

October 8, 2021  
Department of Health Professions  
9960 Mayland Dr.  
2<sup>nd</sup> Floor  
2:00 p.m.

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**Call to Order – Gary Verhagen, MM, MT-BC, LCAT, Chairperson**

- Welcome and Introduction
- Roll Call
- Mission of the Board

Page 2

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**Approval of the Agenda**

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**Approval of the Minutes -- February 19, 2021\***

Page 3

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**Recommendation to Adopt Proposed Regulations Governing the Practice of Professional Music Therapy\* ---- Elaine Yeatts, Department of Health Professions, Sr. Policy Analyst**

- NOIRA
- Recommendation to Adopt Proposed Regulations\*
- Continuing Music Therapy Education

Page 5

Page 12

Page 22

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**Next Meeting**

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**Meeting Adjournment**

*\*Requires a Committee Vote*

This information is in **DRAFT** form and is subject to change. The official agenda and packet will be approved by the public body at the meeting and will be available to the public pursuant to Virginia Code Section 2.2-3707(F).



Virginia Department of  
**Health Professions**  
Board of Social Work

## **MISSION STATEMENT**

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Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.



## Advisory Board on Music Therapy

### Board Meeting Minutes

Friday, February 19, 2021 at 3:00 p.m.  
9960 Mayland Drive, Henrico, VA 23233  
Virtual WebEx Meeting

Due to the COVID-19 declared state of emergency and consistent with Amendment 28 to HB29 (Budget Bill for 2018-2020) and the applicable provisions of § 2.2-3708.2 in the provisions of Freedom of Information Act, the Advisory Board convened a virtual meeting to consider such regulatory and business matters as presented on the agenda necessary for the Advisory Board to discharge its lawful purposes, duties and responsibilities.

#### ADVISORY BOARD MEMBERS

##### PRESENT:

Anna McChesney, MS, LPC, MT-BC  
Anthony Meadows, PhD, MT-BC, FAMI  
Linda Rae Stone, Citizen Member  
Gary Verhagen, MM MT-BC, LCAT  
Michelle Westfall, MS, MT-BC

#### ADVISORY BOARD MEMBERS

##### ABSENT:

none

#### BOARD STAFF PRESENT:

Latasha Austin, Licensing & Operations Manager  
Jaime Hoyle, J.D., Executive Director  
Charlotte Lenart, Deputy Executive Director- Licensing  
Jared McDonough, Administrative Assistant  
Sharniece Vaughan, Licensing Specialist

#### DHP STAFF PRESENT:

Elaine Yeatts, Senior Policy Analyst, Department of Health Professions

#### VIRTUAL PUBLIC ATTENDEES:

none

#### CALL TO ORDER:

Ms. Hoyle called the virtual advisory board meeting to order at 3:04 p.m.

#### WELCOME/INTRODUCTIONS/ ESTABLISHMENT OF A QUORUM:

Ms. Hoyle welcomed Advisory Board members and staff. After completing introductions, Ms. Hoyle indicated that with five members of the Advisory Board present a quorum was established.

#### MISSION STATEMENT:

Ms. Hoyle read the mission statement of the Department of Health Professions, which was also the mission statement of the Advisory Board.

#### ADOPTIONS OF BYLAWS:

Ms. Yeatts informed the Advisory Board of their role, responsibilities and structure to ensure the protection of the public.

Ms. Yeatts discussed and answered questions related to the statutory provision to Regulate Music Therapy and for the Advisory Board on Music Therapy.

Ms. Yeatts reviewed the full Board of Social Work Bylaws and discussed the proposed Bylaws for the Advisory Board on Music Therapy.

Ms. McChesney made a motion, which Ms. Stone properly seconded, to recommend to the full Board to approve the adoption of the Bylaws for the Advisory Board on Music Therapy with changes to correct Section 3(a)(3) from Board of Counseling to Board of Social Work. Upon a roll call vote conducted by Ms. Hoyle, the motion passed unanimously.

#### ELECTION OF OFFICERS:

Ms. Westfall made a motion, which was properly seconded, to nominate Mr.

Verhagen as Chair for the Advisory Board on Music Therapy. Upon a roll call vote conducted by Ms. Hoyle, the motion passed unanimously.

Ms. Stone made a motion, which was properly seconded, to nominate Ms. McChesney as Vice-Chair for the Advisory Board on Music Therapy. Upon a roll call vote conducted by Ms. Hoyle, the motion passed unanimously.

**PUBLIC COMMENT:**

There was no public comment.

**NEW BUSINESS:**

Ms. Yeatts briefly discussed and gave an overview of the Study into the need to regulate music therapist.

Ms. Yeatts gave an overview and answered general questions about the American Music Therapy Association (AMTA) Education requirements and examples of state licensure for Music Therapist in other states.

Ms. Yeatts gave an overview and answered general questions about the Regulations Governing the Practice of Social Work.

Ms. Yeatts gave an overview of the standard regulatory process.

