

HOUSE BILL No. 6197

June 12, 2018, Introduced by Rep. Albert and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16141 and 16145 (MCL 333.16141 and 333.16145),
as amended by 1993 PA 80, and by adding section 16324a and part
169A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16141. (1) The department shall furnish office services
2 to the committee, the boards, and the task forces; have charge of
3 their offices, records, and money collected; and perform managerial
4 and administrative functions for them.

5 (2) The department shall appoint administrative and
6 secretarial staff, clerks, and employees necessary to allow the
7 proper exercise of the powers and duties of the committee, a board,
8 or a task force. Salaries and other expenses incurred by the

1 committee, a board, or a task force and staff and expenses for
2 studies and activities authorized under this article shall be paid
3 out of funds appropriated by the legislature for those purposes.

4 (3) The department may promulgate rules to promote the
5 effective and consistent administration of this article. However,
6 the department shall not promulgate rules that constitute the
7 licensure, registration, or examination of health professionals
8 **EXCEPT AFTER CONSULTATION WITH THE BOARD OR TASK FORCE FOR THAT**
9 **HEALTH PROFESSION.**

10 Sec. 16145. (1) A board may adopt and have an official seal.

11 (2) A board or task force ~~may promulgate rules~~ **SHALL CONSULT**
12 **WITH THE DEPARTMENT REGARDING RULES IT CONSIDERS** necessary or
13 appropriate to fulfill its functions ~~as prescribed in~~ **UNDER** this
14 article.

15 (3) ~~Only a~~ **A** board or task force shall ~~promulgate rules to~~
16 specify requirements for licenses, registrations, renewals, **AND**
17 examinations ~~,~~ and required passing scores.

18 **SEC. 16324A. FEES FOR AN INDIVIDUAL WHO IS LICENSED OR SEEKING**
19 **LICENSURE TO ENGAGE IN THE PRACTICE OF MUSIC THERAPY UNDER PART**
20 **169A ARE AS FOLLOWS:**

21	(A) APPLICATION PROCESSING FEE.....	\$ 75.00
22	(B) LICENSE FEE, PER YEAR.....	148.00

23 **PART 169A**

24 **MUSIC THERAPY**

25 **SEC. 16931. AS USED IN THIS PART:**

26 (A) "ACCREDITED" MEANS APPROVED BY AN ACCREDITING BODY

1 RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION.

2 (B) "MUSIC THERAPIST" MEANS AN INDIVIDUAL WHO IS LICENSED TO
3 ENGAGE IN THE PRACTICE OF MUSIC THERAPY UNDER THIS PART.

4 (C) SUBJECT TO SUBDIVISION (D), "PRACTICE OF MUSIC THERAPY"
5 MEANS THE CLINICAL AND EVIDENCE-BASED USE OF MUSIC INTERVENTIONS TO
6 ACCOMPLISH INDIVIDUALIZED GOALS FOR INDIVIDUALS OF ALL AGES AND
7 ABILITY LEVELS WITHIN A THERAPEUTIC RELATIONSHIP BY EMPLOYING
8 STRATEGIES AND TOOLS THAT INCLUDE, BUT ARE NOT LIMITED TO, ANY OF
9 THE FOLLOWING:

10 (i) DEVELOPING AND IMPLEMENTING INDIVIDUALIZED MUSIC THERAPY
11 TREATMENT PLANS THAT ARE SPECIFIC TO THE NEEDS AND STRENGTHS OF THE
12 CLIENT AND AT A MINIMUM INCLUDE GOALS, OBJECTIVES, AND POTENTIAL
13 STRATEGIES THAT ARE APPROPRIATE FOR THE CLIENT AND SETTING.

14 (ii) USING MUSIC THERAPY TECHNIQUES SUCH AS MUSIC
15 IMPROVISATION, RECEPTIVE MUSIC LISTENING, SONG WRITING, LYRIC
16 DISCUSSION, MUSIC AND IMAGERY, SINGING, MUSIC PERFORMANCE, LEARNING
17 THROUGH MUSIC, MUSIC COMBINED WITH OTHER ARTS, MUSIC-ASSISTED
18 RELAXATION, MUSIC-BASED PATIENT EDUCATION, ELECTRONIC MUSIC
19 TECHNOLOGY, ADAPTED MUSIC INTERVENTION, AND MOVEMENT TO MUSIC.

