
COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD

Art therapist and music therapist licensure

- Creates licensing schemes for the practice of art therapy and music therapy, and requires the Counselor, Social Worker, and Marriage and Family Therapist (CSW) Board to license and regulate art therapists and music therapists.
- Beginning October 3, 2024, prohibits unlicensed persons from knowingly providing art therapy or music therapy services or using “art therapist” or “music therapist” or a similar title, and subjects an unlicensed person to existing criminal penalties for violating that prohibition.
- Lists the requirements an applicant must satisfy to be licensed as an art therapist or music therapist.
- Subjects licensed art therapists and music therapists to the same renewal and continuing education requirements, reasons for discipline, and types of disciplinary actions to which other professionals licensed by the CSW Board are subject.
- Allows a licensed art therapist or music therapist to provide telehealth services and provide services through a business entity in combination with other licensed professionals.
- Requires the CSW Board to establish fees for an initial or renewed art therapist or music therapist license and a code of ethics for art therapists and music therapists.

CSW Board

- Adds six new members to the CSW Board: two licensed art therapists, two licensed music therapists, and two public members, and requires the Governor to appoint these members by January 1, 2024.
- Creates the Art Therapist Professional Standards Committee and Music Therapist Professional Standards Committee to act on the CSW Board’s behalf on all matters concerning art therapists and music therapists, respectively.
- Requires that four CSW Board members be licensed as either independent social workers or social workers, provided that at least one member is a licensed social worker at the time of appointment.

Art therapist and music therapist licensure

(R.C. 4757.01, 4757.02, 4757.03, 4757.04, 4757.05, 4757.11, 4757.15, 4757.16, 4757.24, 4757.31, 4757.34, 4757.36, 4757.37, 4757.38, 4757.41, 4757.43, and 4757.50; with conforming changes in multiple R.C. sections; Section 747.20)

The act creates licensing schemes for the practice of art therapy and music therapy. To practice as an art therapist or music therapist, the act requires a person to be licensed by the appropriate professional standards committee, created by the act (see “**Professional standards committees**,” below), of the Counselor, Social Worker, and Marriage and Family Therapist (CSW) Board.

Unlicensed practice prohibited

Beginning October 3, 2024, the act prohibits any person from knowingly engaging in the practice of art therapy or providing music therapy services or using the title “art therapist” or “music therapist” or a similar title unless the person holds a valid license that is in good standing. A person who violates this prohibition is guilty of a fourth degree misdemeanor for the first offense and a third degree misdemeanor for each subsequent offense. This is the same penalty for unlicensed practice of other occupations regulated by the CSW Board.⁴³

Practice of art therapy

The act defines “practice of art therapy” as the rendering or offering to render art therapy in the prevention or treatment of cognitive, developmental, emotional, or behavioral disabilities or conditions. “Art therapy” is the integrated use of psychotherapeutic principles and methods with art media and the creative process to assist individuals, families, or groups in doing any of the following:

- Improving cognitive and sensory-motor functions;
- Increasing self-awareness and self-esteem;
- Coping with grief and traumatic experiences;
- Enhancing cognitive abilities;
- Resolving conflicts and distress;
- Enhancing social functioning;
- Identifying and assessing clients’ needs to implement therapeutic intervention to meet developmental, behavioral, mental, and emotional needs.

“Art therapy” includes therapeutic intervention to facilitate alternative modes of receptive and expressive communication and evaluation and assessment to define and implement art-based treatment plans to address cognitive, behavioral, developmental, and emotional needs.

⁴³ R.C. 4757.99, not in the act.

Music therapy services

The act defines “music therapy” as the clinical use of music interventions to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan developed for a client. “Music therapy services” are services a licensed music therapist is authorized under the act to provide to achieve the goals of music therapy.

Exemption

The act does not apply to a person completing supervised experience to qualify for a license as an art therapist or music therapist, provided that experience is completed under a licensed art therapist’s or music therapist’s supervision, as applicable.

Telehealth services

The act permits licensed art therapists and music therapists to provide telehealth services in accordance with continuing law standards applicable to the delivery of telehealth services by licensed health care professionals.

Hospital admissions

Nothing in the act authorizes a licensed art therapist or music therapist to admit a patient to a hospital or requires a hospital to allow an art or music therapist to admit a patient.

