

AMENDED IN ASSEMBLY APRIL 20, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 1279**

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**Introduced by Assembly Member Holden**

February 27, 2015

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An act to add Chapter 10.7 (commencing with Section 4650) to Division 2 of the Business and Professions Code, relating to music therapy.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1279, as amended, Holden. Music therapy.

Existing law provides for the licensure and regulation of various healing arts practitioners by boards within the Department of Consumer Affairs. ~~Existing law does not provide for the licensure of music therapists.~~

*Existing law establishes the State Department of Public Health and sets forth its powers and duties over the regulation of health facilities and adult day health care centers, including, but not limited to, adopting regulations setting forth applicable staffing standards. Existing regulations of the department applicable to intermediate care facilities for the developmentally disabled and for adult day health care centers define "music therapist" as a person who has a bachelor's degree in music therapy and who is registered or eligible for registration by the National Association for Music Therapy, now known as the American Music Therapy Association.*

~~This bill would provide that only a qualified person, defined as an individual who~~ *prohibit a person who provides music therapy*

*interventions, as defined, from using the title of “Board Certified Music Therapist” unless the person has completed the education and clinical training requirements established by a specified music therapy association the American Music Therapy Association and who holds current board certification and an MT-BC credential from a specified certification organization, shall be permitted to perform music therapy interventions. The bill would further provide that an individual providing music therapy interventions shall not refer to himself or herself using the title of “Board Certified Music Therapist” unless the individual meets certain criteria and has been awarded a credential from the specified certification organization. the Certification Board for Music Therapists. This bill would prohibit its provisions from being construed to authorize a person engaged in music therapy to state or imply that he or she provides mental health counseling or psychotherapy for which a license is required and provide that use of music therapy shall not imply or suggest that the person is a Board Certified Music Therapist, if he or she does not meet specified criteria.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 10.7 (commencing with Section 4650)  
2 is added to Division 2 of the Business and Professions Code, to  
3 read:

4  
5 CHAPTER 10.7. MUSIC THERAPY

6  
7 4650. This chapter shall be known, and may be cited, as the  
8 Music Therapy Act.

9 4651. The Legislature finds and declares the following:

10 (a) Existing national certification of music therapist requires  
11 the therapist to have graduated with a bachelor’s degree or its  
12 equivalent, or higher, from a music therapy degree program  
13 approved by the American Music Therapy Association (AMTA),  
14 successful completion of a minimum of 1,200 hours of supervised  
15 clinical work through preinternship training at an approved degree  
16 program, and internship training through approved national roster  
17 or university affiliated internship programs, or an equivalent.

1 (b) Upon successful completion of the AMTA academic and  
2 clinical training requirements or its international equivalent, an  
3 individual is eligible to sit for the national board certification exam  
4 administered by the Certification Board for Music Therapists  
5 (CBMT), an independent, nonprofit corporation fully accredited  
6 by the National Commission for Certifying Agencies.

7 (c) The CBMT grants the Music Therapist-Board Certified  
8 (MT-BC) credential to music therapists who have demonstrated  
9 the knowledge, skills, and abilities for competence in the current  
10 practice of music therapy. The purpose of board certification in  
11 music therapy is to provide an objective national standard that can  
12 be used as a measure of professionalism and competence by  
13 interested agencies, groups, and individuals.

14 (d) The MT-BC is awarded by the CBMT to an individual upon  
15 successful completion of an academic and clinical training program  
16 approved by the AMTA or an international equivalent and  
17 successful completion of an objective written examination  
18 demonstrating current competency in the profession of music  
19 therapy. The CBMT administers this examination, which is based  
20 on a nationwide music therapy practice analysis that is reviewed  
21 and updated every five years to reflect current clinical practice.

22 (e) Once certified, a music therapist must adhere to the CBMT  
23 Code of Professional Practice and recertify every five years through  
24 either a program of continuing education or reexamination.

25 4652. It is the intent of the Legislature that this chapter do the  
26 following:

27 (a) Provide statutory definitions relating to the practice of music  
28 therapy.

29 (b) Enable consumers and state and local agencies to more easily  
30 identify qualified music therapists.

31 4653. As used in this chapter:

32 (a) "Music therapy" means the clinical and evidence-based use  
33 of music therapy interventions in developmental, rehabilitative,  
34 habilitative, medical, mental health, preventive, wellness care, or  
35 educational settings to accomplish individualized goals for people  
36 of all ages and ability levels within a therapeutic relationship by  
37 a qualified individual. Music therapy includes all of the following:

38 (1) The development of music therapy treatment plans specific  
39 to the needs and strengths of the client who may be seen  
40 individually or in groups.

1 (2) Individualized treatment plans for each client.

2 (3) The establishment of goals, objectives, and potential  
3 strategies of the music therapy services appropriate for the client  
4 and setting.

5 (b) “Music therapy interventions” include, but are not limited  
6 to, music improvisation, receptive music listening, song writing,  
7 lyric discussion, music and imagery, singing, music performance,  
8 learning through music, music combined with other arts,  
9 music-assisted relaxation, music-based patient education, electronic  
10 music technology, adapted music intervention, and movement to  
11 music.

12 (c) “Qualified individual” includes an individual who has  
13 completed the education and clinical training requirements  
14 established by the American Music Therapy Association and who  
15 holds current board certification from the Certification Board for  
16 Music Therapists.

17 ~~4654. Only qualified persons, as defined in subdivision (c) of~~  
18 ~~Section 4653, shall be permitted to perform music therapy~~  
19 ~~interventions in the State of California.~~ An individual providing  
20 music therapy interventions shall not refer to himself or herself  
21 using the title of “Board Certified Music Therapist” unless the  
22 individual meets the criteria specified in subdivision (c) of Section  
23 4653 and has been awarded the MT-BC credential from the  
24 Certification Board of Music Therapists.

25 *4655. This chapter shall not be construed to authorize a person*  
26 *engaged in music therapy to state or imply that he or she provides*  
27 *mental health counseling or psychotherapy for which a license is*  
28 *required under this division. While the use of music is not restricted*  
29 *to any profession, the use of music therapy shall not imply or*  
30 *suggest that the person is a Board Certified Music Therapist, if*  
31 *he or she does not meet the criteria specified in subdivision (c) of*  
32 *Section 4653.*