



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 19, 2024

TIME: 8:27 AM

WSR 24-17-081

Agency: Department of Health

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: Music Therapists. The Department of Health (department) is adopting rules necessary to create a licensure program for music therapists to implement Substitute House Bill (SHB) 1247 (chapter 175, Laws of 2023), codified as chapter 18.233 RCW. Individuals working as a Music Therapist are required to be licensed by January 1, 2025. The adopted rules establish the new profession's licensure requirements which include: education, training, and examination requirements for initial licensure; continuing education requirements; fees for licensing, examination, and renewal; and other qualifications as determined by the Secretary.

Citation of rules affected by this order:

New: WAC 246-837-010, 246-837-020, 246-837-030, 246-837-050, 246-837-060, 246-837-070, 246-837-080, 246-837-100, 246-837-110, 246-837-990

Repealed: None

Amended: None

Suspended: None

Statutory authority for adoption: RCW 18.122.050, 18.130.077, 18.233.060, 18.233.070, 43.70.250, and 43.70.613

Other authority: SHB 1247 (chapter 175, Laws of 2023) codified as chapter 18.233 RCW; Engrossed Substitute Senate Bill (ESSB 5229) (chapter 276, Laws of 2021); Second Substitute House Bill (2SHB) 1724 (chapter 425, Laws of 2023); and chapter 18.130 RCW

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-12-077 on June 4, 2024 (date).

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Shelbee Scrimo

Address: P.O. Box 47852 Olympia, WA 98504

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Fax: None

TTY: 711

Email: music.therapist@doh.wa.gov

Web site: www.doh.wa.gov

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>10</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted on the agency's own initiative:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>10</u>	Amended	<u>0</u>	Repealed	<u>0</u>

Date Adopted: 8/19/2024

Name: Kristin Peterson, JD for Umair A. Shah, MD, MPH

Title: Chief of Policy for Secretary of Health

Signature:



**Chapter 246-837 WAC
MUSIC THERAPIST**

NEW SECTION

WAC 246-837-010 Music therapist—Definitions. The definitions in this section apply throughout this chapter unless the context clearly states otherwise.

- (1) "AMTA" means American Music Therapy Association.
- (2) "CBMT" means the Certification Board for Music Therapists.
- (3) "Department" means the Washington state department of health.
- (4) "MT-BC" means Music Therapy Board Certification.
- (5) "Music therapist" means a person licensed to practice music therapy under chapter 18.233 RCW.
- (6) "Music therapy" has the same meaning as provided in RCW 18.233.010.
- (7) "Secretary" means the secretary of the Washington state department of health.

NEW SECTION

WAC 246-837-020 Music therapist—Approved courses of instruction. (1) The department recognizes and approves courses of instruction in music therapy by schools that have obtained accreditation of the program in music therapy from the AMTA.

(2) The department may approve other academic and clinical training programs for music therapy that are approved by other organizations that meet the following criteria:

- (a) Is an organization whose business is specific to music therapy;
- (b) Requires schools and universities that offer music therapy programs to be accredited by an accrediting agency that is recognized by the United States Department of Education or the Council for Higher Education Accreditation;
- (c) Requires music therapy programs to be based on a bachelor's degree or above;
- (d) Requires music therapy programs to be based on relevant competencies for music therapy; and
- (e) Requires music therapy programs to have a clinical training component that includes a minimum of 1,200 hours with at least 900 hours in internship experiences approved by the institution, the AMTA, or any department-approved organization.

NEW SECTION

WAC 246-837-030 Music therapist—Approved examination. (1) The department recognizes and approves the examination offered by the CBMT.

(2) The department may approve other examinations for music therapy that are approved by an organization that meet the following criteria:

(a) Is an organization based in the United States whose business is specific to music therapy and who issues certifications in music therapy;

(b) Has current accreditation by the American National Standards Institute (ANSI) or the National Commission for Certifying Agencies (NCCA); and

(c) Bases the examination on relevant competencies for music therapy.

NEW SECTION

WAC 246-837-050 Music therapist—Application. (1) An applicant for a music therapist license shall meet the requirements in WAC 246-12-020.

(2) Applicants must submit the following supporting documentation:

(a) An official transcript provided as evidence of successful completion of education and training requirements in WAC 246-837-020;

(b) Verification of successful completion of the examination required in WAC 246-837-030 sent directly to the department by the CBMT or other approved organization;

(c) Fingerprint cards for national fingerprint-based background check pursuant to RCW 18.130.064(2), if requested by the department;

(d) Verification of licenses held in other states; and

(e) Any additional documentation or information requested by the department.

(3) Verification of the education, training, and examination requirements in subsection (2)(a) and (b) of this section are waived for an applicant who meets the requirements of RCW 18.130.077. The MT-BC certification issued by the CBMT is approved for this waiver. An applicant for waiver must submit proof directly from any state where the license holds a health care credential that the applicant has not been subject to disciplinary action or impairment in the two years preceding application and is not under investigation or subject to charges. In addition, the applicant must submit:

(a) Verification sent to the department from a state with substantially equivalent requirements that the applicant has held an active credential in that state for at least two years immediately preceding this application with no interruption in licensure that lasted longer than 90 days; or

(b) Verification that the applicant holds a current MT-BC certification issued by the CBMT.

