

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

D

HOUSE BILL 434
PROPOSED COMMITTEE SUBSTITUTE H434-PCS40645-BCf-39

Short Title: North Carolina Healing Arts Commission.

(Public)

Sponsors:

Referred to:

March 30, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE NORTH CAROLINA HEALING ARTS COMMISSION AND
3 TO CREATE CERTIFICATION PROCESSES FOR REFLEXOLOGISTS AND MUSIC
4 THERAPISTS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Chapter 90 of the General Statutes is amended by adding a new Article
7 to read:

8 "Article 44.

9 "Healing Arts.

10 "Part 1. North Carolina Healing Arts Commission.

11 "**§ 90-730.1. Title and purpose.**

12 (a) This Article shall be known and may be cited as the North Carolina Healing Arts Act.

13 (b) The North Carolina Healing Arts Act is established to safeguard the public health,
14 safety, and welfare; to protect the public from being harmed by unqualified persons; to assure
15 the highest degree of professional services and conduct on the part of practitioners of the healing
16 arts; to provide for the establishment of certification requirements; and to ensure the availability
17 of healing arts services of high quality to persons in need of such services.

18 "**§ 90-730.2. Definitions.**

19 The following definitions apply in this Article:

20 (1) Advisory committee. – A committee charged with supervising the day-to-day
21 regulation of a healing arts profession. Advisory committees shall screen
22 applicants for certification and conduct all investigations necessary to give
23 directions to the Commission.

24 (2) Commission. – The North Carolina Healing Arts Commission, as established
25 pursuant to G.S. 90-730.3.

26 (3) Healing arts. – The use of allopathic, complementary, or alternative
27 approaches to the art and science of medicine for the prevention, diagnosis,
28 and treatment of human physical or mental conditions, diseases, ailments,
29 illnesses, infirmities, pain, defects, or injuries and the promotion and
30 restoration of health and wellness.

31 (4) Healing arts profession. – Any of the professions listed in G.S. 90-730.8.

32 (5) North Carolina Healing Arts Certificate. – A certificate in a healing arts
33 profession issued pursuant to this Article.

34 "**§ 90-730.3. North Carolina Healing Arts Commission; composition; terms; compensation.**

35 (a) The North Carolina Healing Arts Commission is hereby created. The Commission
36 shall consist of the following members: three members of the public and two members of each



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1 healing arts profession. The initial Commission members shall be appointed on or before January
2 1, 2022, as follows:

3 (1) The General Assembly, upon the recommendation of the President Pro
4 Tempore of the Senate, shall appoint one reflexologist to serve an initial term
5 of three years.

6 (2) The General Assembly, upon the recommendation of the Speaker of the House
7 of Representatives, shall appoint one music therapist to serve an initial term
8 of two years.

9 (3) The General Assembly, upon the recommendation of the Speaker of the House
10 of Representatives, shall appoint one member of the public to serve an initial
11 term of two years.

12 (4) The Governor shall appoint one reflexologist to serve an initial term of two
13 years.

14 (5) The Governor shall appoint one music therapist to serve an initial term of three
15 years.

16 (6) The Governor shall appoint one member of the public who shall serve an
17 initial term of one year.

18 (7) The Governor shall appoint one member of the public who shall serve an
19 initial term of three years.

20 (b) Once the initial terms described in subsection (a) of this section expire, the appointing
21 authorities shall appoint members to the Commission for terms of three years. Any healing arts
22 professions created after January 1, 2022, shall have two members on the Commission, both of
23 whom shall serve three-year terms. One of these members shall be appointed by the Governor.
24 The second member shall be appointed by the General Assembly. The Speaker of the House of
25 Representatives shall make a recommendation to be approved by the General Assembly for the
26 first term, and the President Pro Tempore of the Senate shall make a recommendation to be
27 approved by the General Assembly for the second term. The Speaker of the House of
28 Representatives and the President Pro Tempore of the Senate shall thereafter alternate
29 recommendations for subsequent terms. After the expiration of the initial term of the member of
30 the public appointed by the General Assembly, the Speaker of the House of Representatives and
31 the President Pro Tempore of the Senate shall thereafter alternate recommendations for
32 subsequent terms of the member of the public.

