



**House Professional Licensure Committee
Pennsylvania Department of State
House Bill 1356**

Thank you, Chairman Burns, Chairman Metzgar and members of the House Professional Licensure Committee, for inviting the Department of State to provide comments at today's meeting.

As you are aware, the Department, through its Bureau of Professional and Occupational Affairs, oversees 29 boards and commissions that license and regulate more than 900,000 individuals and businesses, spanning nearly 130 occupations and professions. Each board and commission is governed by its respective practice act, which establishes a board's scope of powers and duties, defines the practice of its profession, and sets forth the types of licenses that a board may issue.

The Department established the Sunrise Application review process to determine whether regulation of a certain profession or occupation is necessary before enacting any new legislation. Where such a need is identified, the regulation adopted by the state should be set at the least restrictive level consistent with the public interest to be protected. The analysis focuses not only on whether there is a need for regulation in order to protect the public from potential harm, but also whether regulation would in fact actually serve to mitigate the potential harm, and whether the public can be adequately

protected by other means in a more cost-effective manner. The Bureau's mission is to protect the public, not to create additional barriers for individuals to work.

When assessing which level of regulation is appropriate, one of three forms of regulation shall be considered: licensing; certification; or registration. Licensing is the most restrictive form of regulation. Individuals seeking to practice a licensed profession must be licensed and they must demonstrate achievement of certain qualifications to obtain the license.

For background, a Sunrise Application was submitted to the Department in March 2021 by members of the Pennsylvania Music Therapy Task Force. After reviewing the Sunrise Application and HB 1356, which provides for the licensure of Music Therapists, the Department believes that the current mechanism in place – national certification through the Certification Board for Music Therapists and attaining licensure as a professional counselor under the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors is sufficient to protect the public and provide an adequate level of regulation for professionals.

National Certification

The Certification Board for Music Therapists (CBMT), operating out of Downingtown, PA, is the certifying body for over 9,000 music therapists in the United States and abroad. Established in 1983, the CBMT has been fully accredited by the National Commission for Certifying Agencies and is the only certifying board for music therapy in existence. The CBMT, an independent, non-profit certifying agency, is

responsible for ensuring that those who procure the Music Therapist – Board Certified (MT-BC) credential have the necessary knowledge and skills to practice safely and effectively. The credential has the effect of assuring the public that certified individuals have met objective, predetermined qualifications for providing music therapy services.

To become a nationally recognized board-certified music therapist, an individual must earn a bachelor's degree or higher in music therapy from one of 90 American Music Therapy Association (AMTA) approved colleges and universities. These programs require academic coursework in music, music therapy, biology, psychology, social and behavioral sciences, in addition to 1,200 hours of clinical training, including a supervised internship. During their first four years of coursework, students are required to accumulate 220 supervised clinical hours in diverse settings from medical hospitals to schools and psychiatric facilities. Following completion of their coursework and clinical practicums, students complete a six-month full-time internship under the direct supervision of an approved internship director.

Licensure as a Professional Counselor

In addition to the nationally recognized credential that the CBMT provides as the leading (and only) authority for the certification of music therapists, an existing pathway to licensure exists for music therapists by attaining a license in professional counseling under the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors. A student can pursue their master's degree in either counseling or music therapy and still be eligible for licensure in Pennsylvania as a professional counselor.

The Social Workers, Marriage and Family Therapists and Professional Counselors Act (63 P.S. § 1907(f)), sets forth the requirements for issuance of a professional counselor license. An applicant is qualified for a professional counselor's license if they have successfully completed a planned program of 60 semester hours or 90 quarter hours of graduate coursework in counseling or a field determined by the board through regulation to be closely related to the practice of professional counseling. The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors defines fields closely related to the practice of professional counseling as, "degrees in social work, psychology, art therapy, dance/movement therapy, music therapy, human services, counseling education and child development and family studies."

Thus, music therapists can qualify for licensure as a Professional Counselor; provided their education otherwise meets the requirements for licensure. Although simply attaining a master's degree is not enough to qualify for licensure under the statute, as applicants must complete a master's degree as part of a planned program of 60 semester hours or 90 quarter hours and complete 3,000 clinical hours under clinical supervision. Music therapists who hold a master's in music therapy may be required to take additional credits of graduate course in counseling and complete supervised clinical hours in counseling to meet the eligibility requirements for the professional counselor license.

Further, the music therapy graduate programs at Drexel, Duquesne, Immaculata, Slippery Rock, and Temple are specifically designed to assist music therapy students

with meeting the educational requirements necessary to attain the licensed professional counselor license.

Additionally, the Department does not believe that creating license types for specializations among practitioners is a good practice that we would want to begin. For example, the State Board of Medicine provides a Physician/Surgeon license. It does not provide a specific license type for a pediatrician, dermatologist, etc. Similarly, music therapy is a related specialty that professional counselors can incorporate into their counseling practice. Creating these types of licenses is cost prohibitive and would lead to additional administrative burdens on the Bureau of Professional and Occupational Affairs.

Public Harm

One of the most important considerations in any Sunrise Review must always be the potential for public harm.

All board-certified music therapists receive education and training in compliance with state and federal facility regulations and accreditation. The competencies required of board-certified music therapists are outlined in AMTA's Professional Competencies and CBMT's Board Certification Domains. In addition to receiving accredited academic and clinical training, board-certified music therapists hold a nationally recognized credential that holds them professionally accountable to the exemplary standards set by the AMTA Standards of Clinical Practice, AMTA Code of Ethics, and the AMTA & CBMT Scope of Music Therapy Practice. These standards, codes, and professional documents

ensure that music therapists follow state and institutional laws as well as mandates for ethical practice.

The CBMT has mechanisms by which music therapists who are in violation of safe and ethical practice are investigated. As a condition of eligibility for and continued maintenance of any CBMT certification, each certificant agrees to comply with the CBMT's standards, policies, and procedures.

The CBMT may deny, revoke, or otherwise act upon certification or recertification for a number of violations including fraud and deceit, failure to maintain confidentiality, the conviction of plea of guilty or plea of nolo contendere to a felony or misdemeanor related to music therapy practice or public health and safety, among several others. Moreover, there is a disciplinary review framework in place to consider alleged violations of any CBMT standards set forth above or any other CBMT policy or procedure.

Additionally, any music therapist licensed as a professional counselor under the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors would be subject to discipline by the board for any violation of their practice act.

HB 1356 lists holding national board certification as a requirement for licensure in Pennsylvania. In addition to completing extensive educational prerequisites, Music Therapist applicants must meet several other strenuous requirements to become nationally certified and practice. A process for ensuring public safety exists through that credential. The Department views creating another licensure class for professionals who are already nationally credentialed and can obtain licensure through an existing license

as repetitive and unnecessary. For these reasons, the Department of State does not believe creating a new licensure class is the least restrictive option for music therapists to continue to practice in Pennsylvania.

The Department appreciates the opportunity to comment on HB 1356. We remain open to engaging in discussions with the Sunrise applicant, the sponsor of the bill, and the committee.