

By: Johnson

S.B. No. 539

A BILL TO BE ENTITLED

AN ACT

relating to a study on the state certification of music therapists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "Advisory council" means the Advisory Council on Music Therapy.

(2) "Commission" means the Health and Human Services Commission.

(3) "Music therapist" means a person who has completed an approved music therapy program and holds a certification by the Certification Board for Music Therapists to practice music therapy or provide music therapy services to a client for compensation.

(4) "Music therapy" means the clinical and evidence-based use of music interventions by a music therapist to accomplish individualized goals for persons who are in a therapeutic relationship with the music therapist. The use of music interventions may include music improvisation, receptive music listening, songwriting, lyric discussion, music and imagery, singing, music performance, learning through music, music combined with other arts, music-assisted relaxation, music-based patient education, electronic music technology, adapted music intervention, and movement to music. The practice of music therapy does not include the diagnosis or assessment of any physical, mental, or communication disorder.

SECTION 2. ADVISORY COUNCIL ON MUSIC THERAPY. (a) The Advisory Council on Music Therapy is created to conduct a study on the need for state recognition of music therapists.

(b) Subject to Subsections (c) and (d) of this section, the advisory council consists of nine members appointed by the governor as follows:

(1) two members who are music therapists in this state;

(2) one member who is a music therapist in this state and represents an institution of higher education, as defined by Section 61.003, Education Code, that has a music therapy program;

(3) one member who is a physician licensed in this state who specializes in critical care;

(4) one member who is a social worker or professional counselor licensed in this state;

(5) one member who is a special education administrator for a school district;

(6) one member who employs one or more music therapists;

(7) one member who is a client, or a representative of a client, of a music therapist and has received music therapy services; and

(8) one member who is:

(A) a speech-language pathologist licensed in this state;

(B) a physical therapist licensed in this state;

or

1 (C) an occupational therapist licensed in this
2 state.

3 (c) The lieutenant governor and the speaker of the house of
4 representatives shall each submit to the governor a list of
5 candidates who meet the qualifications for appointment under
6 Subsection (b) of this section. The candidates must represent
7 different racial, ethnic, and linguistic backgrounds.

8 (d) Not later than the 90th day after the effective date of
9 this Act, the governor shall appoint the nine members to the
10 advisory council from the list of candidates submitted under
11 Subsection (c) of this section.

12 (e) The members of the advisory council shall designate a
13 member of the advisory council to serve as presiding officer.

14 (f) A member of the advisory council may not receive
15 compensation for service on the advisory council.

16 (g) The commission shall provide administrative and staff
17 support for the advisory council.

18 (h) The advisory council shall study the core competencies
19 of a music therapist, including the skills and areas of knowledge
20 that are essential to bringing about expanded health and wellness
21 in diverse communities and reducing health disparities. The core
22 competencies of a music therapist may also include basic knowledge
23 of:

24 (1) materials used to educate the public regarding
25 music therapist certification;

26 (2) the benefits of music therapy;

27 (3) the use of music therapy by individuals and in

1 facilities or institutional settings;

2 (4) culturally competent communication and care;

3 (5) the use of music therapy for behavior change;

4 (6) the resources and support available from the
5 American Music Therapy Association or its successor organization
6 and the Certification Board for Music Therapists or its successor
7 organization;

8 (7) the educational and clinical training
9 requirements for a music therapist; and

10 (8) any continuing education requirements for a music
11 therapist.

12 (i) In conducting the study under Subsection (h) of this
13 section, the advisory council shall consult with the American Music
14 Therapy Association, the Certification Board for Music Therapists,
15 and other experts as needed.

16 SECTION 3. REPORT. (a) Not later than the second
17 anniversary of the date of the advisory council's first meeting,
18 the advisory council shall submit a report to the governor, the
19 lieutenant governor, the speaker of the house of representatives,
20 the Senate Health and Human Services Committee, the House Public
21 Health Committee, and the House Human Services Committee, or the
22 successor to those committees, and the commission.

23 (b) The report must include:

24 (1) a summary of research regarding the best
25 practices, curriculum, and training programs for music therapists
26 and the need for quality and accredited training in providing music
27 interventions related to health, recovery, and wellness;

1 (2) recommendations regarding the need and
2 feasibility of state certification of music therapists, including
3 the impact of state certification on consumer access to music
4 therapy services through state agencies, including the Texas
5 Education Agency and the commission;

6 (3) recommendations regarding procedures for the
7 state certification of music therapists, including a system for the
8 renewal of certifications and for the approval and accreditation of
9 curriculum and training programs for music therapists; and

10 (4) recommendations for best practices for
11 third-party reimbursement options and other methods through which
12 secure funding for music therapists may be obtained.

13 (c) The commission shall publish the report on the
14 commission's Internet website.

15 SECTION 4. EXPIRATION DATE. The advisory council is
16 abolished and this Act expires September 1, 2022.

17 SECTION 5. EFFECTIVE DATE. This Act takes effect September
18 1, 2019.