZED MUSIC THERAPY  
11 TREATMENT PLAN THAT IS CONSISTENT WITH ANY OTHER DEVELOPMENTAL,  
12 REHABILITATIVE, HABILITATIVE, MEDICAL, MENTAL HEALTH, PREVENTIVE, OR  
13 WELLNESS CARE OR EDUCATIONAL SERVICES BEING PROVIDED TO A CLIENT;

14 (VII) EVALUATING A CLIENT'S RESPONSE TO MUSIC THERAPY  
15 AND THE MUSIC THERAPY TREATMENT PLAN, DOCUMENTING CHANGE AND  
16 PROGRESS, AND SUGGESTING MODIFICATIONS, AS APPROPRIATE;

17 (VIII) DEVELOPING A PLAN FOR DETERMINING WHEN THE  
18 PROVISION OF MUSIC THERAPY SERVICES IS NO LONGER NEEDED IN  
19 COLLABORATION WITH A CLIENT, THE CLIENT'S PHYSICIAN OR ANOTHER PROVIDER  
20 OF HEALTH CARE OR EDUCATION FOR THE CLIENT, AN APPROPRIATE MEMBER OF  
21 THE CLIENT'S FAMILY, AND ANY OTHER APPROPRIATE INDIVIDUAL ON WHOM THE  
22 CLIENT RELIES FOR SUPPORT;

23 (IX) MINIMIZING ANY BARRIERS TO ENSURE THAT A CLIENT  
24 RECEIVES MUSIC THERAPY SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT;

25 (X) COLLABORATING WITH AND EDUCATING A CLIENT, THE  
26 FAMILY OR CAREGIVER OF THE CLIENT, OR ANY OTHER APPROPRIATE INDIVIDUAL  
27 ABOUT THE NEEDS OF THE CLIENT THAT ARE BEING ADDRESSED IN MUSIC THERAPY  
28 AND THE MANNER IN WHICH THE MUSIC THERAPY ADDRESSES THOSE NEEDS; AND

29 (XI) USING APPROPRIATE KNOWLEDGE AND SKILLS, INCLUDING  
30 RESEARCH, REASONING, AND PROBLEM SOLVING SKILLS, TO INFORM PRACTICE AND  
31 DETERMINE APPROPRIATE ACTIONS IN THE CONTEXT OF EACH SPECIFIC CLINICAL  
32 SETTING.

33 (3) "PRACTICE OF MUSIC THERAPY" DOES NOT INCLUDE THE  
34 DIAGNOSIS OF ANY PHYSICAL, MENTAL, OR COMMUNICATION DISORDER.

1 **17-6B-02.**

2 **THIS SUBTITLE DOES NOT PROHIBIT OR RESTRICT THE PRACTICE, SERVICES,**  
3 **OR ACTIVITIES OF:**

4 **(1) AN INDIVIDUAL LICENSED, CERTIFIED, OR REGULATED UNDER**  
5 **THE LAWS OF THE STATE IN ANOTHER PROFESSION OR OCCUPATION OR PERSONNEL**  
6 **SUPERVISED BY A LICENSED PROFESSIONAL IN THE STATE PERFORMING WORK,**  
7 **INCLUDING THE USE OF MUSIC, INCIDENTAL TO THE PRACTICE OF THE**  
8 **INDIVIDUAL'S LICENSED, CERTIFIED, OR REGULATED PROFESSION OR**  
9 **OCCUPATION, IF THE INDIVIDUAL DOES NOT REPRESENT THAT THE INDIVIDUAL IS**  
10 **A LICENSED MUSIC THERAPIST;**

11 **(2) ANY INDIVIDUAL WHOSE TRAINING AND NATIONAL**  
12 **CERTIFICATION ATTESTS TO THE INDIVIDUAL'S PREPARATION AND ABILITY TO**  
13 **PRACTICE THE CERTIFIED PROFESSION OR OCCUPATION OF THE INDIVIDUAL, IF**  
14 **THE INDIVIDUAL DOES NOT REPRESENT THAT THE INDIVIDUAL IS A LICENSED**  
15 **MUSIC THERAPIST;**

16 **(3) ANY PRACTICE OF MUSIC THERAPY AS AN INTEGRAL PART OF A**  
17 **PROGRAM OF STUDY FOR STUDENTS ENROLLED IN AN ACCREDITED MUSIC THERAPY**  
18 **PROGRAM, IF THE STUDENT DOES NOT REPRESENT THAT THE STUDENT IS A**  
19 **LICENSED MUSIC THERAPIST; OR**

20 **(4) ANY INDIVIDUAL WHO ENGAGES IN THE PRACTICE OF MUSIC**  
21 **THERAPY UNDER THE SUPERVISION OF A LICENSED MUSIC THERAPIST, IF THE**  
22 **INDIVIDUAL DOES NOT REPRESENT THAT THE INDIVIDUAL IS A LICENSED MUSIC**  
23 **THERAPIST.**