33 (c) Any vacancies on the Commission shall be filled by the appointing authority initially
34 filling that position, except that any vacancy in appointments by the General Assembly shall be
35 filled in accordance with G.S. 120-122. Individuals appointed to fill vacancies shall serve until
36 the normal expiration of the term they were appointed to fill.

37 (d) Members of the Commission shall be citizens of the United States, residents of the
38 State of North Carolina, and hold a North Carolina Healing Arts Certificate in their respective
39 healing arts profession under this Article. The initial reflexologist appointee shall have been a
40 North Carolina resident for at least two years prior to appointment, certified by a national entity
41 that certifies reflexologists, and eligible for certification under G.S. 90-730.14. Upon
42 appointment, the reflexologist appointee must immediately seek to obtain a North Carolina
43 Healing Arts Certificate in reflexology under this Article and shall remain in good standing with
44 the Commission during the appointee's term. The initial music therapist appointee shall have
45 been a North Carolina resident for at least two years prior to appointment, certified by a national
46 entity that certifies music therapists, and eligible for certification under G.S. 90-730.24. Upon
47 appointment, the initial music therapist appointee must immediately seek to obtain a North
48 Carolina Healing Arts Certificate in music therapy under this Article and shall remain in good
49 standing with the Commission during the appointee's term. Initial appointees for healing arts
50 professions created after January 1, 2022, shall be North Carolina residents for at least two years
51 prior to appointment, certified by a national entity that certifies the appointee's healing arts

1 profession, eligible for certification under this Article, immediately seek to obtain a North
2 Carolina Healing Arts Certificate in their respective profession under this Article, and remain in
3 good standing for the duration of their terms. Public members of the Committee shall not be:

4 (1) An agent or employee trained or experienced in the practice of healing arts.

5 (2) An agent or employee of a person engaged in the practice of healing arts.

6 (3) A spouse of an individual certified pursuant to this Article.

7 (4) Any person with significant financial interest in a health service or profession.

8 (e) The Commission may remove any of its members for neglect of duty, incompetence,
9 or unprofessional conduct. A member subject to disciplinary proceedings as a certified healing
10 arts professional shall be disqualified from participating in the official business of the
11 Commission until the charges have been resolved.

12 (f) Any member of the Commission may be removed from office by the Governor for
13 good cause shown.

14 (g) A Commission member may not receive compensation but may receive
15 reimbursement as provided in G.S. 93B-5. The officers of the Commission shall include a chair,
16 a secretary, and any other officers deemed necessary by the Commission to carry out the purposes
17 of this Article. All officers shall be elected annually by the Commission at its first meeting held
18 after appointments to the Commission are made. The Commission shall hold a meeting within
19 45 days after the appointment of new Commission members. All officers shall serve one-year
20 terms and shall serve until their successors are elected and qualified. No person shall chair the
21 Commission for more than five consecutive years. The Commission may adopt rules governing
22 the calling, holding, and conducting of regular and special meetings. A majority of Commission
23 members present and voting constitutes a quorum, and no action may be taken without a quorum.

24 **"§ 90-730.4. Powers of the Commission.**

25 (a) The Commission shall administer and enforce the provisions of this Article.

26 (b) The Commission shall have the power to adopt, amend, or repeal rules necessary to
27 conduct its business, carry out its duties, and administer this Article.

28 (c) The Commission shall appoint and maintain advisory committees to fulfill the daily
29 regulation of healing arts professions.

30 (d) When directed by an advisory committee to do so, the Commission shall issue a North
31 Carolina Healing Arts Certificate to practice the healing art governed by the advisory committee
32 directing the issuance of the North Carolina Healing Arts Certificate.

33 (e) When directed by an advisory committee to do so, the Commission shall deny,
34 suspend, or revoke North Carolina Healing Arts Certificates; order probation; issue reprimands;
35 or conduct any disciplinary actions authorized by this Article.

36 (f) The Commission may authorize expenditures deemed necessary to carry out the
37 provisions of this Article from fees paid to the Commission pursuant to this Article.

38 (g) The Commission shall remit to advisory committees funds sufficient for those
39 advisory committees to carry out their duties.

40 (h) The Commission shall conduct any administrative hearings necessary for the
41 administration of this Article.