20 (iii) ACCEPTING REFERRALS FOR MUSIC THERAPY SERVICES FROM
21 MEDICAL, DEVELOPMENTAL, MENTAL HEALTH, OR EDUCATION PROFESSIONALS;
22 FAMILY MEMBERS; CLIENTS; CAREGIVERS; OR OTHERS WHO ARE INVOLVED
23 WITH AND AUTHORIZED TO PROVIDE SERVICES TO A CLIENT.

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

1 PROVIDING MUSIC THERAPY SERVICES TO A CLIENT, COLLABORATING WITH
2 THE CLIENT'S TREATMENT TEAM, WHEN APPROPRIATE.

3 (v) CONDUCTING A MUSIC THERAPY ASSESSMENT TO DETERMINE IF
4 TREATMENT FOR A CLIENT IS INDICATED, AND IF TREATMENT FOR THE
5 CLIENT IS INDICATED, CONDUCTING A MUSIC THERAPY ASSESSMENT OF THE
6 CLIENT TO COLLECT SYSTEMATIC, COMPREHENSIVE, AND ACCURATE
7 INFORMATION TO DETERMINE THE TYPE OF MUSIC THERAPY SERVICES THAT
8 ARE APPROPRIATE FOR THE CLIENT.

9 (vi) DEVELOPING AN INDIVIDUALIZED MUSIC THERAPY TREATMENT PLAN
10 FOR A CLIENT THAT IS BASED ON THE RESULTS OF A MUSIC THERAPY
11 ASSESSMENT DESCRIBED IN SUBPARAGRAPH (v) AND INCLUDES
12 INDIVIDUALIZED GOALS AND OBJECTIVES THAT FOCUS ON THE ASSESSED
13 NEEDS AND STRENGTHS OF THE CLIENT AND SPECIFY THE MUSIC THERAPY
14 APPROACHES AND INTERVENTIONS TO BE USED TO ADDRESS THOSE GOALS AND
15 OBJECTIVES.

16 (vii) IMPLEMENTING AN INDIVIDUALIZED MUSIC THERAPY TREATMENT
17 PLAN FOR A CLIENT THAT IS CONSISTENT WITH ANY OTHER DEVELOPMENTAL,
18 REHABILITATIVE, HABILITATIVE, MEDICAL, MENTAL HEALTH, PREVENTIVE,
19 WELLNESS CARE, OR EDUCATIONAL SERVICES THE CLIENT IS RECEIVING.

20 (viii) EVALUATING A CLIENT'S RESPONSE TO MUSIC THERAPY AND THE
21 MUSIC THERAPY TREATMENT PLAN, DOCUMENTING CHANGES AND PROGRESS, AND
22 MAKING SUGGESTIONS FOR MODIFICATIONS, AS APPROPRIATE.

23 (ix) DEVELOPING A PLAN FOR DETERMINING WHEN A CLIENT NO LONGER
24 NEEDS MUSIC THERAPY SERVICES, IN COLLABORATION WITH THE CLIENT,
25 PHYSICIAN, OR OTHER PROVIDER OF HEALTH CARE OR EDUCATION OF THE
26 CLIENT, FAMILY MEMBERS OF THE CLIENT, AND ANY OTHER APPROPRIATE
27 INDIVIDUAL ON WHOM THE CLIENT RELIES FOR SUPPORT.

1 (x) MINIMIZING ANY BARRIERS TO ENSURE THAT THE CLIENT RECEIVES
2 MUSIC THERAPY SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT.

3 (xi) COLLABORATING WITH AND EDUCATING A CLIENT AND THE FAMILY,
4 CAREGIVER OF THE CLIENT, OR ANY OTHER APPROPRIATE INDIVIDUAL,
5 REGARDING THE NEEDS OF THE CLIENT THAT ARE BEING ADDRESSED IN MUSIC
6 THERAPY AND THE MANNER IN WHICH THE MUSIC THERAPY TREATMENT
7 ADDRESSES THOSE NEEDS.