24 **17-6B-03.**

25 **THE BOARD SHALL ADOPT:**

26 **(1) REGULATIONS FOR THE LICENSURE AND PRACTICE OF MUSIC**  
27 **THERAPY; AND**

28 **(2) A CODE OF ETHICS FOR THE PRACTICE OF MUSIC THERAPY.**

29 **17-6B-04.**

1           **(A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE ISSUANCE**  
2 **AND RENEWAL OF LICENSES AND THE OTHER SERVICES IT PROVIDES TO MUSIC**  
3 **THERAPISTS.**

4           **(2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO**  
5 **APPROXIMATE THE COST OF MAINTAINING THE LICENSURE PROGRAM AND THE**  
6 **OTHER SERVICES PROVIDED TO MUSIC THERAPISTS.**

7           **(B) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THE**  
8 **PROVISIONS OF THIS SUBTITLE TO THE COMPTROLLER.**

9           **(2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE**  
10 **BOARD.**

11           **(C) THE FEES SHALL BE USED TO COVER THE ACTUAL DOCUMENTED**  
12 **DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY**  
13 **DUTIES OF THE BOARD UNDER OF THIS SUBTITLE.**

14 **17-6B-05.**

15           **THERE IS A MUSIC THERAPIST ADVISORY COMMITTEE WITHIN THE BOARD.**

16 **17-6B-06.**

17           **(A) THE COMMITTEE CONSISTS OF FIVE MEMBERS APPOINTED BY THE**  
18 **BOARD WHO ARE FAMILIAR WITH THE PRACTICE OF MUSIC THERAPY, INCLUDING:**

19           **(1) THREE MEMBERS WHO PRACTICE AS MUSIC THERAPISTS IN THE**  
20 **STATE;**

21           **(2) ONE MEMBER WHO IS A LICENSED HEALTH CARE PRACTITIONER**  
22 **WHO IS NOT A MUSIC THERAPIST; AND**

23           **(3) ONE MEMBER WHO IS A CONSUMER.**

24           **(B) (1) ON OR BEFORE DECEMBER 31, 2017, THE MUSIC THERAPIST**  
25 **MEMBERS OF THE COMMITTEE SHALL BE BOARD CERTIFIED MUSIC THERAPISTS.**

26           **(2) ON AND AFTER JANUARY 1, 2018, THE MUSIC THERAPIST**  
27 **MEMBERS OF THE COMMITTEE SHALL BE LICENSED MUSIC THERAPISTS.**

28           **(C) THE CONSUMER MEMBER OF THE COMMITTEE:**

1           (1) SHALL BE A MEMBER OF THE GENERAL PUBLIC;

2           (2) MAY NOT BE OR EVER HAVE BEEN A MUSIC THERAPIST OR IN  
3 TRAINING TO BECOME A MUSIC THERAPIST;

4           (3) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A MUSIC  
5 THERAPIST OR IN TRAINING TO BECOME A MUSIC THERAPIST; AND

6           (4) MAY NOT HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT TO  
7 THE COMMITTEE A SUBSTANTIAL FINANCIAL INTEREST IN A PERSON REGULATED  
8 BY THE BOARD.

9           (D) (1) THE TERM OF A MEMBER IS 4 YEARS.

10           (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE  
11 TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1, 2017.

12           (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL  
13 A SUCCESSOR IS APPOINTED AND QUALIFIES.

14           (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES  
15 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND  
16 QUALIFIES.

17           (5) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL  
18 TERMS.

19           (E) THE BOARD MAY REMOVE A MEMBER FOR INCOMPETENCE OR  
20 MISCONDUCT.

21 17-6B-07.

22           (A) FROM AMONG ITS MEMBERS, THE COMMITTEE ANNUALLY SHALL ELECT  
23 A CHAIR AND A VICE CHAIR.

24           (B) THE COMMITTEE SHALL DETERMINE:

25           (1) THE MANNER OF ELECTION OF OFFICERS; AND

26           (2) THE DUTIES OF EACH OFFICER.

27 17-6B-08.



1           **(A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMITTEE IS A**  
2 **QUORUM.**

3           **(B) (1) THE COMMITTEE SHALL MEET AT LEAST ONCE A YEAR, AT THE**  
4 **TIMES AND PLACES THAT IT DETERMINES.**

5                   **(2) THE COMMITTEE MAY HOLD SPECIAL MEETINGS IF:**

6                           **(I) REQUESTED BY THE BOARD; OR**

7                                   **(II) THE CHAIR OR A MAJORITY OF THE MEMBERS THEN**  
8 **SERVING ON THE COMMITTEE CONSIDER A MEETING TO BE NECESSARY OR**  
9 **ADVISABLE.**

10                   **(3) REASONABLE NOTICE OF ALL COMMITTEE MEETINGS SHALL BE**  
11 **GIVEN IN THE MANNER DETERMINED BY THE COMMITTEE.**

12           **(C) A MEMBER OF THE COMMITTEE:**

13                   **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
14 **COMMITTEE; BUT**

15                   **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
16 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