Ms. Westfall made a motion, which Ms. McChesney properly seconded, to recommend to the full Board to approve the adoption a Notice of Intended regulatory Action (NOIRA) to begin the process of developing regulations for the licensure of Music Therapists. Upon a roll call vote conducted by Mr. Verhagen, the motion passed unanimously.

**NEXT MEETING DATES:**

Ms. Hoyle will poll the Advisory Board members to schedule the next meeting.

**ADJOURNMENT:**

Ms. Stone made a motion, which Ms. McChesney properly seconded, for the chair to adjourn the meeting. Upon a roll call vote conducted by Mr. Verhagen, the motion passed unanimously. Mr. Verhagen adjourned the February 19, 2021 virtual Advisory Board meeting at 4:57 p.m.

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Gary Verhagen, MM MT-BC, LCAT, Chair

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Jaime Hoyle, Executive Director

Virginia.gov Agencies | Governor


**Agency** Department of Health Professions

**Board** Board of Social Work

**Chapter** Regulations Governing the Practice of Music Therapy (under development)  
[18 VAC 140 - 30]

**Action:** Initial regulations for licensure of music therapists

**Notice of Intended Regulatory Action (NOIRA)**

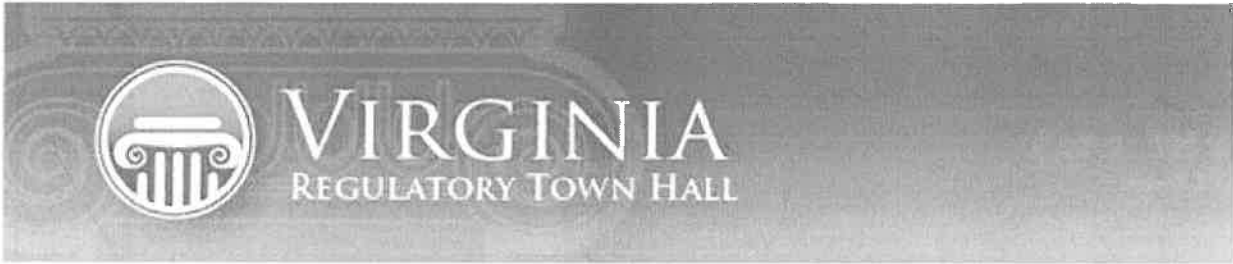
Action 5704 / Stage 9232

 [Edit Stage](#)
 [Withdraw Stage](#)
 [Go to RIS Project](#)

Documents		
Preliminary Draft Text	None submitted	<a href="#">Sync Text with RIS</a>
<a href="#">Agency Background Document</a>	3/17/2021	<a href="#">Upload / Replace</a>
<a href="#">Governor's Review Memo</a>	7/22/2021	
<a href="#">Registrar Transmittal</a>	7/22/2021	

Status	
<b>Public Hearing</b>	Will be held at the <b>proposed</b> stage
<b>Exempt from APA</b>	No, this stage/action is subject to Article 2 of the <i>Administrative Process Act</i>
<b>DPB Review</b>	Submitted on 3/17/2021 Policy Analyst: <a href="#">Jeannine Rose</a> Review Completed: 3/31/2021
<b>Secretary Review</b>	Secretary Review Completed: 7/5/2021
<b>Governor's Review</b>	Review Completed: 7/22/2021 Result: Approved
<b>Virginia Registrar</b>	Submitted on 7/22/2021 <a href="#">The Virginia Register of Regulations</a> Publication Date: 8/16/2021 <a href="#">Volume: 37 Issue: 26</a>
<b>Comment Period</b>	Ended 9/15/2021 0 comments

Contact Information	
<b>Name / Title:</b>	Jaime Hoyle / <i>Executive Director</i>
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[townhall.virginia.gov](http://townhall.virginia.gov)

## Notice of Intended Regulatory Action (NOIRA) Agency Background Document

<b>Agency name</b>	Board of Social Work, Department of Health Professions
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	18VAC140-30
<b>VAC Chapter title(s)</b>	Regulations Governing the Licensure of Music Therapists
<b>Action title</b>	New regulations
<b>Date this document prepared</b>	3/12/21

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of the subject matter, intent, and goals of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation).*

SB633 and HB1562 of the 2020 General Assembly required the Board of Social Work to promulgate regulations governing the practice of music therapy. The Code specifies the requirements for board certification offered by the Certification Board for Music Therapists or any successor organization will be considered as qualification for licensure as a licensed music therapist. The Board will adopt additional requirements similar to other licensed professions for a fee structure, renewal or reinstatement, continuing competency, supervision of persons in training, and standards of practice.

