

By: Senator(s) Parker, Blackwell, Jackson,
England, Williams, Barrett, Tate

To: Public Health and
Welfare

SENATE BILL NO. 2741

1 AN ACT TO PROVIDE FOR THE LICENSURE OF PROFESSIONAL MUSIC
2 THERAPISTS BY THE STATE DEPARTMENT OF HEALTH; TO PROVIDE FOR
3 DEFINITIONS; TO PROVIDE FOR THE ESTABLISHMENT, APPOINTMENT AND
4 MEMBERSHIP OF THE MUSIC THERAPY ADVISORY COMMITTEE; TO DIRECT THE
5 DEPARTMENT TO SEEK THE ADVICE OF THE ADVISORY COMMITTEE FOR ISSUES
6 RELATED TO MUSIC THERAPY; TO PROVIDE FOR THE POWERS AND DUTIES OF
7 THE ADVISORY COMMITTEE; TO PROVIDE THAT BEGINNING ON JANUARY 1,
8 2026, NO PERSON WITHOUT A LICENSE AS A PROFESSIONAL MUSIC
9 THERAPIST SHALL PRACTICE MUSIC THERAPY OR USE ANY TITLE THAT
10 IMPLIES THAT THE PERSON IS A PROFESSIONAL MUSIC THERAPIST; TO
11 PRESCRIBE CERTAIN REQUIREMENTS FOR PROFESSIONAL MUSIC THERAPISTS
12 IN THE PROVISION OF MUSIC THERAPY SERVICES; TO PROVIDE FOR
13 LICENSURE APPLICATION AND QUALIFICATIONS FOR LICENSURE; TO PROVIDE
14 FOR LICENSE RENEWAL; TO PROVIDE FOR DISCIPLINARY ACTIONS AGAINST
15 LICENSEES; TO DIRECT THE STATE BOARD OF HEALTH TO SET CERTAIN
16 FEES; TO CREATE A SPECIAL FUND IN THE STATE TREASURY; TO REQUIRE
17 THAT ALL FEES COLLECTED BY THE DEPARTMENT UNDER THIS ACT SHALL BE
18 DEPOSITED INTO THE SPECIAL FUND; AND FOR RELATED PURPOSES.

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

20 **SECTION 1.** The intent of this chapter is to recognize that
21 music therapy affects public health, safety and welfare and that
22 the practice of music therapy should be subject to regulation; to
23 assure the highest degree of professional conduct on the part of
24 music therapists; to guarantee the availability of music therapy
25 services provided by a qualified professional to persons in need



of those services; and to protect the public from the practice of music therapy by unqualified individuals.

SECTION 2. As used in this chapter, the following terms shall be defined as provided in this section:

(a) "Advisory committee" means the Music Therapy Advisory Committee.

(b) "Board" means the State Board of Health.

(c) "Board-certified music therapist" means an individual who holds current board certification from the Certification Board for Music Therapists.

(d) "Department" means the State Department of Health.

(e) "Director" means the Executive Director of the State Department of Health or his or her designee.

(f) "Licensed professional music therapist" (LPMT) means a person licensed to practice music therapy under this chapter.

(g) "Music therapy" means the clinical and evidence-based use of music interventions to accomplish individualized goals for people of all ages and ability levels within a therapeutic relationship by a board-certified music therapist. Music therapists develop music therapy treatment plans specific to the needs and strengths of the client, who may be seen individually or in groups. Music therapy treatment plans are individualized for each client. The goals, objectives and potential strategies of the music therapy services are appropriate



for the client and setting. The music therapy interventions may include, but are not limited to, music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, singing, music performance, learning through music, music combined with other arts, music-assisted relaxation, music-based patient education, electronic music technology, adapted music intervention and movement to music. The practice of music therapy does not include the screening, diagnosis or assessment of any physical, mental or communication disorder. The term "music therapy" may include, but is not limited to:

(i) Accepting referrals for music therapy services from medical, developmental, mental health or education professionals, family members, clients, caregivers or others involved and authorized with provision of client services;

(ii) Conducting a music therapy assessment of a client to determine if treatment is indicated. If treatment is indicated, the licensee collects systematic, comprehensive and accurate information to determine the appropriateness and type of music therapy services to provide for the client;

(iii) Developing an individualized music therapy treatment plan for the client that is based upon the results of the music therapy assessment. The music therapy treatment plan includes individualized goals and objectives that focus on the assessed needs and strengths of the client and specify music



75 therapy approaches and interventions to be used to address these
76 goals and objectives;

77 (iv) Implementing an individualized music therapy
78 treatment plan that is consistent with any other developmental,
79 rehabilitative, habilitative, medical, mental health, preventive,
80 wellness care or educational services being provided to the
81 client;

82 (v) Evaluating the client's response to music
83 therapy and the music therapy treatment plan, documenting change
84 and progress and suggesting modifications, as appropriate;