NEW SECTION

WAC 246-837-060 Continuing education requirements for a music therapist. Every two years upon renewal, a music therapist must attest to completing the continuing education (CE) requirements in subsection (1) or (2) of this section.

(1) The department will accept the following as proof of meeting continuing education:

(a) A current MT-BC certification issued by the CBMT or another national certification board approved by the secretary that requires CE as part of certification; and

(b) Two hours of health equity continuing education credits as described in subsection (4) of this section.

(2) A music therapist who does not hold a current certification as described in subsection (1) of this section shall complete a minimum of 40 hours of CE related to the practice of music therapy.

(a) A minimum of 33 hours of activities must directly address music therapist skill development or music therapist clinical practice, as described in subsection (3) of this section.

(b) At least one hour must pertain to professional ethics and boundaries of a music therapist.

(c) At least two hours must be in health equity as described in subsection (4) of this section.

(d) No more than six hours may be in professional development activities that enhance the licensee's business practice as a music therapist. If audited, the credential holder must submit a certificate of completion or other proof of completion and documentation showing how this relates to their music therapy practice.

(e) Fifty minutes of CE contact time or direct instruction is equivalent to one CE hour.

(3) CE hours may be obtained through one or more of the following:

(a) Courses from a college or university accredited by the United States Department of Education may meet all the required CE hours.

(i) One academic semester credit is equivalent to 15 CE hours.

(ii) One academic quarter credit is equivalent to 10 CE hours.

(iii) Audit requirement is a course syllabus and transcript from the college or university.

(b) Courses from a CE provider.

(i) Courses from providers approved by the CBMT or a national certification board affiliated with music therapy approved by the secretary may meet all of the required CE hours.

(ii) Courses from providers not approved by a national certification board affiliated with music therapy may meet no more than six CE hours.

(iii) Audit requirement is a certificate of completion or letter from a CE provider that includes the course topic and CE hours completed.

(c) Licensee-led instruction of a CE course.

(i) College or university instruction may meet no more than 16 CE hours.

(ii) Any other type of instruction may meet no more than eight CE hours.

(iii) Repeated instruction in the same course may only qualify for CE credit one time in a single CE reporting period.

(iv) Instruction must be related to music therapy.

(v) Audit requirement is the title, description, and dates of course of instruction on a letter from the academic institution or education provider.

(d) Attendance at AMTA National and Regional Conference.

(i) Audit requirement for a full conference is the Certificate of Attendance.

(ii) Audit requirement for individual sessions is signed verification of attendance.

(e) Supervision of practicum student for five hours credit per student or an intern for 10 hours credit per student. Audit requirement is written verification from the music therapy university or facility coordinator.

(f) Develop a new AMTA Academic Program for 100 hours credit per academic program. Audit requirement is a letter of program approval from the AMTA.

(g) Establish a music therapy internship for 30 hours credit per university affiliated program or 50 hours credit per program that is on the AMTA national roster of internship programs. Audit requirement is written verification from the university or AMTA approval letter.

(4) A music therapist must complete two hours of health equity continuing education training every four years as described in WAC 246-12-800 through 246-12-830.

(5) A music therapist shall comply with the requirements of WAC 246-12-170 through 246-12-240.

NEW SECTION

WAC 246-837-070 Expired license—Return to active status. (1) A person holding an expired music therapist license may not practice until the license is returned to active status.

(2) If the music therapist license has expired for less than five years, they shall meet the requirements of WAC 246-12-040.

(3) If the music therapist license has been expired for five years or more, and they have a current MT-BC certification or currently practice as a licensed music therapist in another state that has substantially equivalent requirements, the applicant shall meet the requirements of WAC 246-12-040 and:

(a) Provide verification of a current MT-BC certification issued by the CBMT; or

(b) Provide verification of a current unrestricted active music therapist license in another state or U.S. jurisdiction which is substantially equivalent to the qualifications for the credential in the state of Washington.

(4) If a music therapist license has been expired for five years or more and the person does not meet the requirements of subsection (3) of this section, the applicant shall comply with WAC 246-12-040 and demonstrate competence by successfully passing an examination as identified in WAC 246-837-030 within six months prior to reapplying for the license.

NEW SECTION

WAC 246-837-080 Inactive status. A music therapist may obtain an inactive credential as described in WAC 246-12-090 through 246-12-110.

NEW SECTION

WAC 246-837-100 Mandatory reporting. All individuals credentialed under this chapter must comply with the mandatory reporting rules in chapter 246-16 WAC.

NEW SECTION

WAC 246-837-110 Sexual misconduct. All individuals credentialed under this chapter must comply with the sexual misconduct rule in chapter 246-16 WAC.

NEW SECTION

WAC 246-837-990 Music therapist fees and renewal cycle. (1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application-Original license	\$300.00
License renewal	
Renewal	680.00
Late renewal penalty	170.00
Expired license reissuance	170.00
Duplicate license	10.00
Verification of license	25.00