### Acronyms and Definitions

*Define all acronyms or technical definitions used in this form.*

CBMT = Certification Board for Music Therapists

### Mandate and Impetus

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in Executive Order 14 (as amended, July 16, 2018), "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*

Chapters 103 and 233 of the 2020 Acts of the Assembly mandate that the Board promulgate regulations for the licensure of music therapists: *The Board shall adopt regulations governing the practice of music therapy, upon consultation with the Advisory Board on Music Therapy established in § 54.1-3709.3. The regulations shall (i) set forth the educational, clinical training, and examination requirements for licensure to practice music therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for licensure renewal and continuing education. In developing such regulations, the Board shall consider requirements for board certification offered by the Certification Board for Music Therapists or any successor organization. To do so, the Board will adopt a new chapter, 18VAC140-30-10 et seq., Regulations Governing the Licensure of Music Therapists.*

### Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

Regulations are promulgated under the general authority of Chapter 24 of Title 54.1 of the Code of Virginia. Section 54.1-2400, which provides the Board of Social Work the authority to promulgate regulations to administer the regulatory system:

**§ 54.1-2400 -General powers and duties of health regulatory boards**

*The general powers and duties of health regulatory boards shall be:*

- 1. To establish the qualifications for registration, certification, licensure, permit, or the issuance of a multistate licensure privilege in accordance with the applicable law which are necessary to ensure competence and integrity to engage in the regulated professions.*
- 2. To examine or cause to be examined applicants for certification, licensure, or registration. Unless otherwise required by law, examinations shall be administered in writing or shall be a demonstration of manual skills.*
- 3. To register, certify, license, or issue a multistate licensure privilege to qualified applicants as practitioners of the particular profession or professions regulated by such board.*

4. *To establish schedules for renewals of registration, certification, licensure, permit, and the issuance of a multistate licensure privilege.*
5. *To levy and collect fees for application processing, examination, registration, certification, permitting, or licensure or the issuance of a multistate licensure privilege and renewal that are sufficient to cover all expenses for the administration and operation of the Department of Health Professions, the Board of Health Professions, and the health regulatory boards.*
6. *To promulgate regulations in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) which are reasonable and necessary to administer effectively the regulatory system. Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 (§ 54.1-100 et seq.) and Chapter 25 (§ 54.1-2500 et seq.) of this title. ...*

Regulations on licensure of music therapists are promulgated in accordance with:

*Article 2.  
Music Therapy.*

*§ 54.1-3709.1. Definitions.*

*As used in this article, unless the context requires a different meaning:*

*"Music therapist" means a person who has (i) completed a bachelor's degree or higher in music therapy, or its equivalent; (ii) satisfied the requirements for licensure set forth in regulations adopted by the Board pursuant to § 54.1-3709.2; and (iii) been issued a license for the independent practice of music therapy by the Board.*

*"Music therapy" means the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan for the client that identifies the goals, objectives, and potential strategies of the music therapy services appropriate for the client using music therapy interventions, which may include music improvisation, receptive music listening, songwriting, lyric discussion, music and imagery, music performance, learning through music, and movement to music. "Music therapy" does not include the screening, diagnosis, or assessment of any physical, mental, or communication disorder.*

*§ 54.1-3709.2. Music therapy; licensure.*

*A. The Board shall adopt regulations governing the practice of music therapy, upon consultation with the Advisory Board on Music Therapy established in § 54.1-3709.3. The regulations shall (i) set forth the educational, clinical training, and examination requirements for licensure to practice music therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for licensure renewal and continuing education. In developing such regulations, the Board shall consider requirements for board certification offered by the Certification Board for Music Therapists or any successor organization.*



*B. No person shall engage in the practice of music therapy or hold himself out or otherwise represent himself as a music therapist unless he is licensed by the Board.*

*C. Nothing in this section shall prohibit (i) the practice of music therapy by a student pursuing a course of study in music therapy if such practice constitutes part of the student's course of study and is adequately supervised or (ii) a licensed health care provider, other professional registered, certified, or licensed in the Commonwealth, or any person whose training and national certification attests to his preparation and ability to practice his certified profession or occupation from engaging in the full scope of his practice, including the use of music incidental to his practice, provided that he does not represent himself as a music therapist.*

*§ 54.1-3709.3. Advisory Board on Music Therapy; membership; terms.*

*A. The Advisory Board on Music Therapy (Advisory Board) is hereby established to assist the Board in formulating regulations related to the practice of music therapy. The Advisory Board shall also assist in such other matters relating to the practice of music therapy as the Board may require.*

*B. The Advisory Board shall have a total membership of five nonlegislative citizen members to be appointed by the Governor as follows: three members shall be licensed music therapists, one member shall be a licensed health care provider other than a music therapist, and one member shall be a citizen at large.*

*C. After the initial staggering of terms, members shall be appointed for a term of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. However, no member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.*

**Purpose**

*Describe the specific reasons why the agency has determined that this regulation is essential to protect the health, safety, or welfare of citizens. In addition, explain any potential issues that may need to be addressed as the regulation is developed.*

The Board will promulgate regulations to establish qualifications for education, examination, and experience that will ensure minimal competency for issuance or renewal of licensure as music therapists to protect the health and safety of clients or patients who receive their services. Amendments are also necessary to ensure there are standards for confidentiality, patient records, dual relationships, and informed consent to protect public health and safety.