17 **17-6B-09.**

18           **IN ADDITION TO THE POWERS AND DUTIES SET FORTH ELSEWHERE IN THIS**  
19 **SUBTITLE, THE COMMITTEE:**

20                   **(1) SHALL DEVELOP AND RECOMMEND TO THE BOARD REGULATIONS**  
21 **TO CARRY OUT THIS SUBTITLE;**

22                   **(2) SHALL DEVELOP AND RECOMMEND TO THE BOARD A CODE OF**  
23 **ETHICS FOR THE PRACTICE OF MUSIC THERAPY;**

24                   **(3) SHALL PROVIDE TO THE BOARD RECOMMENDATIONS**  
25 **CONCERNING:**

26                           **(I) THE PRACTICE OF MUSIC THERAPY; AND**

1                   **(II) REASONABLE FEES FOR THE ISSUANCE AND RENEWAL OF**  
2 **LICENSES AND THE OTHER SERVICES THAT THE BOARD PROVIDES TO MUSIC**  
3 **THERAPISTS;**

4                   **(4) SHALL KEEP A RECORD OF ITS PROCEEDINGS;**

5                   **(5) SHALL REPORT TO THE BOARD AS REQUIRED IN REGULATIONS**  
6 **ADOPTED BY THE BOARD;**

7                   **(6) MAY FACILITATE THE DEVELOPMENT OF MATERIALS THAT THE**  
8 **BOARD MAY USE TO EDUCATE THE PUBLIC CONCERNING MUSIC THERAPIST**  
9 **LICENSURE, THE BENEFITS OF MUSIC THERAPY, AND THE USE OF MUSIC THERAPY;**  
10 **AND**

11                   **(7) MAY ACT AS A FACILITATOR OF STATEWIDE DISSEMINATION OF**  
12 **INFORMATION AMONG MUSIC THERAPISTS, THE AMERICAN MUSIC THERAPY**  
13 **ASSOCIATION OR ANY SUCCESSOR ORGANIZATION, THE CERTIFICATION BOARD**  
14 **FOR MUSIC THERAPISTS OR ANY SUCCESSOR ORGANIZATION, AND THE BOARD.**

15 **17-6B-10.**

16                   **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, BEGINNING JANUARY 1,**  
17 **2018, AN INDIVIDUAL SHALL BE LICENSED BY THE BOARD BEFORE THE INDIVIDUAL**  
18 **MAY ENGAGE IN THE PRACTICE OF MUSIC THERAPY IN THE STATE.**

19 **17-6B-11.**

20                   **(A) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL BE AN INDIVIDUAL**  
21 **WHO MEETS THE REQUIREMENTS OF THIS SECTION.**

22                   **(B) THE APPLICANT SHALL:**

23                   **(1) BE OF GOOD MORAL CHARACTER; AND**

24                   **(2) BE AT LEAST 18 YEARS OLD.**

25                   **(C) THE APPLICANT SHALL:**

26                   **(1) (I) BE A BOARD CERTIFIED MUSIC THERAPIST; AND**

27                   **(II) PROVIDE PROOF:**

1                   1.    **A.    OF PASSING THE EXAMINATION FOR BOARD**  
2 **CERTIFICATION OFFERED BY THE CERTIFICATION BOARD FOR MUSIC THERAPISTS**  
3 **OR ANY SUCCESSOR ORGANIZATION; OR**

4                   **B.    OF    BEING    TRANSITIONED    INTO    BOARD**  
5 **CERTIFICATION; AND**

6                   2.    **THAT THE APPLICANT IS CURRENTLY A BOARD**  
7 **CERTIFIED MUSIC THERAPIST;**

8                   **(2)    HOLD A BACHELOR’S DEGREE OR HIGHER IN MUSIC THERAPY, OR**  
9 **ITS EQUIVALENT, FROM AN EDUCATIONAL PROGRAM THAT IS:**

10                   **(I)    APPROVED BY THE AMERICAN MUSIC THERAPY**  
11 **ASSOCIATION OR ANY SUCCESSOR ORGANIZATION; AND**

12                   **(II)   WITHIN AN ACCREDITED COLLEGE OR UNIVERSITY;**

13                   **(3)    HAVE SUCCESSFULLY COMPLETED AT LEAST 1,200 HOURS OF**  
14 **CLINICAL TRAINING INCLUDING:**

15                   **(I)    AT LEAST 180 HOURS OF PRE-INTERNSHIP EXPERIENCE;**  
16 **AND**

17                   **(II)   AT LEAST 900 HOURS OF EXPERIENCE IN INTERNSHIPS**  
18 **APPROVED BY:**

19                   1.    **AN ACADEMIC INSTITUTION; OR**

20                   2.    **THE AMERICAN MUSIC THERAPY ASSOCIATION OR**  
21 **ANY SUCCESSOR ORGANIZATION;**

22                   **(4)    BE IN GOOD STANDING BASED ON A REVIEW OF THE APPLICANT’S**  
23 **MUSIC THERAPY LICENSURE, CERTIFICATION, OR REGISTRATION HISTORY IN**  
24 **OTHER JURISDICTIONS, INCLUDING A REVIEW OF ANY DISCIPLINARY ACTIONS IN**  
25 **THE PRACTICE OF MUSIC THERAPY; AND**

