SENATE
COUNSEL, RESEARCH, & FISCAL ANALYSIS

BILL SUMMARY

S.F. No. 2975 – CREATING LICENSURE FOR MUSIC THERAPISTS, AS PROPOSED AMENDED BY THE A-3 AMENDMENT

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Date: March 16, 2026

Section 1 (amends Minn. Stat. § 144.0572, subdivision 1) This section adds "music therapist" to the list of licensed occupations for which an applicant for licensure must submit to a criminal history records check. This section is effective January 1, 2028.

Section 2 (adds Minn. Stat. § 148H.01; Scope) This section provides that the requirements in S.F. No. 2975 apply to applicants for licensure, licensed music therapist, those who use protected titles, or who represent that they are licensed as music therapists.

Section 3 (adds Minn. Stat. § 148H.02; Definitions) This section defines terms applicable to establishing licensure for music therapists. This section provides a definition of "practice of music therapy," which includes the use of music-based interventions. "Music-based interventions" means "the use of music within a therapeutic relationship to accomplish individualized goals for persons of all ages and abilities." Examples of music-based interventions include "music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, singing, music performance, learning through music, music combines with other arts, music-assisted relaxation, music-based patient education, electronic music intervention, and movement to music."

Section 4 (adds Minn. Stat. § 148H.03; Music therapy advisory council) This section provides that a six member Music Therapy Advisory Council is established to advise the commissioner of health regarding music therapy licensure standards, granting or denying licensure or licensure renewal, and disciplinary action taken against an individual related to licensure as a music therapist. This section provides that the commissioner must make initial appointments to the council by August 1, 2027, and must convene the first council meeting by September 1, 2027.

Section 5 (adds Minn. Stat. § 148H.04; Unauthorized practice; protected titles; exempt persons) This section provides that the unlicensed practice of music therapy is prohibited effective January 1, 2028. This section also provides that only licensed music therapists may

use the terms “licensed music therapist,” “music therapist,” “licensed professional music therapist,” or “LPMT.” This section also provides certain exemptions to the requirements of S.F. No. 2975, including that licensure is not required for a person performing services that include the use of music incidental to the practice of another profession for which the person is licensed, registered, or certified.

Section 6 (adds Minn. Stat. § 148H.05; Licensure qualifications) This section provides that an applicant for licensure as a music therapist must comply with application requirements provided in subsequent sections of S.F. No. 2975 related to general licensure, temporary licensure, or licensure by reciprocity.

Section 7 (adds Minn. Stat. § 148H.06; General licensure requirements) This section provides that an applicant for licensure as a music therapist must be 18 years of age or older, have completed required academic and fieldwork, and have passed an examination for board certification.

Section 8 (adds Minn. Stat. § 148H.07; General application procedures) This section provides specific documents that an applicant for licensure as a music therapist must submit to the commissioner. This section also provides that the commissioner must act on all applicants for licensure, and provides direction as to how the commissioner must address applications. Finally, this section provides a process for a provisional music therapy licensee to seek reconsideration of their license application by the commissioner.

Section 9 (adds Minn. Stat. § 148H.08; Temporary licensure) This section provides eligibility, an application process, and qualifying examination requirements for temporary licensure as a music therapist. Such temporary licensure is effective for 12 months from the date of issuance, or on the date the commissioner grants or denies licensure.

Section 10 (adds Minn. Stat. § 148H.09; Licensure by reciprocity) This section provides requirements for licensure by reciprocity, including that an applicant must submit evidence of holding a license and being in good standing as a music therapist in another jurisdiction where the license qualifications are equivalent to or higher than those required in Minnesota.

Section 11 (adds Minn. Stat. § 148H.10; Continuing education requirements) This section provides continuing education requirements for licensees and applicants for licensure as music therapists. Licensees and applicants must complete 100 hours of Continuing Music Therapy Education credits every five years.

Section 12 (adds Minn. Stat. § 148H.11; Renewal of license; license lapse) This section provides requirements for a licensed music therapist seeking renewal of their license, as well as deadlines for license renewal. This section also provides that if a licensee fails to renew a license, the license lapses and may be restored only if the licensee takes specified action.

Section 13 (adds Minn. Stat. § 148H.12; Change of name, address, or employment) This section provides that a licensee who changes their name, address, employment, business address, or business telephone number must inform the commissioner of the change in writing within 30 days of the change and provide documentation supporting certain changes.

Section 14 (adds Minn. Stat. § 148H.13; Practice of music therapy) This section provides that upon referral of a client for music therapy services, a licensed music therapist must assess the client and determine if treatment is indicated. If treatment is indicated, the licensee must determine the appropriateness and type of music therapy services to provide to the client using an individualized music therapy treatment plan to meet individualized goals and objectives. This section also provides that a licensee must evaluate a client on an ongoing basis and modify the treatment plan when appropriate. Finally, this section provides that a licensee must collaborate with and educate a client and their family and caregivers regarding the client's music therapy treatment.

Section 15 (adds Minn. Stat. § 148H.14; Review of client documentation; collaboration with other treating professionals) This section provides that a music therapist treating a client must review the client's diagnosis, treatment needs, and treatment plan with the client's care and support team, if applicable, and collaborate with applicable members of the client's treatment team, including a physician, psychologist, licensed clinical social worker, or other mental health professional. Finally, this section provides that when working with a client with a communication disorder, a licensee must first collaborate with and discuss treatment of communication skills with the client's audiologist or speech-language pathologist.

Section 16 (adds Minn. Stat. § 148H.15; Grounds for denial of licensure and discipline; disciplinary action) This section provides several grounds for disciplinary action the commissioner to deny a music therapy license or impose discipline upon a music therapy licensee, including but not limited to: performing services of a licensed professional music therapist in an incompetent or negligent manner or in a manner that falls below the community standard of care; advertising in a manner that is false or misleading; engaging in dishonest, unethical, or unprofessional conduct in connection with the practice of music therapy that is likely to deceive, defraud, or harm the public; or engaging in abusive or fraudulent billing practices.

Section 17 (adds Minn. Stat. § 148H.16; Fees) This section provides blank dollar amounts that the commissioner may not exceed when setting music therapist licensing fees. This section also establishes blank amounts for possible penalty fees for practicing music therapy or using protected titles without a current license.