

Subject Licensure of clinical art therapists

Authors Norris and others

Analyst Elisabeth Klarqvist

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Overview

This bill directs the Board of Behavioral Health and Therapy to license clinical art therapists and establishes licensure requirements for clinical art therapists. It requires individuals to be licensed as a clinical art therapist in order to practice clinical art therapy or use a protected title.

Summary

Section	Description
1	<p>Definitions.</p> <p>Adds § 148B.80. Defines terms for sections governing the licensure of clinical art therapists: accredited educational institution, advisory council, art therapy, art therapy services, board, certified art therapist, clinical art therapy, licensed clinical art therapist, privileged communication, provisional licensed clinical art therapist, student, supervised experience, and supervision.</p>
2	<p>Duties of the board; art therapy.</p> <p>Adds § 148B.81. Lists duties of the Board of Behavioral Health and Therapy related to licensure of clinical art therapists: adopting rules, prescribing application forms and issuing licenses, establishing procedures to ensure clinical art therapists comply with statutes governing licensure, establishing procedures for renewal of clinical art therapist licenses and provisional licenses, and establishing continuing education requirements.</p>
3	<p>Scope of practice.</p> <p>Adds § 148B.82. Specifies services included in the practice of clinical art therapy: implementing art therapy services, developing an individualized treatment plan, evaluating a client's response to the treatment plan and suggesting modifications, identifying client needs to implement therapeutic interventions, using treatment interventions integrated with art therapy or art media to facilitate human development and remediate disorders, using art media to enhance health and</p>

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	development and support general wellness, crisis intervention, and incorporating art-based treatments to respond to diverse populations.
4	<p data-bbox="318 380 834 405">Unauthorized practice; title protection.</p> <p data-bbox="318 426 1425 800">Adds § 148B.83. Effective July 1, 2027, prohibits a person from practicing clinical art therapy unless the person is licensed as a clinical art therapist or provisional licensed clinical art therapist. Also prohibits a person from using protected titles unless the person is licensed as a clinical art therapist or is eligible for licensure. Provides a violation of this section is a misdemeanor and subjects a person to sanctions under chapter 214. Provides this section does not prohibit the practice of art therapy by a student or intern practicing under supervision, and does not prohibit qualified individuals from working within the scope, standards, and ethics of their respective profession as long as they do not hold themselves out to the public as a clinical art therapist.</p>
5	<p data-bbox="318 848 683 873">Requirements for licensure.</p> <p data-bbox="318 894 1425 961">Adds § 148B.84. Establishes requirements for licensure and licensure requirements during a transition period.</p> <p data-bbox="367 1003 1425 1230">Subd. 1. General requirements. Lists requirements that must be met to be licensed as a clinical art therapist: be 18 or older and of good moral character, have received a master’s or doctoral degree in art therapy, have received a master’s or doctoral degree or higher in a related field, have passed the Board Certification Examination, completed 4,000 hours of supervised professional experiences, and have submitted all applicable fees.</p> <p data-bbox="367 1272 1425 1493">Subd. 2. Transition period. Until July 1, 2029, allows the board to waive requirements that an applicant must have received a master’s or doctoral degree in art therapy, have received a master’s or doctoral degree or higher in a related field, and have completed 4,000 hours of supervised professional experience, if the individual is a certified art therapist and has at least five years of full time experience in practicing clinical art therapy.</p>
6	<p data-bbox="318 1541 570 1566">Provisional license.</p> <p data-bbox="318 1587 1425 1843">Adds § 148B.85. Allows the board to issue a provisional license to practice clinical art therapy if the applicant meets the requirements for licensure other than having passed the certification exam and having completed 4,000 of supervised professional experience. Requires an applicant under this section to submit with the application, a plan for supervised clinical experience. Specifies titles a provisional licensed clinical art therapist may use. Requires a provisional license to be renewed annually, automatically terminates a provisional license if it is not renewed or if the board</p>