8 (D) "PRACTICE OF MUSIC THERAPY" DOES NOT INCLUDE DIAGNOSIS OR
9 EVALUATION OF ANY PHYSICAL, MENTAL, OR COMMUNICATION DISORDER.

10 SEC. 16933. (1) THE BOARD OF MUSIC THERAPY IS CREATED IN THE
11 DEPARTMENT. THE BOARD SHALL CONSIST OF 9 VOTING MEMBERS WHO MEET
12 THE REQUIREMENTS OF PART 161, AS FOLLOWS:

13 (A) SIX INDIVIDUALS WHO ARE LICENSED UNDER THIS PART.

14 (B) THREE PUBLIC MEMBERS.

15 (2) THE TERM OF OFFICE OF EACH MEMBER OF THE BOARD CREATED
16 UNDER SUBSECTION (1), EXCEPT A MEMBER APPOINTED TO FILL A VACANCY,
17 EXPIRES 4 YEARS AFTER APPOINTMENT, ON JUNE 30 OF THE YEAR IN WHICH
18 THE TERM EXPIRES.

19 SEC. 16935. (1) ONLY AN INDIVIDUAL WHO IS LICENSED OR EXEMPT
20 UNDER THIS PART SHALL ENGAGE IN THE PRACTICE OF MUSIC THERAPY OR
21 ASSUME OR USE ANY TITLE, WORDS, OR ABBREVIATIONS, INCLUDING THE
22 TITLE OR DESIGNATION "MUSIC THERAPIST", THAT INDICATE THAT THE
23 INDIVIDUAL IS AUTHORIZED TO PRACTICE MUSIC THERAPY.

24 (2) ONLY AN INDIVIDUAL WHO IS LICENSED UNDER THIS PART SHALL
25 USE THE TITLE "LICENSED MUSIC THERAPIST" OR ANY OTHER DESIGNATION
26 THAT INDICATES OR IMPLIES THAT THE INDIVIDUAL IS LICENSED TO ENGAGE
27 IN THE PRACTICE OF MUSIC THERAPY.

1 SEC. 16937. THIS PART DOES NOT APPLY TO ANY OF THE FOLLOWING:

2 (A) AN INDIVIDUAL WHO IS LICENSED, CERTIFIED, OR REGULATED
3 UNDER THE LAWS OF THIS STATE IN ANOTHER PROFESSION OR OCCUPATION,
4 OR PERSONNEL SUPERVISED BY A LICENSED PROFESSIONAL IN THIS STATE,
5 PERFORMING WORK, INCLUDING THE USE OF MUSIC, INCIDENTAL TO THE
6 PRACTICE OF HIS OR HER LICENSED, CERTIFIED, OR REGULATED PROFESSION
7 OR OCCUPATION, IF THAT INDIVIDUAL DOES NOT REPRESENT HIMSELF OR
8 HERSELF AS A MUSIC THERAPIST.

9 (B) AN INDIVIDUAL WHOSE TRAINING AND NATIONAL CERTIFICATION
10 ATTESTS TO THE INDIVIDUAL'S PREPARATION AND ABILITY TO PRACTICE HIS
11 OR HER PROFESSION OR OCCUPATION, IF THAT INDIVIDUAL DOES NOT
12 REPRESENT HIMSELF OR HERSELF AS A MUSIC THERAPIST.

13 SEC. 16939. (1) IF IT RECEIVES A COMPLETED APPLICATION AND
14 PAYMENT OF THE APPROPRIATE APPLICATION PROCESSING AND LICENSE FEE,
15 THE BOARD SHALL GRANT A LICENSE UNDER THIS PART TO AN INDIVIDUAL
16 WHO SATISFIES THE REQUIREMENTS OF SECTION 16174 AND MEETS ALL OF
17 THE FOLLOWING REQUIREMENTS:

18 (A) IF HE OR SHE IS LICENSED OR CERTIFIED TO ENGAGE IN THE
19 PRACTICE OF MUSIC THERAPY IN ANY OTHER STATES, THAT LICENSE OR
20 CERTIFICATION IS IN GOOD STANDING.