26                   **(5)    MEET ANY OTHER REQUIREMENTS ESTABLISHED BY THE BOARD.**

27                   **(D)    THE BOARD SHALL WAIVE THE REQUIREMENTS UNDER SUBSECTION**  
28 **(C)(1) OF THIS SECTION UNTIL JANUARY 1, 2020, FOR AN APPLICANT WHO IS:**

1           **(1) DESIGNATED AS A REGISTERED MUSIC THERAPIST, CERTIFIED**  
2 **MUSIC THERAPIST, OR ADVANCED CERTIFIED MUSIC THERAPIST; AND**

3           **(2) IN GOOD STANDING WITH THE NATIONAL MUSIC THERAPY**  
4 **REGISTRY.**

5 **17-6B-12.**

6           **TO APPLY FOR A LICENSE, AN APPLICANT SHALL:**

7           **(1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT THE**  
8 **BOARD REQUIRES;**

9           **(2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE BOARD;**  
10 **AND**

11           **(3) SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN**  
12 **ACCORDANCE WITH § 17-501.1 OF THIS TITLE.**

13 **17-6B-13.**

14           **(A) THE BOARD SHALL ISSUE A LICENSE TO ANY APPLICANT WHO:**

15           **(1) MEETS THE REQUIREMENTS OF THIS SUBTITLE; OR**

16           **(2) (I) MEETS THE REQUIREMENTS OF § 17-6B-12 OF THIS**  
17 **SUBTITLE; AND**

18           **(II) PROVIDES EVIDENCE SATISFACTORY TO THE BOARD THAT**  
19 **THE APPLICANT IS LICENSED AND IN GOOD STANDING AS A MUSIC THERAPIST IN**  
20 **ANOTHER JURISDICTION WHERE THE QUALIFICATIONS REQUIRED ARE EQUAL TO**  
21 **OR GREATER THAN THOSE REQUIRED IN THIS SUBTITLE.**

22           **(B) THE BOARD SHALL INCLUDE ON EACH LICENSE THAT THE BOARD**  
23 **ISSUES:**

24           **(1) THE FULL NAME OF THE LICENSED MUSIC THERAPIST;**

25           **(2) THE DATES OF ISSUANCE AND EXPIRATION;**

26           **(3) A SERIAL NUMBER;**

1           (4) THE SIGNATURES OF THE CHAIR AND THE VICE CHAIR OF THE  
2 BOARD; AND

3           (5) THE SEAL OF THE BOARD.

4           (c) (1) ON RECEIPT OF THE CRIMINAL HISTORY RECORD INFORMATION  
5 OF AN APPLICANT FOR LICENSURE FORWARDED TO THE BOARD IN ACCORDANCE  
6 WITH § 17-501.1 OF THIS TITLE, IN DETERMINING WHETHER TO GRANT A LICENSE,  
7 THE BOARD SHALL CONSIDER:

8                   (i) THE AGE AT WHICH THE CRIME WAS COMMITTED;

9                   (ii) THE CIRCUMSTANCES SURROUNDING THE CRIME;

10                  (iii) THE LENGTH OF TIME THAT HAS PASSED SINCE THE CRIME;

11                  (iv) SUBSEQUENT WORK HISTORY;

12                  (v) EMPLOYMENT AND CHARACTER REFERENCES; AND

13                  (vi) OTHER EVIDENCE THAT DEMONSTRATES WHETHER THE  
14 APPLICANT POSES A THREAT TO THE PUBLIC HEALTH OR SAFETY.

15           (2) THE BOARD MAY NOT ISSUE A LICENSE IF THE CRIMINAL HISTORY  
16 RECORD INFORMATION REQUIRED UNDER § 17-501.1 OF THIS TITLE HAS NOT BEEN  
17 RECEIVED.

18 17-6B-14.

19           A MUSIC THERAPIST LICENSE AUTHORIZES THE LICENSEE TO ENGAGE IN THE  
20 PRACTICE OF MUSIC THERAPY WHILE THE LICENSE IS EFFECTIVE.

21 17-6B-15.

22           (A) (1) A LICENSE EXPIRES ON A DATE SET BY THE BOARD UNLESS THE  
23 LICENSE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS SECTION.

24           (2) A LICENSE MAY NOT BE RENEWED FOR A TERM LONGER THAN 2  
25 YEARS.

26           (B) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, THE BOARD SHALL  
27 SEND TO THE LICENSEE, BY FIRST-CLASS MAIL OR E-MAIL TO THE LAST KNOWN  
28 ADDRESS OF THE LICENSEE, A RENEWAL NOTICE THAT STATES:

1           **(1) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;**

2           **(2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE**  
3 **RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE**  
4 **THE LICENSE EXPIRES; AND**

5           **(3) THE AMOUNT OF THE RENEWAL FEE.**

6           **(C) BEFORE A LICENSE EXPIRES, THE LICENSEE PERIODICALLY MAY**  
7 **RENEW THE LICENSE FOR AN ADDITIONAL TERM IF THE LICENSEE:**