85 (vi) Developing a plan for determining when the
86 provision of music therapy services is no longer needed in
87 collaboration with the client, physician or other provider of
88 health care or education of the client, family members of the
89 client and any other appropriate person upon whom the client
90 relies for support;

91 (vii) Minimizing any barriers to ensure that the
92 client receives music therapy services in the least restrictive
93 environment;

94 (viii) Collaborating with and educating the client
95 and the family, caregiver of the client or any other appropriate
96 person regarding the needs of the client that are being addressed
97 in music therapy and the manner in which the music therapy
98 treatment addresses those needs; and



(ix) Using appropriate knowledge and skills to inform practice, including use of research, reasoning and problem solving skills to determine appropriate actions in the context of each specific clinical setting.

SECTION 3. (1) There is created within the department the Music Therapy Advisory Committee, which shall consist of five (5) members.

(2) The director shall appoint all members of the advisory committee. The advisory committee shall consist of persons familiar with the practice of music therapy to provide the department with expertise and assistance in carrying out its duties under this chapter.

(3) The director shall appoint members of the advisory committee to serve for terms of four (4) years. Three (3) members shall be licensed to practice as music therapists in this state; one (1) member shall be a licensed health care provider who is not a music therapist; and one (1) member shall be a consumer of music therapy services.

(4) Members shall receive no compensation for their services, but shall be reimbursed for their expenses actually incurred in the performance of their duties, including mileage, as provided in Section 25-3-41.

(5) Members may serve consecutive terms in the discretion of the director. Any vacancy shall be filled in the same manner as the regular appointments.



(6) The initial appointments to the advisory committee shall consist of three (3) music therapists who are not licensed under this chapter but who have been engaged in their respective practices for at least three (3) years. Once licensing under this chapter is implemented, music therapists appointed to the advisory committee must hold the requisite license.

SECTION 4. (1) The advisory committee shall meet at least once per year or as otherwise called by the director.

(2) The department shall seek the advice of the advisory committee for issues related to music therapy.

(3) The board shall consult with the advisory committee before setting or changing fees in this chapter.

(4) The advisory committee may facilitate the development of materials that the department may use to educate the public concerning music therapist licensure, the benefits of music therapy and use of music therapy by individuals and in facilities or institutional settings.

(5) The advisory committee may act as a facilitator of statewide dissemination of information between music therapists, the American Music Therapy Association or any successor organization, the Certification Board for Music Therapists or any successor organization and the department.

(6) The advisory committee shall provide an analysis of disciplinary actions taken, appeals and denials or revocation of licenses at least once per year.



SECTION 5.

Beginning on January 1, 2026, no person without a license as a professional music therapist shall practice music therapy or use the title "music therapist," "licensed professional music therapist," "LPMT" or similar title that implies that the person is a professional music therapist. Nothing in this chapter may be construed to prohibit or restrict the practice, services or activities of the following:

(a) Any person licensed, certified or regulated under the laws of this state in another profession or occupation, including physicians, psychologists, psychoanalysts, registered nurses, marriage and family therapists, social workers, occupational therapy practitioners, professional or rehabilitation counselors, speech-language pathologists or audiologists or personnel supervised by a licensed professional, performing work, including the use of music, incidental to the practice of his or her licensed, certified or regulated profession or occupation, if that person does not represent himself or herself as a music therapist; or

(b) Any person whose training and national certification attests to the individual's preparation and ability to practice his or her certified profession or occupation, if that person does not represent himself or herself as a music therapist; or

(c) Any practice of music therapy as an integral part of a program of study for students enrolled in an accredited music



therapy program, if the student does not represent himself or herself as a music therapist; or

(d) Any person who practices music therapy under the supervision of a licensed professional music therapist, if the person does not represent himself or herself as a music therapist.

SECTION 6. (1) Before a licensed professional music therapist provides music therapy services to a client for an identified clinical or developmental need, the licensee shall review the client's diagnosis, treatment needs and treatment plan with the health care providers involved in the client's care. Before a licensed professional music therapist provides music therapy services to a student for an identified educational need in a special education setting, the licensee shall review with the individualized family service plan or individualized education program team the student's diagnosis, treatment needs and treatment plan.

(2) During the provision of music therapy services to a client, the licensed professional music therapist shall collaborate, as applicable, with the client's treatment team, including the client's physician, psychologist, licensed clinical social worker or other mental health professional. During the provision of music therapy services to a client with a communication disorder, the licensed professional music therapist shall collaborate and discuss the music therapy treatment plan with the client's audiologist or speech-language pathologist so



that a music therapist may work with the client and address communication skills.

(3) When providing educational or health care services, a licensed professional music therapist may not replace the services provided by an audiologist, a speech-language pathologist or an occupational therapy practitioner. Unless authorized to practice speech-language pathology, music therapists may not evaluate, examine, instruct or counsel on speech, language, communication and swallowing disorders and conditions. An individual licensed as a professional music therapist may not represent to the public that the individual is authorized to treat a communication disorder. This does not prohibit an individual licensed as a professional music therapist from representing to the public that the individual may work with clients who have a communication disorder and address communication skills.

