

Virginia Board of Health Professions - Regulatory Research Committee

Invitation for Public Comment on the Review of the Need for Regulation of the Practice of Music Therapy in Virginia

The Virginia Board of Health Professions Regulatory Research Committee has scheduled a public hearing to receive comment on the feasibility of Virginia's regulation of Music Therapists. The meeting will be held June 24, 2019 beginning at 9:00 a.m. at the address listed below.

The Virginia Board of Health Professions is authorized by statute to advise the Governor, the General Assembly, and Department of Health Professions' Director on matters related to the regulation or deregulation of health care professions and occupations (see §54.1-2510 of the *Code of Virginia*). This study is being conducted by the Board of Health Professions pursuant to SB1547 (attached).

The Committee requests that information provided by commenters be responsive to the seven standard evaluative criteria ("the Criteria") listed below and as further detailed in §54.1-2510.

1. The risk of harm posed by the unregulated practice of the profession must be identifiable;
2. Specialized skills and training are needed which require assurance of initial and continued competency;
3. Autonomous practice exists for the occupation which requires independent judgment and functioning;
4. The scope of practice is distinguishable from other regulated professions, despite possible overlapping professional duties, methods of examination, instrumentation, or therapeutic modality;
5. The economic cost to the public of restricting the supply of practitioners and cost of board and agency operations to regulate the occupation are outweighed by the benefit to the public;
6. There are no alternatives to regulation which adequately protect the public; and
7. If regulations are required, the least burdensome level of regulation that will protect the public will be recommended.

The written comment period will close at 5:00 p.m. on July 15, 2019. Comments should be sent to the attention of Laura L. Jackson, at the Virginia Board of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233-1463. Comment may also be faxed to (804) 527-4434 or emailed to laura.jackson@dhp.virginia.gov. Information received after 5:00 p.m. on July 15, 2019 will not be included in the study.

The location of the hearing:

Virginia Department of Health Professions
9960 Mayland Drive, 2nd Floor Conference Center, Board Room #4
Henrico, Virginia 23233-1463
Map and directions <http://www.dhp.virginia.gov/about/directions.htm>

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SENATE BILL NO. 1547
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on January 31, 2019)

(Patron Prior to Substitute—Senator Vogel)

A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 29 of Title 54.1 a section numbered 54.1-2957.23, relating to music therapists.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 29 of Title 54.1 a section numbered 54.1-2957.23 as follows:

§ 54.1-2957.23. Music therapy; use of title; registration.

A. No person shall use or assume the title "music therapist" unless such person is registered with the Board.

B. The Board shall register as a music therapist any applicant who presents satisfactory evidence that he has passed the examination for board certification offered by the Certification Board for Music Therapists or any successor organization or is currently certified by the Certification Board for Music Therapists or any successor organization.

2. That the provisions of the first enactment of this act shall expire on July 1, 2020.

3. That the Board of Health Professions shall, pursuant to subdivision 2 of § 54.1-2510 of the Code of Virginia, evaluate whether music therapists and the practice of music therapy should be regulated and the degree of regulation to be imposed. The Board of Health Professions shall report the results of its evaluation to the Chairmen of the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions by November 1, 2019.

SENATE SUBSTITUTE

SBI54781