42 (i) The Commission shall establish fees as necessary for the administration of this
43 Article.

44 **"§ 90-730.5. Expenses and fees.**

45 (a) All fees shall be payable to and deposited in the name of the Commission in financial
46 institutions designated by the Commission as official depositories. These fees shall be used to
47 carry out the purposes of this Article.

48 (b) All salaries, compensation, and expenses incurred or allowed to carry out the purposes
49 of this Article shall be paid by the Commission exclusively out of the fees received by the
50 Commission as authorized by this Article or funds received from other sources. In no case shall

1 any salary, expense, or other obligation authorized by this Article be charged against the State
2 treasury.

3 (c) The Commission shall establish fees for healing arts professions not exceeding the
4 following amounts:

- 5 (1) Issuance of a North Carolina Healing Arts Certificate \$100.00
- 6 (2) North Carolina Healing Arts Certificate renewal (every five years) . \$100.00
- 7 (3) Late renewal \$100.00.

8 **"§ 90-730.6. Violations.**

9 (a) Any person violating any provision of this Article shall be punished as follows:

- 10 (1) For the first violation, the individual shall receive a written warning.
- 11 (2) For the second violation, the individual shall be subject to a civil penalty of
12 no more than two hundred dollars (\$200.00).
- 13 (3) For the third and each subsequent violation, the individual shall be subject to
14 civil penalty of no more than two hundred dollars (\$200.00) for each violation
15 and shall be guilty of a Class 1 misdemeanor.

16 (b) The clear proceeds of the civil penalty assessed under this section shall be remitted to
17 the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

18 **"§ 90-730.7. Injunction.**

19 As an additional remedy, the Commission may proceed in superior court to enjoin and
20 restrain any person from violating the prohibitions of this Article. The Commission shall not be
21 required to post bond when seeking an injunction pursuant to this section.

22 **"§ 90-730.8. Healing arts professions.**

23 The following are the healing arts professions subject to this Article:

- 24 (1) Reflexologists.
- 25 (2) Music therapists.

26 "Part 2. Reflexology.

27 **"§ 90-730.10. Reflexology as a healing arts profession.**

28 It is the policy of this State that the practice of reflexology shall be considered a healing arts
29 profession.

30 **"§ 90-730.11. Definitions.**

31 The following definitions apply in this Part:

- 32 (1) Certifying entity. – The American Reflexology Certification Board or its
33 successor.
- 34 (2) Committee. – The North Carolina Reflexology Advisory Committee.
- 35 (3) National certification. – A determination by the certifying entity that an
36 individual has passed the certifying entity's national exam and that the
37 individual has an active status with the certifying entity.
- 38 (4) North Carolina Certified Reflexologist. – An individual that (i) is certified by
39 the certifying entity as a certified reflexologist and (ii) has been issued a North
40 Carolina Healing Arts Certificate in reflexology by the Commission.
- 41 (5) Reflexology. – A protocol of manual techniques, including thumb- and
42 finger-walking, hook and backup, and rotating-on-a-point, that are applied to
43 specific reflex areas predominantly on the feet and hands and that stimulate
44 the complex neural pathways linking body systems and support the body's
45 efforts to function optimally. The practice of reflexology is not massage and
46 bodywork therapy as defined in Article 36 of this Chapter.

47 **"§ 90-730.12. North Carolina Reflexology Advisory Committee.**

48 (a) Establishment. – The North Carolina Reflexology Advisory Committee is created.
49 The Committee consists of three members serving staggered terms. The initial Committee
50 members shall be appointed on or before January 1, 2022, as follows:

1 (1) The Commission shall appoint from a list of names submitted by the North
2 Carolina Reflexology Association or its successor two reflexologists eligible
3 for certification under this Article. One member shall serve an initial term of
4 three years, and one member shall serve an initial term of two years.

5 (2) The Commission shall appoint one public member who shall serve an initial
6 term of one year.

7 Upon the expiration of the terms of the initial Committee members, each subsequent member
8 shall be appointed for a term of three years. The term of a member shall begin on January 1 of
9 each year. A member shall serve until the member's successor is appointed. No member shall
10 serve on the Committee for more than two consecutive terms.