**Substance**

*Briefly identify and explain the new substantive provisions that are being considered, the substantive changes to existing sections that are being considered, or both.*

Chapters 103 and 233 of the 2020 General Assembly require the Board to promulgate regulations governing the practice of music therapy. The Board will adopt requirements similar to other licensed professions for a fee structure, renewal or reinstatement, continuing competency, supervision of persons in training, and standards of practice.

Subsection A of § 54.1-3709.2 of the Code mandates that *“the regulations shall (i) set forth the educational, clinical training, and examination requirements for licensure to practice music therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for licensure renewal and continuing education. In developing such regulations, the Board shall consider requirements for board certification offered by the Certification Board for Music Therapists or any successor organization.”* While not mandated to do so, the Advisory Board concurred that the credential cited in the Code (Music Therapist – Board Certified) is the best measure of minimal competency for the profession because it requires a national board certification examination. The Advisory Board also concurred that graduation from a music therapy program accredited by the American Music Therapy Association should be a requirement for licensure because it includes 1200 hours of clinical training, including a supervised internship.

### **Alternatives to Regulation**

*Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.*

There are no viable alternatives because the Code of Virginia requires the Board to adopt regulations. The Board can only enforce licensing and renewal qualifications, fees, and standards of practice that are set forth in regulation. There is no alternative to regulation.

### **Periodic Review and Small Business Impact Review Announcement**

This NOIRA is not being used to announce a periodic review or a small business impact review.

### **Public Participation**

*Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below. In addition, as required by § 2.2-4007.02 of the Code of Virginia describe any other means that will be used to identify and notify interested parties and seek their input, such as regulatory advisory panels or general notices.*

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The Board of Social Work is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, and (iii) the potential impacts of the regulation.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail, email or fax to Elaine Yeatts, 9960 Mayland Drive, Suite 300, Richmond, VA 23233; phone (804) 367-4688; fax (804) 527-4434; [Elaine.yeatts@dhp.virginia.gov](mailto:Elaine.yeatts@dhp.virginia.gov). In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will be held following the publication of this stage, and notice of the hearing will be posted on the Virginia Regulatory Town Hall website (<https://townhall.virginia.gov>) and on the Commonwealth Calendar website (<https://commonwealthcalendar.virginia.gov/>). Both oral and written comments may be submitted at that time.

*Commonwealth of Virginia*



**REGULATIONS**  
**GOVERNING THE PRACTICE OF MUSIC**  
**THERAPY**

**VIRGINIA BOARD OF SOCIAL WORK**

**Title of Regulations: 18 VAC 140-30-10 et seq.**

**Statutory Authority: §§ 54.1-2400 and Chapter 37 of Title 54.1  
of the *Code of Virginia***

**Date: 2021**

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## TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
Part I. General Provisions.....	3
18VAC140-30-10. Definitions.....	3
18VAC140-30-20. Fees required by the board. ....	3
Part II. Requirements for Licensure as a Music Therapist.....	3
18VAC140-30-30. Prerequisites for licensure as a music therapist.....	3
18VAC140-30-40. Requirements for licensure. ....	4
Part III. Licensure Renewal; Reinstatement.....	4
18VAC140-30-50. Annual renewal of licensure.....	4
18VAC140-30-60. Continuing education requirements for renewal of a license.....	5
18 VAC 140-30-70. Documenting compliance with continuing education requirements. ....	5
18VAC140-30-80. Late renewal; reactivation or reinstatement. ....	6
Part V. Standards of Practice; Unprofessional Conduct; Disciplinary Actions; Reinstatement.....	6
18VAC140-30-90. Standards of practice.....	6
18VAC140-30-100. Grounds for disciplinary action or denial of issuance of a license.....	9
18VAC140-30-110. Reinstatement following disciplinary action.....	9

## Part I. General Provisions.

### 18VAC140-30-10. Definitions.

A. The following words and terms when used in this chapter shall have the meaning ascribed to them in §§ 54.1-3700 and 54.1-3709.1 of the Code of Virginia:

“Music therapist”

“Music therapy”

“Board”

B. The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Applicant" means any individual who has submitted an official application and paid the application fee for licensure as a music therapist.

“CBMT” means the Certification Board for Music Therapists.

“MT-BC” means a Music Therapist-Board Certified, a credential issued by the CBMT after completing the academic and clinical training requirements of the American Music Therapy Association and passing a national examination.