8           **(1) OTHERWISE IS ENTITLED TO BE LICENSED;**

9           **(2) PAYS TO THE BOARD A RENEWAL FEE SET BY THE BOARD; AND**

10          **(3) SUBMITS TO THE BOARD:**

11                   **(I) A RENEWAL APPLICATION ON THE FORM THAT THE BOARD**  
12 **REQUIRES; AND**

13                   **(II) SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY**  
14 **CONTINUING EDUCATION REQUIREMENTS ESTABLISHED BY THE BOARD UNDER**  
15 **SUBSECTION (D) OF THIS SECTION.**

16          **(D) (1) THE BOARD SHALL ESTABLISH CONTINUING EDUCATION**  
17 **REQUIREMENTS AS A CONDITION OF THE RENEWAL OF LICENSES UNDER THIS**  
18 **SECTION.**

19                   **(2) THE CONTINUING EDUCATION REQUIREMENTS SHALL INCLUDE**  
20 **PROOF OF COMPLETION OF AT LEAST 40 HOURS OF CONTINUING EDUCATION IN A**  
21 **PROGRAM APPROVED BY THE CERTIFICATION BOARD OF MUSIC THERAPISTS OR**  
22 **ANY SUCCESSOR ORGANIZATION.**

23          **(E) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE WHO**  
24 **MEETS THE REQUIREMENTS OF THIS SECTION.**

25 **17-6B-16.**

26          **(A) (1) THE BOARD SHALL PLACE A LICENSEE ON INACTIVE STATUS IF**  
27 **THE LICENSEE SUBMITS TO THE BOARD:**

1 (I) AN APPLICATION FOR INACTIVE STATUS ON THE FORM  
2 THAT THE BOARD REQUIRES; AND

3 (II) THE INACTIVE STATUS FEE SET BY THE BOARD.

4 (2) (I) THE BOARD SHALL LICENSE AN INDIVIDUAL ON INACTIVE  
5 STATUS WHO APPLIES FOR A LICENSE IF THE INDIVIDUAL:

6 1. MEETS THE RENEWAL REQUIREMENTS OF §  
7 17-6B-15 OF THIS SUBTITLE; AND

8 2. MEETS ANY CONTINUING EDUCATION  
9 REQUIREMENTS ESTABLISHED BY THE BOARD.

10 (II) THE BOARD MAY NOT REQUIRE PAYMENT OF A LATE FEE BY  
11 AN INDIVIDUAL AS A CONDITION TO LICENSING UNDER THIS PARAGRAPH.

12 (B) THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL WHO  
13 HAS NOT BEEN PUT ON INACTIVE STATUS AND WHO HAS FAILED TO RENEW THE  
14 LICENSE FOR ANY REASON IF THE INDIVIDUAL:

15 (1) MEETS THE RENEWAL REQUIREMENTS OF § 17-6B-15 OF THIS  
16 SUBTITLE;

17 (2) PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD;  
18 AND

19 (3) APPLIES TO THE BOARD FOR REINSTATEMENT OF THE LICENSE  
20 WITHIN 5 YEARS AFTER THE LICENSE EXPIRES.

21 (C) (1) THE BOARD MAY NOT REINSTATE THE LICENSE OF AN INDIVIDUAL  
22 WHO FAILS TO APPLY FOR REINSTATEMENT OF THE LICENSE WITHIN 5 YEARS AFTER  
23 THE LICENSE EXPIRES.

24 (2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, AN  
25 INDIVIDUAL MAY BECOME LICENSED BY MEETING THE REQUIREMENTS OF §  
26 17-6B-11 OF THIS SUBTITLE FOR OBTAINING A NEW LICENSE.

27 17-6B-17.

28 (A) A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF A CHANGE IN  
29 NAME OR ADDRESS WITHIN 60 DAYS AFTER THE CHANGE OCCURS.

1 (B) A LICENSEE WHO FAILS TO COMPLY WITH SUBSECTION (A) OF THIS  
2 SECTION IS SUBJECT TO AN ADMINISTRATIVE PENALTY OF \$100.

3 (C) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS  
4 SECTION TO THE GENERAL FUND OF THE STATE.

5 17-6B-18.

6 UNLESS THE BOARD ACCEPTS THE SURRENDER OF A LICENSE, THE LICENSE  
7 MAY NOT LAPSE BY OPERATION OF LAW WHILE THE LICENSEE IS UNDER  
8 INVESTIGATION OR WHILE CHARGES ARE PENDING AGAINST THE LICENSEE.

9 17-6B-19.

10 SUBJECT TO THE HEARING PROVISIONS OF § 17-6B-21 OF THIS SUBTITLE,  
11 THE BOARD, ON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS THEN  
12 SERVING, MAY DENY A LICENSE TO AN APPLICANT, REPRIMAND A LICENSEE, PLACE  
13 A LICENSEE ON PROBATION, OR SUSPEND OR REVOKE THE LICENSE OF A LICENSEE  
14 IF THE APPLICANT OR LICENSEE:

15 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO  
16 OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

17 (2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

18 (3) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO  
19 A FELONY OR A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT AN  
20 APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA  
21 SET ASIDE;

22 (4) AIDS OR ABETS AN UNAUTHORIZED PERSON IN PRACTICING  
23 MUSIC THERAPY OR SELF-REPRESENTING AS A MUSIC THERAPIST;