21 (B) HAS A BACHELOR'S DEGREE OR HIGHER IN MUSIC THERAPY, OR ITS
22 EQUIVALENT, FROM AN ACCREDITED COLLEGE OR UNIVERSITY WITH A PROGRAM
23 APPROVED BY THE AMERICAN MUSIC THERAPY ASSOCIATION, OR FROM A
24 SUCCESSOR ORGANIZATION AS DETERMINED BY THE BOARD.

25 (C) SUBMITS SUFFICIENT PROOF, AS DETERMINED BY THE DEPARTMENT,
26 THAT HE OR SHE HAS CURRENT CERTIFICATION WITH THE CERTIFICATION
27 BOARD FOR MUSIC THERAPISTS, OR FROM A SUCCESSOR ORGANIZATION AS

1 DETERMINED BY THE BOARD.

2 (D) SUCCESSFULLY COMPLETES A MINIMUM OF 1,200 HOURS OF
3 CLINICAL TRAINING THAT INCLUDES ALL OF THE FOLLOWING:

4 (i) AT LEAST 180 HOURS IN PREINTERNSHIP EXPERIENCES.

5 (ii) AT LEAST 900 HOURS IN INTERNSHIP EXPERIENCES, IN AN
6 INTERNSHIP THAT IS APPROVED BY AN ACADEMIC INSTITUTION, THE
7 AMERICAN MUSIC THERAPY ASSOCIATION, OR FROM A SUCCESSOR
8 ORGANIZATION AS DETERMINED BY THE BOARD.

9 (E) SUBJECT TO SUBSECTION (2), PROVIDES PROOF SATISFACTORY TO
10 THE DEPARTMENT THAT HE OR SHE PASSED THE EXAMINATION FOR BOARD
11 CERTIFICATION OFFERED BY THE CERTIFICATION BOARD FOR MUSIC
12 THERAPISTS, OR FROM A SUCCESSOR ORGANIZATION AS DETERMINED BY THE
13 BOARD, OR PROVIDES PROOF THAT IS SATISFACTORY TO THE DEPARTMENT
14 THAT HE OR SHE WAS TRANSITIONED INTO BOARD CERTIFICATION.

15 (F) MEETS ANY OTHER EDUCATION OR TRAINING REQUIREMENTS
16 ESTABLISHED BY RULE.

17 (2) UNTIL JANUARY 1, 2020, THE BOARD SHALL WAIVE THE
18 EXAMINATION REQUIREMENT FOR AN APPLICANT WHO IS DESIGNATED AS A
19 REGISTERED MUSIC THERAPIST, CERTIFIED MUSIC THERAPIST, OR ADVANCED
20 CERTIFIED MUSIC THERAPIST BY, AND IS IN GOOD STANDING WITH, THE
21 NATIONAL MUSIC THERAPY REGISTRY, OR THAT MEETS THE REQUIREMENTS FOR
22 THAT DESIGNATION AS DETERMINED BY THE BOARD.

23 SEC. 16941. (1) A LICENSE UNDER THIS PART IS VALID FOR 4
24 YEARS, BEGINNING ON THE DATE OF ISSUE AND ENDING ON THE EXPIRATION
25 DATE PRESCRIBED FOR MUSIC THERAPISTS UNDER SECTION 16194.

26 (2) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, MAY
27 PROMULGATE RULES TO REQUIRE A LICENSEE WHO IS SEEKING RENEWAL OF

1 HIS OR HER LICENSES TO FURNISH EVIDENCE THAT, DURING THE LICENSING
2 PERIOD IMMEDIATELY PRECEDING THE APPLICATION FOR RENEWAL, HE OR SHE
3 HAS CURRENT CERTIFICATION WITH THE CERTIFICATION BOARD FOR MUSIC
4 THERAPISTS, OR MEETS THE STANDARDS FOR THAT CERTIFICATION, AS
5 DETERMINED BY THE BOARD.

6 Enacting section 1. This amendatory act takes effect 90 days
7 after the date it is enacted into law.