Licensure

Application and issuance

A person seeking to be a licensed art therapist or music therapist must file a written application on a form prescribed by the CSW Board. The appropriate committee must issue a license as an art therapist or music therapist to an applicant who submits a properly completed application, pays the fee established by the Board, and meets the eligibility requirements listed below. The license must be issued within 60 days after receiving the information listed below and proof that the applicant has submitted to a criminal records check.⁴⁴

The license is valid for two years and may be renewed in accordance with the same renewal procedures that apply to all licenses issued by the Board.⁴⁵

Art therapist eligibility requirements

To be eligible for a license to practice art therapy, an applicant must meet the following requirements:

- **Age** – the applicant is at least 18.
- **Education** – the applicant has attained a master’s or higher degree from a graduate program in art therapy that one of the following applies to at the time the degree was conferred:

⁴⁴ By reference to R.C. 4757.101, not in the act.

⁴⁵ R.C. 4757.32, not in the act.

- The program is approved by the American Art Therapy Association or its successor.
- The program is accredited by the Commission on Accreditation of Allied Health Education Programs or its successor.
- The CSW Board considers the program to be substantially equivalent to a program approved or accredited as described above.
- **Experience** – the applicant has completed at least two years of postgraduate supervised clinical experience in the experience requirements that the Art Therapy Credentials Board, its successor, or an equivalent organization recognized by the CSW Board required for an individual to become a registered art therapist at the time the experience was completed.
- **Board certification** – the applicant has a board certification in good standing with the Art Therapy Credentials Board, its successor, or an equivalent organization recognized by the CSW Board.
- **Additional requirements** – the applicant satisfies any other requirements the CSW Board establishes.

Music therapist eligibility requirements

To be eligible for a license to practice music therapy, an applicant must meet all of the following requirements:

- **Age** – the applicant is at least 18.
- **Education** – the applicant has earned a bachelor’s degree or higher in music therapy approved by the American Music Therapy Association or its successor.
- **Board certification** – the applicant has either passed the board certification examination by the Certification Board for Music Therapists or its successor, or obtained certification as a music therapist by the Certification Board on January 1, 1985, and is currently certified as a music therapist by the Certification Board.
- **Clinical training** – the applicant has completed at least 1,200 hours of clinical training, including at least 180 hours in preinternship experience and at least 900 hours in internship experience approved by an academic institution, the American Music Therapy Association or its successor, or both.

The licensure requirements outlined above do not apply to members of other professions licensed, certified, or registered in Ohio while performing services within the recognized scope, standards, and ethics of their professions.

Temporary waiver of eligibility requirements

For one year beginning October 3, 2023, the CSW Board may waive the requirements that an applicant must satisfy to obtain an art therapist license if the applicant files an application that includes evidence satisfactory to the Board that the applicant meets all of the following requirements:

- The applicant holds a credential in good standing with the Art Therapy Credentials Board, its successor, or an equivalent organization recognized by the CSW Board.
- The applicant has practiced art therapy for at least five years.
- The applicant satisfies any additional requirements the CSW Board establishes.

For one year beginning October 3, 2023, the CSW Board must waive the examination requirement that an applicant must satisfy to obtain a music therapist license if the applicant demonstrates to the Board that the applicant is either:

- A board-certified music therapist who has completed the education and clinical training requirements established by the American Music Therapy Association, has passed the Certification Board for Music Therapists certification examination or obtained certification by that Board on January 1, 1985, and remains actively certified by the Certification Board for Music Therapists; or
- A registered music therapist, certified music therapist, or advanced certified music therapist in good standing with the National Music Therapy Registry.

Out-of-state applicants

If an out-of-state applicant applies before December 29, 2023, the appropriate professional standards committee may issue a license by endorsement to a resident of a state with which the CSW Board does not have a reciprocal agreement, if the applicant submits proof satisfactory to the committee of currently being licensed, certified, registered, or otherwise authorized to practice by that state. If the Board has a reciprocity agreement with another state that has licensure standards that are substantially equivalent to Ohio's, it may issue a license per that agreement.

Beginning December 29, 2023, the appropriate professional standards committee must issue an art therapist license or music therapist license in accordance with the Occupational Licenses for Out-of-State Applicants Law⁴⁶ to an applicant if the applicant:

- Holds a license in another state; or
- Has satisfactory work experience, a government certification, or a private certification as an art therapist or music therapist in a state that does not issue an art therapist license or music therapist license.⁴⁷

Fees

Under continuing law largely unchanged by the act, the CSW Board must establish and, from time to time may adjust, initial issuance, renewal, late renewal, continuing education, verification, and various other fees in connection with the licensure of art and music therapists. Continuing law prohibits the Board from charging a licensure or renewal fee of more than \$125.

⁴⁶ R.C. Chapter 4796 (effective December 29, 2023).

⁴⁷ R.C. 4757.18, not in the act (amendments effective December 29, 2023).

The Board may do so, however, if it determines a higher amount is needed to cover its necessary expenses and the Controlling Board approves the increase.