### 18VAC140-30-20. Fees required by the board.

A. The board has established the following fees applicable to licensure as a music therapist:

Initial licensure: Application processing and initial licensure	\$165
Active annual license renewal	\$90
Inactive annual license renewal	\$45
Late renewal	\$30
Duplicate license	\$15
Verification of licensure to another jurisdiction	\$25
Reinstatement of a lapsed license	\$200
Replacement of or additional wall certificate	\$25
Returned check or dishonored credit card or debit card	\$50
Reinstatement following revocation or suspension	\$500

B. All fees are nonrefundable.

## Part II. Requirements for Licensure as a Music Therapist

### 18VAC140-30-30. Prerequisites for licensure as a music therapist.

A. Every applicant for licensure shall submit to the board:

1. A completed application;

2. The application processing fee and initial licensure fee as prescribed in 18VAC140-20-20;
3. Verification of any other mental health or health professional license, registration, or certificate ever held in Virginia or another jurisdiction; and
4. A current report from the U.S. Department of Health and Human Services National Practitioner Data Bank (NPDB).

B. An applicant shall have no unresolved disciplinary action against a mental health or health professional license, certificate, or registration held in Virginia or in another U. S. jurisdiction. The board will consider history of disciplinary action on a case-by-case basis.

### **18VAC140-30-40. Requirements for licensure.**

In addition to prerequisites as set forth in 18VAC140-30-30:

A. Every applicant for licensure by examination shall submit to the board evidence of the current certification as a MT-BC granted by the Certification Board for Music Therapists or its successor organization, as approved by the board.

B. Every applicant for licensure by endorsement shall submit to the board:

1. Verification of a current, unrestricted music therapy license issued from another United States jurisdiction, or if lapsed, evidence that the license is eligible for reinstatement;
2. An attestation of having read and understood the regulations and laws governing the practice of music therapy in Virginia; and either
  - a. Current certification as a MT-BC, or
  - b. Documentation of passage of the examination of the CBMT and evidence of autonomous, clinical practice in music therapy, as defined in §54.1-3709.1 of the Code of Virginia, for 24 of the last 60 months immediately preceding his licensure application in Virginia. Clinical practice shall mean the rendering of direct clinical music therapy services, clinical supervision of clinical music therapy services, or teaching graduate-level courses in music therapy.

## **Part III. Licensure Renewal; Reinstatement.**

### **18VAC140-30-50. Annual renewal of licensure.**

A. Every licensed music therapist who intends to continue active practice shall submit to the board on or before June 30 of each year:

1. A completed form for renewal of the license on which the licensee attests to compliance with the continuing education requirements prescribed in this chapter; and

2. The renewal fee prescribed in 18VAC140-30-20.

B. A licensed music therapist who wishes to place his license in an inactive status may do so upon payment of the inactive renewal fee as established in 18VAC140-30-20. No person shall practice music therapy in Virginia unless he holds a current active license. A licensee who has selected an inactive status may become active by fulfilling the reactivation requirements set forth in subsection C of 18VAC140-30-80.

D. Licensees shall notify the board of a change in the address of record or the public address, if different from the address of record within 60 days. Failure to receive a renewal notice from the board shall not relieve the license holder from the renewal requirement.

E. Practice with an expired license is prohibited and may constitute grounds for disciplinary action.

**18VAC140-30-60. Continuing competency requirements for renewal of a license.**

A. For annual licensure renewal, a music therapist shall either hold a current credential as a MT-BC or be required to have completed a minimum of 20 hours of continuing education within the past 12 months. A minimum of two of these hours shall be in courses that emphasize the ethics, standards of practice, or laws governing behavioral science professions in Virginia.

B. Approved hours of continuing competency activity for a music therapist shall be approved if they meet the continued education requirements for recertification as an MT-BC.

C. The board may grant an extension for good cause of up to one year for the completion of continuing competency requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing competency requirement.

D. The board may grant an exemption for all or part of the continuing competency requirements due to circumstances beyond the control of the licensee such as temporary disability, mandatory military service, or officially declared disasters.

E. A music therapist who holds another license issued by a Virginia health regulatory board shall not be required to obtain more than 20 total continuing education hours in order to renew a music therapy license, except at least 10 of the required hours of continuing education shall be specifically related to music therapy.

F. Up to two hours of the 20 hours required for annual renewal may be satisfied through delivery of music therapy services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for three hours of providing such volunteer services, as documented by the health department or free clinic.

G. A licensed professional music therapist who was licensed by examination is exempt from meeting continuing competency requirements for the first renewal following initial licensure.

**18 VAC 140-30-70. Documenting compliance with continuing education requirements.**



A. All licensees are required to maintain original documentation for a period of two years following renewal.

B. After the end of each renewal period, the board may conduct a random audit of licensees to verify compliance with the requirement for that renewal period.

C. Upon request, a licensee shall provide documentation as follows:

1. To document completion of formal organized learning activities the licensee shall provide:

a. Official transcripts showing credit hours earned; or

b. Certificates of participation.

D. Continuing education hours required by a disciplinary order shall not be used to satisfy renewal requirements.

**18VAC140-30-80. Late renewal; reactivation or reinstatement.**

A. A person whose license has expired may renew it within one year after its expiration date by paying the late fee prescribed in 18VAC140-30-20 as well as the license renewal fee prescribed for the year the license was not renewed and providing evidence of having met all applicable continuing education requirements.