SECTION 7. (1) The department shall issue a license to an applicant for a music therapy license when the applicant has completed and submitted an application upon a form and in such manner as prescribed by the department, accompanied by applicable fees, and evidence satisfactory to the department that:

(a) The applicant is at least eighteen (18) years of age;

(b) The applicant holds a bachelor's degree or higher in music therapy, or its equivalent, including clinical training



hours, from a music therapy program within an accredited college or university;

(c) The applicant is in good standing based on a review of the applicant's music therapy licensure history in other jurisdictions, including a review of any alleged misconduct or neglect in the practice of music therapy on the part of the applicant; and

(d) The applicant provides proof of passing the examination for board certification offered by the Certification Board for Music Therapists or any successor organization or provides proof of being transitioned into board certification, and provides proof that the applicant is currently a board-certified music therapist.

(2) The department shall issue a license to an applicant for a music therapy license when the applicant has completed and submitted an application upon a form and in such manner as prescribed by the department, accompanied by applicable fees, and evidence satisfactory to the department that the applicant is licensed and in good standing as a music therapist in another jurisdiction where the qualifications required are equal to or greater than those required in this chapter at the date of application. The issuance of a license by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.



(3) The department shall issue a license to an applicant for a music therapy license when the applicant has completed and submitted an application not later than January 1, 2026, upon a form and in such manner as prescribed by the department, accompanied by applicable fees, and evidence satisfactory to the department that the applicant has practiced music therapy for ten (10) or more years before July 1, 2025, with at least five (5) years' practice immediately before July 1, 2025, and that the applicant's practice during that time was substantially the same as that which would require a license under this act, as determined by the advisory committee and certified to the department.

SECTION 8. (1) Every license issued under this chapter shall be renewed biennially. A license shall be renewed upon (a) payment of a renewal fee if the applicant is not in violation of any of the terms of this chapter at the time of application for renewal; and (b) proof of maintenance of the applicant's status as a board-certified music therapist.

(2) A licensee shall inform the department of any changes to his or her address. Each licensee shall be responsible for timely renewal of his or her license.

(3) Failure to renew a license shall result in forfeiture of the license. Licenses that have been forfeited may be restored within one (1) year after the expiration date upon payment of renewal and restoration fees. Failure to restore a forfeited



license within one (1) year after the date of its expiration shall result in the automatic termination of the license, and the department may require the individual to reapply for licensure as a new applicant.

(4) Upon written request of a licensee, the department may place an active license on an inactive status subject to an inactive status fee established by the board. The licensee, upon request and payment of the inactive license fee, may continue on inactive status for a period up to two (2) years. An inactive license may be reactivated at any time by making a written request to the department and by fulfilling requirements established by the department.

SECTION 9. (1) The board may sanction a licensee for any of the following acts:

(a) Ineligibility for licensure, including, but not limited to, falsification of information submitted for licensure or failure to maintain status as a board-certified music therapist;

(b) Failure to pay fees when due;

(c) Failure to provide requested information in a timely manner;

(d) Conviction of a felony;

(e) Conviction of any crime that reflects an inability to practice music therapy with due regard for the health and



safety of clients and patients, or with due regard for the truth
in filing claims with Medicare, Medicaid or any third party payor;

(f) Inability or failure to practice music therapy with
reasonable skill and consistent with the welfare of clients and
patients, including, but not limited to, negligence in the
practice of music therapy; intoxication; incapacity; and abuse of
or engaging in sexual contact with a client or patient; and

(g) Disciplinary action by another jurisdiction.

(2) The department is authorized to conduct investigations
into allegations of conduct described in subsection (1) of this
section.

(3) The board may impose one or more of the following
sanctions upon a licensee for a violation of this chapter:

(a) Suspension of a license;

(b) Revocation of a license;

(c) Denial of a license;

(d) Refusal to renew a license;

(e) Probation with conditions;

(f) Reprimand; or

(g) A fine of not less than One Hundred Dollars
(\$100.00) or more than One Thousand Dollars (\$1,000.00) for each
violation.

SECTION 10. (1) The board shall set fees for the following
purposes: application; initial license; license renewal; late



renewal; license restoration; inactive status and such other purposes as determined by the board.

(2) All fees collected by the department under this chapter shall be deposited in a special fund that is created in the State Treasury, and shall be expended by the department, upon appropriation of the Legislature, for the implementation and administration of this chapter. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

(3) All penalties collected by the department for violations of this chapter shall be deposited into the State General Fund.

SECTION 11. This act shall be codified as a new chapter in Title 73, Mississippi Code of 1972.

SECTION 12. This act shall take effect and be in force from and after July 1, 2025.