11 (b) Qualifications. – The initial reflexologist appointees shall be citizens of the United
12 States and North Carolina residents for at least two years prior to appointment, certified by the
13 certifying entity as a reflexologist, and eligible to obtain a healing arts certification in reflexology
14 under G.S. 90-730.14. Upon appointment, each initial reflexologist appointee must immediately
15 seek to obtain a North Carolina Healing Arts Certificate in reflexology under this Article and
16 shall remain in good standing with the Committee during the appointee's term. Subsequent
17 reflexologist appointees shall be citizens of the United States, residents of North Carolina, North
18 Carolina Certified Reflexologists, and appointed by the Commission from a list of names
19 supplied by the North Carolina Reflexology Association or its successor. Public members of the
20 Committee shall not be:

21 (1) An agent or employee trained or experienced in the practice of reflexology.

22 (2) An agent or employee of a person engaged in the practice of reflexology.

23 (3) A member of a healing arts profession or a person enrolled in a program to
24 become a member of a healing arts profession.

25 (4) A spouse of an individual certified under this Article.

26 (5) Any person with significant financial interest in a health service or profession.

27 (c) Meetings. – The Committee shall elect annually a chair and other officers as it deems
28 necessary to carry out the purposes of this Article. The Committee may hold additional meetings
29 upon the call of the chair or any two board members. A majority of the Committee shall constitute
30 a quorum.

31 (d) Compensation of Members; Expenses; Employees. – Members of the Committee
32 shall receive no compensation for their services but shall receive per diem and necessary travel
33 and subsistence expenses as provided in G.S. 138-5 and G.S. 138-6. In no event shall the State
34 of North Carolina be liable for expenses incurred by the Committee in excess of the income
35 derived from this Article.

36 **"§ 90-730.13. Powers and duties of Committee.**

37 The Committee shall have the following powers and duties:

38 (1) Administer, coordinate, and enforce the provisions of this Part.

39 (2) Direct the Commission to adopt, amend, or repeal rules to administer and
40 enforce this Part.

41 (3) Establish and determine qualification and fitness of applicants for a North
42 Carolina Healing Arts Certificate in reflexology under this Part.

43 (4) Direct the Commission to issue, renew, deny, suspend, revoke, or refuse to
44 issue or renew North Carolina Healing Arts Certificates in reflexology under
45 this Article.

46 (5) Direct the Commission to discipline North Carolina Certified Reflexologists.

47 (6) Direct the Commission to seek civil and criminal penalties against
48 noncertified individuals engaged in the practice of reflexology.

49 (7) Provide all North Carolina Certified Reflexologists with a wallet-sized card
50 identifying the bearer as a North Carolina Certified Reflexologist.

1 (8) The Committee shall maintain a list of all reflexologists in the State who hold
2 a national certification.

3 **"§ 90-730.14. Healing arts certification in reflexology application and requirements.**

4 Each individual desiring to obtain a North Carolina Healing Arts Certificate in reflexology
5 under this Article shall apply to the Committee in accordance with the procedures and rules
6 prescribed by the Commission. The Committee shall direct the Commission to issue a North
7 Carolina Healing Arts Certificate in reflexology to any applicant who furnishes evidence
8 satisfactory to the Committee that the applicant meets all of the following criteria:

9 (1) The applicant is at least 18 years of age.

10 (2) The applicant is of good moral character as determined by the Committee.

11 (3) The applicant holds a national certification issued by the certifying entity.

12 (4) The applicant has paid an application or renewal fee to the Commission as
13 specified in G.S. 90-730.5.

14 **"§ 90-730.15. Certificate renewal.**

15 Every healing arts certification in reflexology issued by the Commission shall be renewed on
16 or before January 1 every five years. The Committee shall direct the Commission to renew the
17 North Carolina Healing Arts Certificate in reflexology of any individual who files a renewal
18 application with the committee and who meets the criteria set forth in G.S. 90-730.14.

19 **"§ 90-730.16. Compensation for reflexology services.**

20 (a) Compensation may be received for reflexology services only when those services are
21 performed by an individual holding a national certification. Noncertified individuals who provide
22 reflexology services or who engage in the practice of reflexology are subject to the penalties in
23 G.S. 90-730.6 or an injunction under G.S. 90-730.7 unless any of the following applies:

24 (1) The individual is a reflexology student working to obtain a certification of
25 completion from a nationally recognized reflexology education program.