B. A person who fails to renew a license after one year or more and wishes to resume practice shall apply for reinstatement, pay the reinstatement fee for a lapsed license, submit verification of any mental health license he holds or has held in another jurisdiction, if applicable, and provide evidence of having met all applicable continuing education requirements not to exceed a maximum of 80 hours or evidence of current certification as a MT-BC. The board may require the applicant for reinstatement to submit evidence regarding the continued ability to perform the functions within the scope of practice of the license.

C. A person wishing to reactivate an inactive license shall submit (i) the renewal fee for active licensure minus any fee already paid for inactive licensure renewal; (ii) documentation of continued education hours equal to the number of years the license has been inactive not to exceed a maximum of 80 hours; and (iii) verification of any mental health license he holds or has held in another jurisdiction, if applicable. The board may require the applicant for reactivation to submit evidence regarding the continued ability to perform the functions within the scope of practice of the license.

**Part V. Standards of Practice; Unprofessional Conduct; Disciplinary Actions; Reinstatement.**

**18VAC140-30-90. Standards of practice.**

A. The protection of the public health, safety, and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all persons whose

activities are regulated by the board. Regardless of the delivery method, whether in person, by phone or electronically, these standards shall apply to the practice of music therapy.

B. Persons licensed as music therapists shall:

1. Be able to justify all services rendered to or on behalf of clients as necessary for diagnostic or therapeutic purposes.
2. Provide for continuation of care when services must be interrupted or terminated.
3. Practice only within the competency areas for which they are qualified by education and experience.
4. Report to the board known or suspected violations of the laws and regulations governing the practice of social work.
5. Neither accept nor give commissions, rebates, or other forms of remuneration for referral of clients for professional services.
6. Ensure that clients are aware of fees and billing arrangements before rendering services.
7. Inform clients of potential risks and benefits of services and the limitations on confidentiality and ensure that clients have provided informed written consent to treatment.
8. Keep confidential their therapeutic relationships with clients and disclose client records to others only with written consent of the client, with the following exceptions: (i) when the client is a danger to self or others; or (ii) as required by law.
9. When advertising their services to the public, ensure that such advertising is neither fraudulent nor misleading.
10. As treatment requires and with the written consent of the client, collaborate with other health or mental health providers concurrently providing services to the client.
11. Refrain from undertaking any activity in which one's personal problems are likely to lead to inadequate or harmful services.
12. Recognize conflicts of interest and inform all parties of the nature and directions of loyalties and responsibilities involved.
13. Not engage in conversion therapy with any person younger than 18 years of age.

C. In regard to client records, music therapists shall comply with provisions of § 32.1-127.1:03 of the Code of Virginia on health records privacy and shall:

1. Maintain written or electronic clinical records for each client to include identifying information and assessment that substantiates diagnosis and treatment plans. Each record shall include a diagnosis and treatment plan, progress notes for each case activity, information received from all

collaborative contacts and the treatment implications of that information, and the termination process and summary.

2. Maintain client records securely, inform all employees of the requirements of confidentiality, and provide for the destruction of records that are no longer useful in a manner that ensures client confidentiality.

3. Disclose or release records to others only with clients' expressed written consent or that of their legally authorized representative or as mandated by law.

4. Ensure confidentiality in the usage of client records and clinical materials by obtaining informed consent from clients or their legally authorized representative before (i) videotaping, (ii) audio recording, (iii) permitting third-party observation, or (iv) using identifiable client records and clinical materials in teaching, writing or public presentations.

5. Maintain client records for a minimum of six years or as otherwise required by law from the date of termination of the therapeutic relationship with the following exceptions:

a. At minimum, records of a minor child shall be maintained for six years after attaining the age of majority or 10 years following termination, whichever comes later.

b. Records that are required by contractual obligation or federal law to be maintained for a longer period of time.

c. Records that have been transferred to another mental health professional or have been given to the client or his legally authorized representative.

D. In regard to dual relationships, music therapists shall:

1. Not engage in a dual relationship with a client or a supervisee that could impair professional judgment or increase the risk of exploitation or harm to the client or supervisee. (Examples of such a relationship include familial, social, financial, business, bartering, or a close personal relationship with a client or supervisee.) Social workers shall take appropriate professional precautions when a dual relationship cannot be avoided, such as informed consent, consultation, supervision, and documentation to ensure that judgment is not impaired and no exploitation occurs.

2. Not have any type of romantic relationship or sexual intimacies with a client or those included in collateral therapeutic services, and not provide services to those persons with whom they have had a romantic or sexual relationship. Social workers shall not engage in romantic relationship or sexual intimacies with a former client within a minimum of five years after terminating the professional relationship. Social workers who engage in such a relationship after five years following termination shall have the responsibility to examine and document thoroughly that such a relationship did not have an exploitive nature, based on factors such as duration of therapy, amount of time since therapy, termination circumstances, client's personal history and mental status, adverse impact on the client. A client's consent to, initiation of or participation in sexual behavior or involvement with a social worker does not change the nature of the conduct nor lift the regulatory prohibition.

