

SENATE BILL REPORT

ESSB 5485

As Passed Senate, March 6, 2019

Title: An act relating to licensure of music therapists.

Brief Description: Licensing of music therapists.

Sponsors: Senate Committee on Health & Long Term Care (originally sponsored by Senators Darneille, Cleveland and Conway).

Brief History:

Committee Activity: Health & Long Term Care: 1/30/19, 2/06/19 [DPS].

Floor Activity:

Passed Senate: 3/06/19, 30-15.

<p>Brief Summary of Engrossed First Substitute Bill</p> <ul style="list-style-type: none">• Establishes licensing requirements for practicing music therapy.• Creates a music therapy advisory committee within DOH.
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SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: That Substitute Senate Bill No. 5485 be substituted therefor, and the substitute bill do pass.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey, Becker, Conway, Dhingra, Frockt, Keiser and Van De Wege.

Staff: LeighBeth Merrick (786-7445)

Background: DOH certifies, licenses, and regulates 44 health professions in Washington State. Most of these health professions are governed by a board, commission or advisory committee which are supported by DOH. Each health profession's scope of practice is defined in law, and must fully cover the costs of its licensing and disciplining activities through fees for licensing, renewal, registration, certification, and examination. All health professions are subject to the Uniform Disciplinary Act (UDA). Under the UDA, DOH or a professional board or commission may take disciplinary action against an individual licensed as a health professional for unprofessional conduct. Disciplining actions include fines, license revocations, and practice restrictions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Music therapy is the use of music within a therapeutic relationship to address an individual's physical, emotional, cognitive or social needs. Currently in Washington State, music therapy is not a licensed health profession.

Summary of Engrossed First Substitute Bill: Beginning January 1, 2021, for a person to practice music therapy or to represent themselves as a music therapist, a person must have a license from DOH to practice. To qualify for licensing, an individual must:

- be at least eighteen years old;
- hold a bachelor's degree or higher in music therapy from a program approved by the American Music Therapy Association;
- completed at least 1080 hours in pre-internship and internship activities approved by the American Music Therapy Association or academic institution;
- be in good standing in other jurisdictions where they have been issued a music therapy license; and
- pass the Certification Board for Music Therapists' board certification exam, or provide proof of being transitioned into board and current certifications.

Music therapists must renew their license biennially and are subject to the UDA. The DOH secretary must adopt rules for administering the licensure of music therapists, and has disciplining authority. The rules must include procedures for expediting the issuance of a license to military personnel.

A five member music therapy advisory committee is created within DOH. The advisory committee members are appointed by the DOH secretary and must consist of three music therapists, one licensed health care provider who is not a music therapist, and one person who has received music therapy. The advisory committee must meet at least once per year and will:

- consult with the DOH secretary about fee setting and fee changes;
- facilitate developing educational materials related to music therapy licenses and the benefits of music therapy;
- facilitate disseminating information between music therapists, the American Music Therapy Association, Certification Board for Music Therapists, and the DOH secretary; and
- provide analysis at least once per year of disciplinary actions taken, appeals and denials, or revocation of licenses.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The practice of music therapy is evidence-based and brings clinical benefits to the individuals that participate in this therapy.

Music therapy helps people with developmental disabilities, traumatic brain injury, PTSD, and neurological conditions. It can help pave new pathways in the brain, help people express their feelings, and contribute to emotional healing. Music therapy enhances other medical care that patients receive. Music therapists must graduate from a rigorous academic program that includes clinical experience and passing a board exam. Music therapy can be confused with other practices that utilize music and it is important to distinguish the difference so patients receive the proper care.

CON: Occupational Therapists currently use music as a treatment modality and are concerned this could threaten their ability to do so. The 2012 sunrise review did not recommend credentialing music therapists.

OTHER: Speech Pathologists appreciate the language in the bill that explicitly states that the practice of music therapy does not include the diagnosis or assessment of communication disorder.

Persons Testifying: PRO: Senator Jeannie Darneille, Prime Sponsor; Diana Stadden, Arc of Washington State; Carlene Brown, Washington Music Therapy Task Force; Wendy Woolsey, Washington State Music Therapy Task Force; Megumi Azekawa, Washington State Music Therapy Task Force.

CON: Sarah Jensen, Washington Occupational Therapy Association.

OTHER: Melissa Johnson, Washington Speech-Language-Hearing Association.

Persons Signed In To Testify But Not Testifying: No one.