26 (2) The individual holds a certification of completion from a nationally
27 recognized reflexology education program, and that program was completed
28 no more than six months prior to that individual receiving compensation for
29 reflexology services.

30 (b) Unless all reflexology services are performed by individuals holding a national
31 certification, a place of business where reflexology services are offered for compensation shall
32 be subject to a civil penalty of no more than five hundred dollars (\$500.00) for each violation
33 and a suspension of any license to operate the business for no more than 90 days. The clear
34 proceeds of the civil penalty assessed under this section shall be remitted to the Civil Penalty and
35 Forfeiture Fund in accordance with G.S. 115C-457.2. The Commission shall enforce the
36 provisions of this subsection at the direction of the Committee.

37 **"§ 90-730.17. Certificate to be displayed; advertising.**

38 (a) At all places of business in which compensated reflexology services are offered, a
39 valid and up-to-date certificate issued by the certifying entity for all individuals offering
40 compensated reflexology services shall be displayed in a prominent place.

41 (b) If an individual with a national certification performs reflexology services for
42 compensation at a location outside of the reflexologist's main place of business, the reflexologist
43 shall have on his or her person a valid, up-to-date certification card issued by the certifying entity
44 at the time the services are performed.

45 (c) All public advertising designed to attract clients for reflexology services shall identify
46 that the services will be performed by an individual holding a national certification and shall
47 include the name of the certifying entity.

48 (d) No individual shall use the title "North Carolina Certified Reflexologist" unless that
49 individual holds a valid North Carolina Healing Arts Certificate in reflexology issued by the
50 Commission. Individuals holding themselves out as North Carolina Certified Reflexologists shall
51 carry the identification card described in G.S. 90-730.13(7) at all times when providing

1 reflexology services. Individuals in violation of this subsection are subject to the penalties in
2 G.S. 90-730.6 or an injunction under G.S. 90-730.7.

3 **"§ 90-730.18. Reciprocity.**

4 The Committee may direct the Commission to grant, upon application and payment of proper
5 fees, a North Carolina Healing Arts Certificate in reflexology to a person who has been licensed
6 or certified to practice reflexology in another state or territory of the United States whose
7 standards of competency are substantially equivalent to the requirements for certification
8 provided in this Article.

9 **"§ 90-730.19. Exemptions.**

10 This Part shall not apply to an individual who may apply pressure to the reflex areas on the
11 hands, feet, and outer ears in the regular course of that individual's work, so long as (i) the
12 individual is licensed by this State as a massage therapist, physician, chiropractor, acupuncturist,
13 physical therapist, cosmetologist, registered nurse, or as a member of other professions licensed
14 by the State and (ii) this application of pressure to the reflex areas on the hands, feet, and outer
15 ears accounts for no more than twenty-five percent (25%) of that individual's work.

16 "Part 3. Music Therapy.

17 **"§ 90-730.20. Music therapy as a healing arts profession.**

18 It is the policy of this State that the practice of music therapy shall be considered a healing
19 arts profession.

20 **"§ 90-730.21. Definitions.**

21 The following definitions apply in this Part:

- 22 (1) Certifying entity. – The Certification Board for Music Therapists.
23 (2) Committee. – The North Carolina Music Therapy Advisory Committee.
24 (3) Music therapy. – The clinical and evidence-based use of music interventions
25 to accomplish individualized goals within a therapeutic relationship by a
26 credentialed professional who has completed an approved music therapy
27 program, including (i) assessment of a client's emotional, physical, and
28 spiritual health; social functioning; communication abilities; and cognitive
29 skills through the client's history and observation and interaction of the client
30 in music and nonmusic settings, (ii) development and implementation of
31 treatment plans, based on a client's assessed needs, using music interventions,
32 including music improvisation, receptive music listening, song writing, lyric
33 discussion, music and imagery, music performance, learning through music,
34 and movement to music, and (iii) evaluation and documentation of the client's
35 response to treatment.
36 (4) Music therapy services. – The provision of services to accomplish music
37 therapy goals, including (i) conducting an individualized assessment for the
38 purpose of collecting systematic, comprehensive, and accurate data necessary
39 to determine the course of action subsequent to the individualized treatment
40 plan, (ii) planning and developing the individualized music therapy treatment
41 plan that identifies an individual's goals, objectives, and potential treatment
42 intervention strategies, (iii) implementing the individualized music therapy
43 treatment plan consistent with the individual's overall treatment program, (iv)
44 systematically evaluating and comparing the individual's response to the
45 individualized music therapy treatment plan and suggesting modifications, as
46 appropriate, (v) developing a discharge plan in collaboration with the
47 individual, the individual's family, treatment team, and other identified
48 support networks, when appropriate, (vi) minimizing the impact of
49 environmental constraints as a barrier to participation in least restrictive
50 environments for individuals engaging in music therapy, (vii) collaborating
51 with and educating the individual, family, caregiver, and others to foster an