3. Not engage in any romantic or sexual relationship or establish a therapeutic relationship with a current supervisee or student. Social workers shall avoid any nonsexual dual relationship with a supervisee or student in which there is a risk of exploitation or potential harm to the supervisee or student, or the potential for interference with the supervisor's professional judgment.

4. Not engage in a personal relationship with a former client in which there is a risk of exploitation or potential harm or if the former client continues to relate to the social worker in his professional capacity.

E. Upon learning of evidence that indicates a reasonable probability that another mental health provider is or may be guilty of a violation of standards of conduct as defined in statute or regulation, persons licensed by the board shall advise their clients of their right to report such misconduct to the Department of Health Professions in accordance with § 54.1-2400.4 of the Code of Virginia.

#### **18VAC140-30-100. Grounds for disciplinary action or denial of issuance of a license.**

The board may refuse to issue a license to an applicant; or reprimand, impose a monetary penalty, place on probation, impose such terms as it may designate, suspend for a stated period of time or indefinitely, or revoke a license for one or more of the following grounds:

1. Conviction of a felony or of a misdemeanor involving moral turpitude;
2. Procuring, attempting to procure, or maintaining a license by fraud or misrepresentation;
3. Conducting one's practice in such a manner so as to make the practice a danger to the health and welfare of one's clients or to the public. In the event a question arises concerning the continued competence of a licensee, the board will consider evidence of continuing education.
4. Being unable to practice music therapy with reasonable skill and safety to clients by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition;
5. Conducting one's practice in a manner contrary to the standards of ethics of music therapy or in violation of 18VAC140-30-90, standards of practice;
6. Performing functions outside the board-licensed area of competency;
7. Failure to comply with the continued education requirements set forth in 18VAC140-30-60; and
8. Violating or aiding and abetting another to violate any statute applicable to the practice of social work or any provision of this chapter.

#### **18VAC140-30-110. Reinstatement following disciplinary action.**

Any person whose license has been suspended, revoked, or denied renewal by the board under the provisions of 18VAC140-30-100 shall, in order to be eligible for reinstatement, (i) submit a new application to the board for a license, (ii) pay the appropriate reinstatement fee, and (iii) submit any

other credentials as prescribed by the board. After a hearing, the board may, at its discretion, grant the reinstatement.

DRAFT

## CONTINUING MUSIC THERAPY EDUCATION (CMTE)

### CMTE OPTIONS OVERVIEW

All Continuing Music Therapy Education (CMTE) Options Must Relate to the Board Certification Domains

CMTE Options	Required Documentation	Credit Amount	Allowable Credits
<b>Workshops/Courses/Conferences/Independent Learning</b>			
*Approved Provider Opportunities	Certificate of Completion	1 Credit per 50 Minutes	100
*Graduate Courses	Written Summary Official Transcript	10 Credits per 1 Quarter Hour 15 Credits per 1 Semester Hour	100
*Mentored Self-Study	CMTE Program Plan CMTE Final Evaluation	1 Credit per 50 Minutes for Mentor * 1 Credit per 50 Minutes for Mentee	50 for Mentor 100 for Mentee
Attendance at AMTA National and Regional Conference	Certificate of Attendance	5 Credits per Regional 5 Credits per National	50
*Concurrent Sessions at AMTA National and Regional Conference	Signed Verification	1 Credit per 50 Minutes	100
*Read and Analyze Current Professional Publications	Written Summary Full Reference Citation	2 Credits per Journal Article 2 Credits per Book Chapter	100
*Other Continuing Education Opportunities	Written Summary Proof of Attendance	1 Credit per 50 Minutes	100
	Official Transcript for Undergraduate Courses	20 Credits per Course	100
<b>Presentations</b>			
Workshop, course, concurrent session, research poster, legislative testimony, round table, or symposium	Written Summary Proof of Delivery	10 Credits for Less Than 150 Minutes of Delivery 30 Credits for Equal to or More Than 150 Minutes of Delivery	100
<b>Music Therapy Student Supervision</b>			
Practicum Student and Intern	Verification from Music Therapy University or Facility Coordinator	5 Credits per Practicum Student 10 Credits per Intern	50

## CMTE OPTIONS OVERVIEW

*All Continuing Music Therapy Education (CMTE) Options Must Relate to the Board Certification Domains*