24 (5) PRACTICES MUSIC THERAPY FRAUDULENTLY OR DECEITFULLY;

25 (6) VIOLATES THE CODE OF ETHICS ADOPTED BY THE BOARD UNDER  
26 § 17-6B-03(2) OF THIS SUBTITLE;

27 (7) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT AS REQUIRED  
28 UNDER LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR RECORDING OF  
29 THE REPORT, OR INDUCES ANOTHER TO FAIL TO FILE OR RECORD THE REPORT;

30 (8) SUBMITS A FALSE STATEMENT TO COLLECT A FEE;



1           **(9) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD IN THE**  
2 **PRACTICE OF MUSIC THERAPY;**

3           **(10) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY AUTHORITY OF**  
4 **ANY STATE OR COUNTRY OR CONVICTED OR DISCIPLINED BY A COURT OF ANY STATE**  
5 **OR COUNTRY OR DISCIPLINED BY ANY BRANCH OF THE UNITED STATES UNIFORMED**  
6 **SERVICES OR THE UNITED STATES VETERANS ADMINISTRATION FOR AN ACT THAT**  
7 **WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THIS SECTION;**

8           **(11) VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY**  
9 **REGULATION ADOPTED BY THE BOARD;**

10           **(12) USES OR PROMOTES OR CAUSES THE USE OR PROMOTION OF ANY**  
11 **MISLEADING, DECEIVING, OR UNTRUTHFUL ADVERTISING MATTER, PROMOTIONAL**  
12 **LITERATURE, OR TESTIMONIAL;**

13           **(13) IS PROFESSIONALLY, PHYSICALLY, OR MENTALLY INCOMPETENT;**

14           **(14) PROMOTES THE SALE OF DEVICES, APPLIANCES, OR GOODS TO A**  
15 **PATIENT SO AS TO EXPLOIT THE PATIENT FOR FINANCIAL GAIN;**

16           **(15) BEHAVES IMMORALLY IN THE PRACTICE OF MUSIC THERAPY;**

17           **(16) COMMITS AN ACT OF UNPROFESSIONAL CONDUCT IN THE**  
18 **PRACTICE OF MUSIC THERAPY;**

19           **(17) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES**  
20 **AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL**  
21 **SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED TO RENDER**  
22 **BECAUSE THE INDIVIDUAL IS HIV POSITIVE;**

23           **(18) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION**  
24 **CONDUCTED BY THE BOARD;**

25           **(19) COMMITS AN ACT THAT IS INCONSISTENT WITH GENERALLY**  
26 **ACCEPTED PROFESSIONAL STANDARDS IN THE PRACTICE OF MUSIC THERAPY;**

27           **(20) FAILS TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN**  
28 **ACCORDANCE WITH § 17-501.1 OF THIS TITLE;**

29           **(21) HABITUALLY IS INTOXICATED;**

1           **(22) PROVIDES PROFESSIONAL SERVICES WHILE UNDER THE**  
2 **INFLUENCE OF ALCOHOL OR WHILE USING ANY NARCOTIC OR CONTROLLED**  
3 **DANGEROUS SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE,**  
4 **OR OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID**  
5 **MEDICAL INDICATION; OR**

6           **(23) KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN**  
7 **VIOLATION OF § 5-704 OF THE FAMILY LAW ARTICLE.**

8 **17-6B-20.**

9           **(A) IF, AFTER A HEARING UNDER § 17-6B-21 OF THIS SUBTITLE, THE**  
10 **BOARD FINDS THAT THERE ARE GROUNDS UNDER § 17-6B-19 OF THIS SUBTITLE TO**  
11 **SUSPEND OR REVOKE A LICENSE OR TO REPRIMAND A LICENSEE, THE BOARD MAY**  
12 **IMPOSE A MONETARY PENALTY NOT EXCEEDING \$10,000:**

13           **(1) INSTEAD OF SUSPENDING THE LICENSE; OR**

14           **(2) IN ADDITION TO SUSPENDING OR REVOKING THE LICENSE.**

15           **(B) THE BOARD SHALL ADOPT REGULATIONS TO SET STANDARDS FOR THE**  
16 **IMPOSITION OF MONETARY PENALTIES UNDER THIS SECTION.**

17           **(C) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS**  
18 **SECTION INTO THE GENERAL FUND OF THE STATE.**

19 **17-6B-21.**

20           **(A) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE**  
21 **PROCEDURE ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 17-6B-19 OF**  
22 **THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS**  
23 **CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.**

24           **(B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN**  
25 **ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.**

26           **(C) THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.**

27           **(D) (1) OVER THE SIGNATURE OF AN OFFICER OR THE ADMINISTRATOR**  
28 **OF THE BOARD, THE BOARD MAY ISSUE SUBPOENAS AND ADMINISTER OATHS IN**  
29 **CONNECTION WITH ANY INVESTIGATION UNDER THIS SUBTITLE AND ANY HEARINGS**  
30 **OR PROCEEDINGS BEFORE THE BOARD.**