1 environment responsive to the developmental needs of the individual as
2 addressed in music therapy, and (viii) consulting with groups, programs,
3 organizations, or communities to improve accessibility to music therapy
4 services.

5 (5) National certification. – A determination by the certifying entity that an
6 individual has satisfied the certifying entity's requirements and that the
7 individual has an active status with the certifying entity.

8 (6) North Carolina Certified Music Therapist. – An individual who has been
9 issued a North Carolina Healing Arts Certificate in music therapy by the
10 Commission.

11 **"§ 90-730.22. North Carolina Music Therapy Advisory Committee.**

12 (a) Establishment. – The North Carolina Music Therapy Advisory Committee is created.
13 The Committee consists of three members serving staggered terms. The initial Committee
14 members shall be appointed on or before January 1, 2022, as follows:

15 (1) The Commission shall appoint from a list of names submitted by the Music
16 Therapy Association of North Carolina or its successor two music therapists
17 eligible to obtain a North Carolina Healing Arts Certificate in music therapy
18 under this Article. One member shall serve an initial term of three years, and
19 one member shall serve an initial term of two years.

20 (2) The Commission shall appoint one public member who shall serve an initial
21 term of one year.

22 Upon the expiration of the terms of the initial Committee members, each subsequent member
23 shall be appointed for a term of three years. The term of a member shall begin on January 1 of
24 each year. A member shall serve until the member's successor is appointed. No member shall
25 serve on the Committee for more than two consecutive terms.

26 (b) Qualifications. – The initial music therapist appointees shall be citizens of the United
27 States and North Carolina residents for at least two years prior to appointment, certified by the
28 certifying entity as a music therapist, and eligible to obtain a North Carolina Healing Arts
29 Certificate in music therapy under G.S. 90-730.24. Upon appointment, each initial music
30 therapist appointee must immediately seek to obtain a North Carolina Healing Arts Certificate in
31 music therapy under this Article and shall remain in good standing with the Committee during
32 the appointee's term. Subsequent music therapist appointees shall be citizens of the United States,
33 residents of North Carolina, North Carolina Certified Music Therapists, and appointed by the
34 Commission from a list of names supplied by the Music Therapy Association of North Carolina
35 or its successor. Public members of the Committee shall not be:

36 (1) An agent or employee trained or experienced in the practice of music therapy.

37 (2) An agent or employee of a person engaged in the practice of music therapy.

38 (3) A member of a healing arts profession or a person enrolled in a program to
39 become a member of a healing arts profession.

40 (4) A spouse of an individual certified under this Article.

41 (5) Any person with significant financial interest in a health service or profession.

42 (c) Meetings. – The Committee shall elect annually a chair and other officers as it deems
43 necessary to carry out the purposes of this Article. The Committee may hold additional meetings
44 upon the call of the chair or any two Commission members. A majority of the Committee shall
45 constitute a quorum.

46 (d) Compensation of Members; Expenses; Employees. – Members of the Committee
47 shall receive no compensation for their services but shall receive per diem and necessary travel
48 and subsistence expenses as provided in G.S. 138-5 and G.S. 138-6. In no event shall the State
49 of North Carolina be liable for expenses incurred by the Commission in excess of the income
50 derived from this Article.