Continuing education

Licensed art and music therapists are subject to the same continuing education requirements as professionals holding other licenses issued by the CSW Board. To renew a license, continuing law requires each licensee to complete at least 30 continuing education hours during the licensing period.⁴⁸

Under continuing law, the Board must approve continuing education courses to assist licensees, including art therapists and music therapists licensed under the act, in recognizing the signs of domestic violence and its relationship to child abuse. Licensees, however, are not required to take these courses.

Combined businesses

The act permits a person licensed to practice art therapy or music therapy to provide services through a corporation, limited liability company, partnership, or professional association that is formed for the purpose of providing services in combination with any of the following licensed professionals:

- Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, marriage and family therapists, art therapists, or music therapists;
- Optometrists;
- Chiropractors;
- Psychologists;
- Registered or licensed practical nurses;
- Pharmacists;
- Physical therapists;
- Occupational therapists;
- Mechanotherapists;
- Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

This authorization applies regardless of any code of ethics provision that prohibits a licensed art therapist or music therapist (or any of the other licensees listed above) from engaging in the licensee's practice in combination with another licensed professional.

⁴⁸ R.C. 4757.33, not in the act.

Discipline and investigations

Art therapists and music therapists are subject to the same types of disciplinary actions and reasons for discipline as professionals holding other licenses issued by the CSW Board.

Continuing law modified by the act requires the Board to investigate alleged irregularities in the delivery of art therapy or music therapy services by a licensee. Information the Board receives pursuant to a complaint or investigation is confidential and not subject to discovery in a lawsuit. The Board, however, may disclose that information to law enforcement or government entities for purposes of investigating either a licensed art therapist or music therapist or a person or entity that may have engaged in the unauthorized practice of art therapy or music therapy.

CSW Board

Art therapist and music therapist membership

The act adds six new members to the CSW Board, increasing the number of members from 15 to 21. Specifically, it adds two members who are licensed art therapists and two members who are licensed music therapists. It also increases, from three to five, the number of Board members representing the general public who have not practiced an occupation licensed by the Board or been involved in the delivery of professional services regulated by the Board.

Independent social worker and social worker membership

The act modifies the membership requirements for independent social worker and social worker members on the CSW Board. It requires that four members be licensed as either independent social workers or social workers. At least one of them must be a licensed social worker at the time of appointment. Former law required that two be licensed independent social workers and two be licensed social workers.

The act also requires that, at all times, at least one of these four members be an educator who teaches in a bachelor's or master's degree social work program. Former law required that, at all times, the social worker membership include such an educator.

Initial appointments and terms of office

The Governor must make initial appointments of the new CSW Board members by January 1, 2024. These initial members need not be licensed as art therapists or music therapists. Of the six newly appointed members:

- Two are appointed to a term ending October 10, 2024;
- Two are appointed to a term ending October 10, 2025; and
- Two are appointed to a term ending October 10, 2026.

Terms of office for subsequent appointments made by the Governor are three years.

Quorum

The act accordingly increases, from eight to 11, the number of CSW Board members required for a quorum for the Board to conduct business.

Membership limitations

The act increases, from three to five, the minimum number of CSW Board members who must have practiced during the five years preceding appointment at a public agency or an organization that is certified or licensed by a specified state agency.

It also increases, from eight to 11, the maximum number of Board members who may be of the same political party. It eliminates a limitation on the maximum number of Board members who may be of the same sex.

Duties

The act requires the CSW Board to establish codes of ethical practice for licensed art therapists and music therapists. The codes may be based on any codes developed by national organizations representing the interests of those involved in art therapy or music therapy.

In carrying out the Board's duty to provide for the examination of persons seeking to practice an occupation, the act allows it to use an examination prepared by a state or national organization that represents the interests of those involved in art therapy or music therapy.

Professional standards committees

The act creates within the CSW Board the Art Therapist Professional Standards Committee and the Music Therapist Professional Standards Committee. They are subject to the same provisions of law governing the professional standards committees that regulate other professionals licensed by the Board. For example, the committees must meet as necessary to fulfill their duties. However, two committee members constitute a quorum for either the Art Therapist Professional Standards Committee or the Music Therapist Professional Standards Committee to conduct business (the other professional standards committees, each of which has five members, requires three members for a quorum).

The Art Therapist Professional Standards Committee consists of the Board's two licensed art therapist members and one member representing the public who is not on another professional standards committee. It has full authority to act on the Board's behalf on all matters concerning art therapy and art therapists.

Similarly, the Music Therapist Professional Standards Committee consists of the Board's two licensed music therapist members and one member representing the public who is not on another professional standards committee. It has full authority to act on the Board's behalf on all matters concerning music therapy and music therapists.