AN ACT REQUIRING LICENSURE OF ART THERAPISTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 20-195mmm of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

[(a)] As used in this section, sections 2 to 5, inclusive, of this act and section 19a-14, as amended by this act:

(1) "Art therapy" means clinical and evidence-based use of art, including art media, the creative process and the resulting artwork, to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an art therapy program approved by the American Art Therapy Association, or any successor of said association; [and]

(2) "Art therapist" means a person who [(A) has earned a graduate degree in art therapy or a related field from an accredited institution of higher education, and (B) is certified as an art therapist by the Art Therapy Credentials Board or any successor of said board.] has been
(3) "Commissioner" means the Commissioner of Public Health; and

(4) "Department" means the Department of Public Health.

[(b) No person unless certified as an art therapist may use the title "art therapist" or "certified art therapist" or make use of any title, words, letters, abbreviations or insignia indicating or implying that he or she is a certified art therapist. Any person who violates this section shall be guilty of a class D felony. For purposes of this section, each instance of contact or consultation with an individual that is in violation of any provision of this section shall constitute a separate offense.

(c) The provisions of this section shall not apply to a person who (1) provides art therapy while acting within the scope of practice of the person's license and training, provided the person does not hold himself or herself out to the public as an art therapist, or (2) is a student enrolled in an art therapy educational program or graduate art therapy educational program approved by the American Art Therapy Association, or any successor of said association, and art therapy is an integral part of the student's course of study and such student is performing such therapy under the direct supervision of an art therapist.]

Sec. 2. (NEW) (Effective October 1, 2019) (a) No person may practice art therapy unless licensed pursuant to section 3 of this act or issued a temporary permit pursuant to section 4 of this act.

(b) No person may use the title "art therapist" or "licensed art therapist" or make use of any title, words, letters, abbreviations or insignia that may reasonably be confused with licensure as an art therapist unless such person is licensed pursuant to section 3 of this act or has been issued a temporary permit pursuant to section 4 of this act.
(c) The provisions of this section shall not apply to a person who (1) provides art therapy while acting within the scope of practice of the person's license and training, provided the person does not hold himself or herself out to the public as an art therapist, or (2) is a student enrolled in an art therapy educational program or graduate art therapy educational program approved by the American Art Therapy Association, or any successor of said association, and art therapy is an integral part of the student's course of study and such student is performing such therapy under the direct supervision of a licensed art therapist.

Sec. 3. (NEW) (Effective October 1, 2019) (a) On and after October 1, 2019, the Commissioner of Public Health shall grant a license as an art therapist to any applicant who, except as provided in subsections (b) and (c) of this section, furnishes evidence satisfactory to the commissioner that such applicant (1) has earned a graduate degree in art therapy or a related field from an accredited institution of higher education, and (2) holds a current credential or certification as an art therapist from the Art Therapy Credentials Board, or any successor of said board. The commissioner shall develop and provide application forms. The application fee shall be three hundred fifteen dollars.

(b) An applicant for licensure by endorsement shall present evidence satisfactory to the commissioner that the applicant is licensed or certified as an art therapist, or as a person entitled to perform similar services under a different designation, in another state or jurisdiction that has requirements for practicing in such capacity that are substantially similar to, or higher than, those of this state and that there are no disciplinary actions or unresolved complaints pending in this state or any other state.

(c) Licenses issued under this section shall be renewed annually pursuant to section 19a-88 of the general statutes, as amended by this act. The fee for such renewal shall be one hundred ninety dollars. Each licensed art therapist applying for license renewal shall furnish
evidence satisfactory to the commissioner of having a current 
credential or certification with the Art Therapy Credentials Board, or 
any successor of said board, and having obtained continuing education 
units for such credential or certification as required by said board.

Sec. 4. (NEW) (Effective October 1, 2019) The Department of Public 
Health may issue a temporary permit to an applicant for licensure as 
an art therapist who holds a graduate degree in art therapy or a related 
field. Such temporary permit shall authorize the holder of the 
temporary permit to practice art therapy under the general supervision 
of a licensed art therapist at all times during which the holder of the 
temporary permit performs art therapy. Such temporary permit shall 
be valid for a period not to exceed three hundred sixty-five calendar 
days after the date of attaining such graduate degree and shall not be 
renewable. No temporary permit shall be issued under this section to 
any applicant against whom professional disciplinary action is 
pending or who is the subject of an unresolved complaint in this state 
or any other state. The commissioner may revoke a temporary permit 
for good cause, as determined by the commissioner. The fee for a 
temporary permit shall be fifty dollars.