<b>CMTE Options</b>	<b>Required Documentation</b>	<b>Credit Amount</b>	<b>Allowable Credits</b>
<b>Publications/Writings</b>			
Book (Author and/or Editor)	Written Summary APA Citation, Published Title Page, Copyright Page	50 Credits per Book Chapter 50 Credits per Self-Published Book 100 Credits per Third-Party Published Book	100
Music Composition	Written Summary Musical Score Audio Recording	5 Credits per Composition	50
Grant Awards	Written Summary Letter of Award	10 Credits for Less than \$5,000 30 Credits for Equal to or Greater than \$5,000	100
Non-Peer Reviewed Professional Publication	Written Summary APA Citation	10 Credits per Article	50
Peer-Reviewed Professional Publication (Blind Review)	Written Summary APA Citation	50 Credits per Article	100
Thesis or Dissertation	Written Summary Signed Title Page	80 Credits for Thesis 100 Credits for Dissertation	100
<b>Professional Development</b>			
Develop a New AMTA Academic Program	Letter of Program Approval from AMTA	100 Credits per Academic Program	100
Establish a Music Therapy Internship	Verification from University or AMTA Approval Letter	30 Credits per University-Affiliated 50 Credits per National Roster	100
Service to Music Therapy Profession	Written Summary Verification of Time from Chair or Executive Officer	1 Credit per 50 Minutes	50

*\*Options eligible for ethics requirement credits.*

# Recertification Examples





# Example 1: Private Practice MT- BC

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Attend AMTA national/regional conference 4x's during cycle = 20

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Give 1, (less than 150 minutes) presentations (10 each) = 10 (no cost)

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Give 1, 150+ minute presentation = 30 (no cost)

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Attend CMTE 5-hr course that includes ethics = 5 (possibly low cost)

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Attend 3, 75-minute, concurrent sessions at regional conference = 3

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Attend 6, 75-minute, concurrent sessions at AMTA national conference = 6

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Complete Standardized Self-Study online ethics course = 3 (possibly low cost)

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Complete Mentored Self-Study in running your own business = 20 (no or little cost)

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Attend other continuing education opportunities in your community related to the BCD = 3 (little to no cost)

Example 2:  
MT-BC at Health  
Organization/Rehab  
Facility



Supervise 10 practicum students (2/yr for 5 years) = 50 (no cost)



Compose 4 songs for patients (5 cred each) = 20 (no cost)



Complete Universal Precautions/CPR/Ethics training at work (5 hrs total – ethics was 3) = 5 (no cost)



Attend series of 9 trainings at place of employment (1hr each) = 9 (no cost)



Read 8 journal articles = 16 (possibly no cost)



# INTERNATIONAL CANDIDATES

## CBMT INTERNATIONAL EXAM APPLICATION POLICIES AND PROCEDURES

An international applicant for the Certification Board for Music Therapists (CBMT) Examination is an applicant who has completed their Music Therapy degree in a country outside of the USA or Canada. Applicants for Board Certification must have successfully completed all academic and clinical training requirements for their music therapy degree to apply for the board exam.

### ***Graduates of Music Therapy Degree Programs Outside of the USA and Canada***

To apply as an applicant with a music therapy degree from an academic university outside of the USA or Canada:

1. **Login** to the CBMT website at [CBMT.org](http://CBMT.org) as a New Customer and create an account. Click on the Candidate section to create an Exam Application to apply for the exam.

## Examination Fees

Examination fees for first-time exam takers are \$325 (a \$275 examination fee and a \$50 processing fee). Those retaking the exam will need to pay only the examination fee of \$275.

## Application Process

You may apply for the CBMT Board Certification examination before completing your internship, but you will not be eligible to schedule an exam until after you have successfully completed the internship and all Music Therapy degree requirements. To apply for the examination, eligible candidates must first create an online account at the [CBMT Login](#). After creating an online account, complete the Examination Application.

1. Application: Complete the Examination Application in your online account at the [CBMT Login](#)
2. Required Documentation: See page 4 of the [Exam Candidate Handbook](#)
3. Exam Fee: you will be prompted to pay the exam fee after all required documentation is received

If ordering electronic official transcripts, please have them sent directly to Karen Howat at [KH@cbmt.org](mailto:KH@cbmt.org). Scanned and emailed copies of transcripts are not accepted.

You will receive notification of your exam application submission and can track documentation needed to complete your application as items are received. Your testing record will be setup after all documentation is received and the exam fee has been paid. You will receive an Exam Scheduling ID# and confirmation notice providing instructions for you to schedule your examination with PSI, the testing company. If you do not schedule your exam appointment within the 90-day period, you will forfeit your application and all fees paid to take the exam.

## International Candidates

CBMT has a process for individuals from outside the USA and Canada with a degree in music therapy to apply for the board certification exam. Please see the page below for more information.



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**INTERNATIONAL CANDIDATES**

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## CERTIFICATION

Elevate your competence and confidence

**Demonstrate advanced clinical competence with board certification.**

Earning the MT-BC credential provides esteemed recognition and continuous professional growth.

**LEARN MORE**

## CANDIDATE FAQS

You have questions, we have answers

**The more you know, the better prepared you will be.**

Find answers to many commonly asked questions from music