51 **"§ 90-730.23. Powers and duties of Committee.**

1 The Committee shall have the following powers and duties:

- 2 (1) Administer, coordinate, and enforce the provisions of this Part.
- 3 (2) Direct the Commission to adopt, amend, or repeal rules to administer and
4 enforce this Part.
- 5 (3) Establish and determine qualification and fitness of applicants for a North
6 Carolina Healing Arts Certificate in music therapy under this Part.
- 7 (4) Direct the Commission to issue, renew, deny, suspend, revoke, or refuse to
8 issue or renew a North Carolina Healing Arts Certificate in music therapy
9 under this Article.
- 10 (5) Direct the Commission to discipline North Carolina Certified Music
11 Therapists.
- 12 (6) Direct the Commission to seek civil and criminal penalties against
13 noncertified individuals engaged in the practice of music therapy.
- 14 (7) Provide all North Carolina Certified Music Therapists with a wallet-sized card
15 identifying the bearer as a North Carolina Certified Music Therapist.
- 16 (8) The Committee shall maintain a list of all music therapists in the State who
17 hold a national certification.

18 **"§ 90-730.24. North Carolina Healing Arts Certificate in music therapy requirements.**

19 Each individual desiring to obtain a North Carolina Healing Arts Certificate in music therapy
20 under this Article shall apply to the Committee in accordance with the procedures and rules
21 prescribed by the Commission. The Committee shall direct the Commission to issue a North
22 Carolina Healing Arts Certificate in music therapy to any applicant who furnishes evidence
23 satisfactory to the Committee that the applicant meets all of the following criteria:

- 24 (1) Is 18 years of age or older.
- 25 (2) Is of good moral character as determined by the Committee.
- 26 (3) Has successfully completed an academic program accredited by the American
27 Music Therapy Association (AMTA) with at least a bachelor's degree
28 majoring in music therapy from an accredited college or university.
- 29 (4) Has successfully completed the certification examination offered by the
30 Certification Board for Music Therapists or its successor organization to
31 become a Music Therapist-Board Certified (MT-BC).
- 32 (5) Has successfully completed a minimum of 1,200 hours of clinical training
33 with at least 180 hours in preinternship experiences and at least 900 hours in
34 internship experiences. For purposes of this subdivision, the internship may
35 be approved by an academic institution, the AMTA, or both.
- 36 (6) Has paid an application or renewal fee.

37 **"§ 90-730.25. Certificate renewal.**

38 Every North Carolina Healing Arts Certificate in music therapy issued by the Commission
39 shall be renewed on or before January 1 every five years. The Committee shall direct the
40 Commission to renew the certificate of any individual who files a renewal application with the
41 committee and who meets the certification criteria set forth in G.S. 90-730.14.

42 **"§ 90-730.26. Compensation for music therapy services.**

43 Compensation may be received for music therapy services only when those services are
44 performed by an individual holding a national certification. Noncertified individuals who provide
45 music therapy services or who engage in the practice of music therapy are subject to the penalties
46 in G.S. 90-730.6 or an injunction under G.S. 90-730.7.

47 **"§ 90-730.27. North Carolina Certified Music Therapist.**

48 No individual shall use the title "North Carolina Certified Music Therapist" unless that
49 individual holds a valid North Carolina Healing Arts Certificate in music therapy issued by the
50 Commission. Individuals holding themselves out as North Carolina Certified Music Therapists
51 shall carry the identification card described in G.S. 90-730.23(7) at all times when providing

1 music therapy. Individuals in violation of this subsection are subject to the penalties in
2 G.S. 90-730.6 or an injunction under G.S. 90-730.7.

3 **"§ 90-730.28. Reciprocity.**

4 The Committee may direct the Commission to grant, upon application and payment of proper
5 fees, a North Carolina Healing Arts Certificate in music therapy to a person who has been
6 licensed or certified to practice music therapy in another state or territory of the United States
7 whose standards of competency are substantially equivalent to the requirements for certification
8 provided in this Article."

9 **SECTION 2.** G.S. 90-624 is amended by adding a new subdivision to read:

10 "(9) A certified reflexologist engaged in the practice of reflexology, as defined in
11 G.S. 90-730.11."

12 **SECTION 3.** Section 1 of this act becomes effective January 1, 2022. The remainder
13 of this act is effective when it becomes law.