Sec. 5. (NEW) (Effective October 1, 2019) The Commissioner of Public 
Health may take any disciplinary action set forth in section 19a-17 of 
the general statutes against an art therapist for any of the following 
reasons: (1) Failure to conform to the accepted standards of the 
profession; (2) conviction of a felony; (3) fraud or deceit in obtaining or 
seeking reinstatement of a license to practice art therapy; (4) fraud or 
deceit in the practice of art therapy; (5) negligent, incompetent or 
wrongful conduct in professional activities; (6) physical, mental or 
emotional illness or disorder resulting in an inability to conform to the 
accepted standards of the profession; (7) alcohol or substance abuse; or 
(8) wilful falsification of entries in any hospital, patient or other record 
pertaining to art therapy. The commissioner may order a license 
holder to submit to a reasonable physical or mental examination if his 
or her physical or mental capacity to practice safely is the subject of an
investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17 of the general statutes. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17 of the general statutes.

Sec. 6. Subsection (c) of section 19a-14 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(c) No board shall exist for the following professions that are licensed or otherwise regulated by the Department of Public Health:

(1) Speech and language pathologist and audiologist;

(2) Hearing instrument specialist;

(3) Nursing home administrator;

(4) Sanitarian;

(5) Subsurface sewage system installer or cleaner;

(6) Marital and family therapist;

(7) Nurse-midwife;

(8) Licensed clinical social worker;

(9) Respiratory care practitioner;

(10) Asbestos contractor, asbestos consultant and asbestos training provider;

(11) Massage therapist;

(12) Registered nurse's aide;

(13) Radiographer;
(14) Dental hygienist;
(15) Dietitian-Nutritionist;
(16) Asbestos abatement worker;
(17) Asbestos abatement site supervisor;
(18) Licensed or certified alcohol and drug counselor;
(19) Professional counselor;
(20) Acupuncturist;
(21) Occupational therapist and occupational therapist assistant;
(22) Lead abatement contractor, lead consultant contractor, lead consultant, lead abatement supervisor, lead abatement worker, lead training provider, lead inspector, lead inspector risk assessor and lead planner-project designer;
(23) Emergency medical technician, advanced emergency medical technician, emergency medical responder and emergency medical services instructor;
(24) Paramedic;
(25) Athletic trainer;
(26) Perfusionist;
(27) Master social worker subject to the provisions of section 20-195v;
(28) Radiologist assistant, subject to the provisions of section 20-74tt;
(29) Homeopathic physician;
(30) Certified water treatment plant operator, certified distribution system operator, certified small water system operator, certified
backflow prevention device tester and certified cross connection
survey inspector, including certified limited operators, certified
conditional operators and certified operators in training;

(31) Tattoo technician;

(32) Genetic counselor; [and]

(33) Behavior analyst; and

(34) Art therapist.

The department shall assume all powers and duties normally vested
with a board in administering regulatory jurisdiction over such
professions. The uniform provisions of this chapter and chapters 368v,
369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
and 400c, including, but not limited to, standards for entry and
renewal; grounds for professional discipline; receiving and processing
complaints; and disciplinary sanctions, shall apply, except as otherwise
provided by law, to the professions listed in this subsection.

Sec. 7. Subdivision (1) of subsection (e) of section 19a-88 of the
general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2019):

(e) (1) Each person holding a license or certificate issued under
section 19a-514, 20-65k, 20-74s, 20-185k, 20-185l, 20-195cc or 20-206ll
and chapters 370 to 373, inclusive, 375, 378 to 381a, inclusive, 383 to
383c, inclusive, 383g, 384, 384a, 384b, 384d, 385, 393a, 395, 399 or 400a
and section 20-206n or 20-206o shall, annually, during the month of
such person's birth, apply for renewal of such license or certificate to
the Department of Public Health, giving such person's name in full,
such person's residence and business address and such other
information as the department requests.
This act shall take effect as follows and shall amend the following sections:

<table>
<thead>
<tr>
<th>Section</th>
<th>Date</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>October 1, 2019</td>
<td>20-195mmm</td>
</tr>
<tr>
<td>2</td>
<td>October 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>3</td>
<td>October 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>4</td>
<td>October 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>5</td>
<td>October 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>6</td>
<td>October 1, 2019</td>
<td>19a-14(c)</td>
</tr>
<tr>
<td>7</td>
<td>October 1, 2019</td>
<td>19a-88(e)(1)</td>
</tr>
</tbody>
</table>

**Statement of Purpose:**
To require the licensure of art therapists.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. BOLINSKY, 106th Dist.; REP. KLARIDES, 114th Dist.

H.B. 5444