1           **(2) THE BOARD SHALL ISSUE SUBPOENAS ON BEHALF OF THE**  
2 **INDIVIDUAL IF THE INDIVIDUAL:**

3                   **(I) REQUESTS THAT THE BOARD DO SO; AND**

4                   **(II) STATES UNDER OATH THAT THE TESTIMONY OR EVIDENCE**  
5 **SOUGHT IS NECESSARY TO THE INDIVIDUAL'S DEFENSE.**

6           **(3) IF, WITHOUT LAWFUL EXCUSE, AN INDIVIDUAL DISOBEYS A**  
7 **SUBPOENA FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH,**  
8 **TESTIFY, OR ANSWER A QUESTION, A COURT OF COMPETENT JURISDICTION MAY**  
9 **COMPEL, ON PETITION OF THE BOARD, COMPLIANCE WITH THE SUBPOENA.**

10           **(E) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS**  
11 **CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD NEVERTHELESS MAY**  
12 **HEAR AND DETERMINE THE MATTER.**

13           **(F) THE HEARING OF CHARGES MAY NOT BE STAYED OR CHALLENGED BY**  
14 **ANY PROCEDURAL DEFECTS ALLEGED TO HAVE OCCURRED BEFORE THE FILING OF**  
15 **CHARGES.**

16 **17-6B-22.**

17           **(A) EXCEPT AS PROVIDED IN THIS SECTION FOR AN ACTION UNDER §**  
18 **17-6B-19 OF THIS SUBTITLE, A PERSON AGGRIEVED BY A FINAL DECISION OF THE**  
19 **BOARD IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE**  
20 **ACT, MAY PETITION FOR JUDICIAL REVIEW AS ALLOWED BY THE ADMINISTRATIVE**  
21 **PROCEDURE ACT.**

22           **(B) A PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD UNDER §**  
23 **17-6B-19 OF THIS SUBTITLE MAY NOT APPEAL TO THE SECRETARY BUT MAY TAKE**  
24 **A DIRECT JUDICIAL APPEAL AS PROVIDED BY THE ADMINISTRATIVE PROCEDURE**  
25 **ACT.**

26           **(C) A DECISION OF THE BOARD TO DENY A LICENSE, ENFORCE A**  
27 **SUSPENSION OF A LICENSE FOR MORE THAN 1 YEAR, OR REVOKE A LICENSE MAY**  
28 **NOT BE STAYED PENDING JUDICIAL REVIEW.**

29 **17-6B-23.**

30           **FOR REASONS THE BOARD CONSIDERS SUFFICIENT, AND ON THE**  
31 **AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS THEN SERVING, THE BOARD**  
32 **MAY:**

1           **(1) REINSTATE A LICENSE THAT HAS BEEN REVOKED;**

2           **(2) REDUCE THE PERIOD OF A SUSPENSION; OR**

3           **(3) WITHDRAW A REPRIMAND.**

4 **17-6B-24.**

5           **THE BOARD MAY ISSUE A CEASE AND DESIST ORDER FOR A VIOLATION OF THIS**  
6 **SUBTITLE.**

7 **17-6B-25.**

8           **(A) AN ACTION MAY BE MAINTAINED IN THE NAME OF THE STATE OR THE**  
9 **BOARD TO ENJOIN:**

10           **(1) THE UNAUTHORIZED PRACTICE OF MUSIC THERAPY; OR**

11           **(2) CONDUCT THAT IS A GROUND FOR DISCIPLINARY ACTION UNDER**  
12 **§ 17-6B-19 OF THIS SUBTITLE.**

13           **(B) AN ACTION UNDER THIS SECTION MAY BE BROUGHT BY:**

14           **(1) THE BOARD, IN ITS OWN NAME;**

15           **(2) THE ATTORNEY GENERAL, IN THE NAME OF THE STATE; OR**

16           **(3) A STATE'S ATTORNEY, IN THE NAME OF THE STATE.**

17           **(C) AN ACTION UNDER THIS SECTION SHALL BE BROUGHT IN THE COUNTY**  
18 **WHERE THE DEFENDANT:**

19           **(1) RESIDES; OR**

20           **(2) ENGAGES IN THE ACTS SOUGHT TO BE ENJOINED.**

21           **(D) PROOF OF ACTUAL DAMAGE OR THAT ANY PERSON WILL SUSTAIN ANY**  
22 **DAMAGE IF AN INJUNCTION IS NOT GRANTED IS NOT REQUIRED FOR AN ACTION**  
23 **UNDER THIS SECTION.**

24           **(E) AN ACTION UNDER THIS SECTION IS IN ADDITION TO AND NOT INSTEAD**  
25 **OF CRIMINAL PROSECUTION FOR THE UNAUTHORIZED PRACTICE OF MUSIC**

1 THERAPY UNDER § 17-6B-27 OF THIS SUBTITLE OR DISCIPLINARY ACTION UNDER §  
2 17-6B-19 OF THIS SUBTITLE.

3 17-6B-26.

