AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION

March 21, 2016

Representative Julie Harhart
Professional Licensure Committee
Room 205, Ryan Office
Harrisburg, PA 17120

RE: H.B. 1438

Dear Chairwoman Harhart and Members of the Professional Licensure Committee:

On behalf of the American Speech-Language-Hearing Association's members, I am writing to urge you to oppose H.B. 1438, which we believe unnecessarily licenses music therapists in the state.

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 186,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students. Over 7,500 of our members reside in Pennsylvania.

Speech-Language Pathologists: Professionals Trained to Assess and Treat Communication Disorders

Speech-language pathologists (SLPs) are uniquely educated and trained to assess and treat speech, language, hearing, swallowing, balance, and cognitive communication disorders in children and adults. These services help children acquire language and enable individuals to recover essential skills to communicate about their health and safety, to safely swallow adequate nutrition, and to have sufficient attention, memory, and organizational skills to function in their environment.

SLPs complete a comprehensive education program that meets rigorous standards of practice based on objective methodology, which includes the following:

- A master's or doctoral degree with **75 semester credit hours in a course of study addressing the knowledge and skills pertinent to the field of speech-language pathology, as determined, validated, and systematically updated using a skills validation process.**
- A minimum of 400 clock hours of supervised clinical experience in the practice of speech-language pathology, with the supervision provided by individuals holding the ASHA Certificate of Clinical Competence (CCC).
- A passing score, determined by a cut score analysis, on a national examination administered and validated by the Educational Testing Service.
- Completion of a supervised Clinical Fellowship to meet the requirements of the CCC, the recognized standard in the field.
- State licensure (SLPs are regulated in all 50 states and the District of Columbia).

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- Completion of 30 hours of professional development activities every three years.

Music Therapists: Broad Scope of Practice

Music therapists (MT) are certified through the Certification Board for Music Therapy (CBMT), which broadly defines music therapy and states that MTs can assess sensory, physical, cognitive, and communication abilities. We believe that a profession's scope of practice is limited to specific competencies acquired through education, training, and practical experience. Unlike SLPs, MTs are not subject to the same rigorous qualification standards and do not acquire the skills necessary to assess and treat communication disorders in their prescribed program of study and subsequent clinical training. However, SLPs are uniquely qualified and trained to evaluate and treat communication disorders.

H.B. 1438 Concerns

There is no evidence-based data to support the need for the independent, unsupervised practice of music therapy in Pennsylvania. Given that the case has not been made as to why Pennsylvania should license this practice, we believe that H.B. 1438 is a "solution in search of a problem."

Beyond our fundamental concern with the bill, we have identified the following more specific concerns:

- We are concerned that there may be unlicensed practice in the areas of speech-language pathology, audiology, occupational therapy, physical therapy, and counseling, among others. It is stated that music therapists cannot diagnose communication disorders, but does not ban the treatment of such disorders. As stated above, such treatments are within the scope of uniquely trained speech-language pathologists.
- Speech-language pathologists, audiologists, occupational therapists, physical therapists, and counselors are not specifically listed as professions that music therapists must collaborate with before providing music therapy services to a client.
- Presently, there are no Current Procedural Terminology (CPT) codes maintained by the American Medical Association that appropriately describe the services provided by music therapists. Therefore, music therapists frequently use CPT codes associated with services provided within the scope of practice of other licensed providers.
- Music therapists do not have a standardized assessment tool to identify individuals who may benefit from music therapy, to develop individualized treatment plans, or to determine when those plans are consistent with any other medical, developmental, mental health, or education services being provided to the client.

Out of the music therapy licensure bills that have been proposed, only four states have adopted legislative language to regulate MTs through licensure. The Washington State Sunrise Review (below) is an illustrative example of state objections to music therapy licensure.

Washington State Sunrise Review

The Washington State Department of Health completed its sunrise report on the proposed regulation of MTs. Washington MTs had indicated that the regulation of their profession was necessary to protect the public from misuse of terms and techniques; ensure

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competent practice; protect access to music therapy services by encouraging payment by third-party payers; recognize music therapy as a valid, research-based health care service; validate the profession in state, national, and international work settings; establish credentialing; and provide a method of addressing consumer complaints and ethics violations.

The Department found that the regulations of MTs do not meet the sunrise criteria based on the following:

- The applicant had not identified a clear and easily recognizable threat to public health and safety from the unregulated practice of music therapy.
- The proposal did not articulate the public need for regulation or that regulation would ensure initial and continuing professional ability above the current requirements for nationally certified music therapists.
- The applicant did not demonstrate that the public cannot be effectively protected by other means in a more cost-beneficial manner.
- The proposal would place a heavy financial burden on the small pool of potential music therapy practitioners to cover the state's costs of regulating the profession.
- The proposal contains flaws that would prohibit the use of music-based therapy by other practitioners as well as Native American and other traditional healers who may use music to aid the sick, injured, or dying.

More simply, Colorado's Sunrise Review stated, "There is no demonstrated public interest or need to warrant the creation of a new regulatory program or to protect the title, 'music therapist' or 'board-certified music therapist'."

While the CBMT Domains assert that MTs can assess and treat individuals with a wide range of disorders, we believe that SLPs are the only professionals who can appropriately assess and plan treatment for individuals with communication disorders. Therefore, we urge you reject the proposal to license MTs.

Thank you for the opportunity to submit comments. Should you have any questions or need further information, please contact Susan Adams, ASHA's director of state legislative and regulatory advocacy, at sadams@asha.org or by phone at 301-296-5665, or Janet Deppe, ASHA's director of state advocacy, at jdeppe@asha.org or by phone at 301-296-5668.

Sincerely,

Jaynee A. Handelsman, PhD, CCC-A
2016 ASHA President

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