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	grants or denies an applicant's application for licensure, and prohibits a provisional license from being renewed more than five times.
7	Licensure by reciprocity. Adds § 148B.86. Requires the board to issue a clinical art therapist license to an individual who holds a current license as a clinical art therapist or its equivalent from another jurisdiction, if the board determines the licensure standards in the other jurisdiction are at least equivalent to the standards in this state.
8	License renewal. Adds § 148B.87. Requires a licensee to annually renew a license by submitting a renewal application, paying the required fee, and attesting to completion of continuing education requirements. Requires the board to send renewal notices to licensees, and requires a licensee's application for renewal to be postmarked or completed on or before the expiration date of the license. Requires payment of a late fee if a renewal application is postmarked or received by the board after the license expires, but within 30 days after expiration. Provides if a licensee fails to submit the renewal application within 30 days after the license's expiration date, the license expires and the licensee's right to practice terminates.
9	Continuing education. Adds § 148B.88. Requires licensees to complete 40 hours of board-approved continuing education every two years and specifies topics that must be covered in the continuing education.
10	Supervised experience. Adds § 148B.89. Requires an applicant for licensure to complete 4,000 hours of post-master's degree supervised experience in delivering clinical art therapy services, and establishes requirements for this supervised experience. Lists qualifications that make an individual eligible to be approved by the board as a qualified art therapy supervisor, and requires an individual to apply to the board for approval as a qualified art therapy supervisor. Establishes alternative qualifications to be a qualified art therapy supervisor, which expire July 1, 2032.
11	Refusal to grant license; suspension or revocation of license. Adds § 148B.90. Lists grounds on which the board may take licensing or disciplinary action. If a ground for disciplinary action exists, allows the board to refuse to grant or renew a license, revoke a license, suspend a license, impose limitations or conditions on practice, censure or reprimand the licensee, refuse to allow an applicant to take the licensure exam or refuse to release the exam grade, or impose a civil penalty.

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	Allows the board to restore a license, reduce a suspension period, or withdraw a reprimand.
12	Complaints; investigation. Adds § 148B.91. Provides clinical art therapists are subject to sections 148B.5901 (temporary suspension of a license by the Board of Behavioral Health and Therapy) and 148B.5905 (mental, physical, or substance use disorder examination or evaluation and access to medical data, allowing the board to direct a licensee to submit to a mental, physical, or substance use disorder examination or evaluation and obtain medical data and health records of a licensee or applicant without consent if the board believes the licensee is unable to practice with reasonable skill and safety due to a mental or physical illness).
13	Duty to maintain current information. Adds § 148B.92. Requires licensees, provisional licensees, and applicants for licensure to notify the board within 30 days of a change of name, address, place of employment, telephone number, or other information in the application.
14	Nontransferability of licenses. Adds § 148B.93. Provides a clinical art therapy license or provisional license is not transferable.
15	Privileged communication; exceptions. Adds § 148B.94. Provides a licensed clinical art therapist and their employees and professional associates cannot be required to disclose a privileged communication that the person acquired in providing clinical art therapy services, and specifies exceptions to this rule.
16	Clinical Art Therapist Advisory Council. Adds § 148B.945. Establishes a Clinical Art Therapist Advisory Council of five individuals appointed by the board. Specifies qualification requirements for advisory council members, requires the advisory council to be organized and administered under section 15.059, and lists advisory council duties.
17	Fees. Adds § 148B.95. Lists fee amounts for initial licensure and application for provisional clinical art therapist, initial licensure and application for licensed clinical art therapist, annual renewal of provisional license, annual renewal of clinical art therapist license, late fee, sponsor application to approve a continuing education course, duplicate certificate fee, and certificate of good standing or license verification. Allows the board to prorate fees if the initial license term is less than 12 months. Provides fees

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	are nonrefundable and must be deposited in the state government special revenue fund.
18	Mental health professional qualifications. Amends § 2451.04, subd. 2. Adds clinical art therapists to the definition of mental health professional. (A mental health professional is a provider permitted to provide mental health services that include the following, as long as the services are within the scope of practice for the professional’s specific occupation: completing diagnostic assessments, supervising and providing direct observation for other providers, approving restrictions of client rights, serving as required staff in a certified mental health clinic, staffing a treatment team for IRTS or residential crisis stabilization, and providing a written opinion that a client needs IRTS services.)
19	Appropriation. Appropriates a blank amount in fiscal year 2027 from the state government special revenue fund to the Board of Behavioral Health and Therapy to license clinical art therapists.



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