4 (A) IN THIS SECTION, "MUSIC THERAPIST REHABILITATION  
5 SUBCOMMITTEE" MEANS A SUBCOMMITTEE OF THE COMMITTEE THAT:

6 (1) IS RECOGNIZED BY THE BOARD;

7 (2) INCLUDES MUSIC THERAPISTS; AND

8 (3) EVALUATES AND PROVIDES ASSISTANCE TO ANY MUSIC  
9 THERAPIST IN NEED OF TREATMENT AND REHABILITATION FOR ALCOHOLISM, DRUG  
10 ABUSE, CHEMICAL DEPENDENCY, OR OTHER PHYSICAL, EMOTIONAL, OR MENTAL  
11 CONDITION.

12 (B) THE MUSIC THERAPIST REHABILITATION SUBCOMMITTEE MAY  
13 FUNCTION:

14 (1) SOLELY FOR THE COMMITTEE; OR

15 (2) JOINTLY WITH A REHABILITATION COMMITTEE REPRESENTING  
16 ANOTHER BOARD OR BOARDS.

17 (C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
18 PROCEEDINGS, RECORDS, AND FILES OF THE MUSIC THERAPIST REHABILITATION  
19 SUBCOMMITTEE ARE NOT DISCOVERABLE AND ARE NOT ADMISSIBLE IN EVIDENCE  
20 IN ANY CIVIL ACTION ARISING OUT OF THE MATTERS THAT ARE BEING OR HAVE BEEN  
21 REVIEWED AND EVALUATED BY THE MUSIC THERAPIST REHABILITATION  
22 SUBCOMMITTEE.

23 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO ANY  
24 RECORD OR DOCUMENT THAT IS CONSIDERED BY THE MUSIC THERAPIST  
25 REHABILITATION SUBCOMMITTEE AND THAT OTHERWISE WOULD BE SUBJECT TO  
26 DISCOVERY OR INTRODUCTION INTO EVIDENCE IN A CIVIL ACTION.

27 (3) FOR PURPOSES OF THIS SUBSECTION, CIVIL ACTION DOES NOT  
28 INCLUDE A PROCEEDING BEFORE THE BOARD OR JUDICIAL REVIEW OF A  
29 PROCEEDING BEFORE THE BOARD.

30 (D) AN INDIVIDUAL WHO ACTS IN GOOD FAITH AND WITHIN THE SCOPE OF  
31 JURISDICTION OF THE MUSIC THERAPIST REHABILITATION SUBCOMMITTEE IS NOT

1 CIVILLY LIABLE FOR ANY ACTION AS A MEMBER OF THE MUSIC THERAPIST  
2 REHABILITATION SUBCOMMITTEE OR FOR GIVING INFORMATION TO,  
3 PARTICIPATING IN, OR CONTRIBUTING TO THE FUNCTION OF THE MUSIC THERAPIST  
4 REHABILITATION SUBCOMMITTEE.

5 **17-6B-27.**

6 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN INDIVIDUAL  
7 MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE MUSIC  
8 THERAPY IN THIS STATE UNLESS LICENSED BY THE BOARD.

9 (B) EACH VIOLATION OF THIS SECTION IS A SEPARATE OFFENSE.

10 **17-6B-28.**

11 UNLESS AUTHORIZED TO PRACTICE MUSIC THERAPY UNDER THIS SUBTITLE,  
12 AN INDIVIDUAL MAY NOT:

13 (1) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS A LICENSED  
14 MUSIC THERAPIST; OR

15 (2) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER  
16 REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED MUSIC THERAPIST.

17 **17-6B-29.**

18 (A) AN INDIVIDUAL WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS  
19 GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT  
20 EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

21 (B) AN INDIVIDUAL WHO VIOLATES § 17-6B-27 OF THIS SUBTITLE IS  
22 SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$50,000 TO BE ASSESSED BY THE  
23 BOARD IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

24 **17-6B-30.**

25 THIS SUBTITLE MAY BE CITED AS THE MARYLAND MUSIC THERAPISTS ACT.

26 **17-6B-31.**

27 SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE  
28 PROGRAM EVALUATION ACT, THIS SUBTITLE AND ALL RULES AND REGULATIONS

1 ADOPTED UNDER THIS SUBTITLE SHALL TERMINATE AND BE OF NO FURTHER  
2 EFFECT AFTER JULY 1, 2027.

3 **Article – State Government**

4 8–403.

5 (a) On or before December 15 of the evaluation year specified, the Department  
6 shall:

7 (1) conduct a preliminary evaluation of each governmental activity or unit  
8 to be evaluated under this section; and

9 (2) prepare a report on each preliminary evaluation conducted.

10 (b) Each of the following governmental activities or units and the statutes and  
11 regulations that relate to the governmental activities or units are subject to preliminary  
12 evaluation in the evaluation year specified:

13 **(38) MUSIC THERAPIST ADVISORY COMMITTEE (§ 17–6B–05 OF THE**  
14 **HEALTH OCCUPATIONS ARTICLE: 2024);**

15 SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial  
16 members of the Music Therapist Advisory Committee shall expire as follows:

17 (1) one music therapist member in 2018;

18 (2) one music therapist member and the consumer member in 2019; and

19 (3) one music therapist member and the licensed health care practitioner  
20 who is not a music therapist member in 2020.

21 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2017.