

**TESTIMONY OF RITA PORRECA
ON BEHALF OF
THE PENNSYLVANIA ASSOCIATION OF MARRIAGE AND FAMILY THERAPISTS**

BEFORE THE

HOUSE PROFESSIONAL LICENSURE COMMITTEE ON HB 1438

**TUESDAY, MARCH 22, 2016
9:00 A.M.**

Good morning Chairwoman Harhart, Chairman Readshaw, and members of the Committee. My name is Rita Porecca, and I am the Legislative Director for the Pennsylvania Association of Marriage and Family Therapists otherwise referred to as PAMFT. Seated next to me is Amy Tielemans, current President of PAMFT and Suzanne Morano, Executive Director of PAMFT.

By way of background, PAMFT is the professional association for the field of marriage and family therapy (MFT), which represents the interests of licensed marriage and family therapists and students of marriage and family therapy within the Commonwealth. Its members work in private practice, courts, private schools, health intuitions, child protective services, mental health treatment centers, research centers, businesses and other organizations to assess and improve mental and emotional disorders within the context of family or larger social systems. MFTs are licensed by the State of Pennsylvania and must undergo extensive education, training, clinical fieldwork and pass a rigorous exam to demonstrate professional competency and meet the highest ethical standards of the profession.

Thank you for inviting PAMFT to testify before you on legislation (HB1438) introduced by Representative Pashinski, which would create a separate licensing board in the Pennsylvania Department of State's Bureau of Professional Licensure and Occupational Affairs. While we do not discount the invaluable work performed by certified music therapists, we believe that creating a separate board for this profession is both unnecessary and redundant given certified music therapists can obtain licensure under the current State Board of Social Workers, Marriage and Family Therapists and Professional Counselors. We appreciate the opportunity to further explain our opposition to HB1438 and the history of our engagement with music therapists on this issue at this time.

It has long been recognized that the creative arts which include, but are not limited to, music, art, dance and movement, and drama are valued and needed in the delivery of mental health services especially to children, the elderly, and clients faced with a wide variety of challenges which include those who are hearing impaired and non-verbal, have cognitive deficits, brain injuries and those who are marginalized, institutionalized and traumatized. Currently in Pennsylvania, those desirous of delivery of these important mental health services and want a license to practice, and who have a master's degree in a creative art can apply for a professional counseling license through the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors established by Act 136 of 1998.

Prior to the enactment of our licensing statute, PAMFT was approached by the art therapy and dance therapy organizations on behalf of schools offering degrees in creative arts. We presented them with the information about the license and asked them to share this with others in the creative arts fields. This occurred in 1996 and 1997, with the Social Workers, Marriage and Family Therapists and Professional Counselor licensing statute eventually getting signed into law as Act 136 of 1998.

Prior to the enactment of Act 136 of 1998 however, PAMFT was informed that most of the members practicing with their specialties in the "creative arts" were already graduating at master degree levels. A review of their

education and experience was conducted by the appropriate standing legislative committees, which in turn, determined that these individuals had met or exceeded the necessary education requirements for a license as a professional counselor. During further deliberations, the committees were approached by master level music clinicians who likewise wanted to be included in the license. The committees reviewed their master level education and agreed that their degrees were also in a related field and could be included. The committees allowed their certification and licensing exam to be included in the exams offered to become licensed as a licensed professional counselor in Pennsylvania along with the other creative arts. This information can be found under Title 49 PaCode §49.1(i) (Definitions & Master's degree in a field closely related to the practice of professional counseling) and §49.11(4) (Licensing Examination).

Previous discussions with the legislature held that clinical client contact needed to be done at the master level with proper education and training that included an internship under supervision and a post master's work experience with supervision on the job, both of which are currently contained in Pennsylvania regulations today. As in all the creative arts degrees, the specific type of creative art would be their specialty such as music, but the added mental health coursework at the master's level was determined to be necessary to bring more appropriate training and supervision for the clinical client contact, assure an ethical standard, refer when necessary, and maintain continued education as required by law. This requirement is not embodied in the current draft of HB1438.

Rather, HB1438 is asking to allow a bachelor's degree in music to do the same thing as a master's degree in a creative art without following the specific regulations prescribed by the General Assembly (Planned program of 60 semester hours or 90 quarter hours of graduate coursework in counseling for a field closely related to the practice of professional counseling – a program which includes coursework that meets the criteria in Section 49.2). PAMFT is concerned that with minimal training and very little supervision and experience, music therapists would be permitted to see clients in a clinical setting, which is the impetus behind enacting the mandatory master level requirements in the aforementioned statute.

PAMFT questions whether the underlying goal of HB1438 is more of an opportunity to provide certified music therapists with the ability to enhance their name recognition through title protection and work independently to guarantee insurance payments for services rendered, rather than meeting the present highest standard in education and training to meet the health and welfare needs of the mental health community in Pennsylvania. We do not believe that this legislation is necessary considering music therapists are asking for approval and recognition of their national board standards which are already approved and currently recognized/contained in the Social Worker, Marriage and Family Therapists and Professional Counselor licensing statute at the master's level and can presently be licensed to work with the highest level of education and professional training afforded to their clinical clients.

Finally, we would be remiss if we did not mention that the music therapists have yet to complete a sunrise evaluation, as required by the Pennsylvania Department of State, prior to the creation of a new professional licensing board. The sunrise evaluation process is designed to obtain information that will assist the Department of State in evaluating the need for regulation of an occupation or profession and in analyzing proposed legislation seeking to establish a new regulation under the Department of State's Bureau of Professional and Occupational Affairs. Specifically, the evaluation questions the public need for the creation of the proposed board, the extent of public harm to the general public if the proposed board is not created, costs associated with the creation of a new board and whether the proposed board would infringe on the scope of practice of other licensed professions legally operating in the Commonwealth. To date, the proponents of this legislation have failed to demonstrate a public need for the creation of an additional licensing board and/or where waste fraud and abuse is occurring within this profession, which is necessary to support the creation of a new licensing board.

Prior to the enactment of Act 138 of 1998, our Professional Alliance Committee of Marriage and Family Therapists and Professional Counselors undertook the Department's Sunrise Evaluation, which took close to two

years to complete. It was only after we demonstrated fraud and abuse in professionals claiming to be educated in our profession that the Department of State and the General Assembly agreed that the creation of our licensing board was necessary to protect the general public from those deceiving some of the Commonwealth's most vulnerable mental health population. Certified music therapists should be required to undertake the sunrise evaluation prior to the consideration of legislation establishing a new licensing board just as PAMFT (as part of the Professional Alliance Committee) was required to do so.

Given the fact that certified music therapists can obtain licensure in the field as a licensed professional counselor with a specialty in music, coupled with the fact that the Pennsylvania Taskforce for Occupational Regulation of Music Therapists have yet to complete a sunrise evaluation, PAMFT opposes HB1438 in its current form. We believe that the proposed legislation is unnecessary and because it does not require master's level education and or extensive clinical experience prior to engaging with clients, we are fearful that the legislation could do more harm than good. Specifically, we are concerned that the legislation could set a precedent for bachelor-level therapists to do independent clinical work without adequate education, training or supervision.

Again, thank you for the opportunity to share our views and concerns with you on HB1438. We would be happy to answer any questions the committee may have concerning our remarks.

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