

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Health Occupations Revision Act of 1985 to define the practice of professional art therapy, to require licensure for professional art therapists and graduate professional art therapists, to establish licensure requirements for professional art therapists and graduate art therapists, and to provide for the addition of a professional art therapist to the Board of Professional Counseling.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Professional Art Therapist Licensure Amendment Act of 2020”.

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new Title VIII-E designation to read as follows:

“TITLE VIII-E
“QUALIFICATIONS FOR LICENSURE TO PRACTICE
AS A PROFESSIONAL ART THERAPIST

“Sec. 871. Qualifications for licensure.

“Sec. 872. Waiver of requirements.”.

(b) Section 102 (D.C. Official Code § 3-1201.02) is amended as follows:

(1) Paragraph (15A) is designated as paragraph (15B).

(2) A new paragraph (15A) is added to read as follows:

“(15A) “Practice of professional art therapy” means the integrative application of psychotherapeutic principles and methods with specialized training in art media, the neurobiological implications of art-making, and art-based assessment models to assist an individual or group to improve cognitive and sensory-motor functions, increase self-awareness and self-esteem, cope with grief and traumatic experience, resolve conflicts and distress, and enhance social functioning. The practice of professional art therapy includes:

“(A) Therapeutic interventions to facilitate alternative modes of

receptive and expressive communication, which can circumvent the limitations of verbal articulation; and

“(B) Evaluation and assessment to define and implement art-based treatment plans to address developmental, behavioral, cognitive, and emotional needs.”.

(c) Section 213 (D.C. Official Code § 3-1202.13) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “counseling and” and inserting the phrase “counseling, professional art therapy, and” in its place.

(2) Subsection (c) is amended by striking the number “1” both times it appears and inserting the word “one” in its place.

(3) Subsection (d) is amended to read as follows:

“(d) Of the members of the Board, 2 shall be professional counselors licensed in the District, one shall be an educator engaged in teaching counseling, one shall be a professional art therapist, one shall be a consumer member, and one shall have at least 5 years of experience in the field of addiction counseling.”.

(d) Section 401(b)(2) (D.C. Official Code § 3-1204.01(b)(2)) is amended by striking the phrase “Board of Marriage and Family Therapy, and” and inserting the phrase “Board of Marriage and Family Therapy, the professional art therapist member initially appointed to the Board, and” in its place.

(e) Section 501(a)(1) (D.C. Official Code § 3-1205.01(a)(1)) is amended by striking the phrase “or trauma technologist in the District,” and inserting the phrase “professional art therapy, or as a trauma technologist in the District,” in its place.

(f) A new Title VIII-E is added to read as follows:

“TITLE VIII-E

**“QUALIFICATIONS FOR LICENSURE TO PRACTICE
AS A PROFESSIONAL ART THERAPIST**

“Sec. 871. Qualifications for licensure.

“(a) The Board of Professional Counseling shall license as a professional art therapist a person who, in addition to meeting the requirements of Title V of this act, has:

“(1) Satisfactorily completed:

“(A) A Master’s degree from an accredited college or university in a program in art therapy that was either approved by the American Art Therapy Association or accredited by the Commission on Accreditation of Allied Health Education Programs at the time the degree was conferred or a substantially equivalent program, as determined by the Board; or

“(B) A Doctoral degree in art therapy or a related subject, including psychology, professional counseling, or marriage and family therapy, from an accredited college or university, as approved by the Board;

“(2) Successfully completed a minimum of 2 years of work experience in art therapy following completion of the graduate degree consisting of at least 3,000 hours, of which at least 1,000 hours involve practice in direct contact with clients and at least 200 hours were

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under the immediate supervision of an art therapy certified supervisor, licensed professional art therapist, board certified art therapist, or other licensed mental health professional approved by the Board, with at least one hour of direct supervision provided per 15 hours of practice in direct contact with clients; and

“(3) Achieved a passing score on the Art Therapy Credentials Board Examination or its successor exam.

“(b) The Board of Professional Counseling shall license as a graduate professional art therapist a person who, in addition to meeting the requirements of Title V of this act:

“(1) Has satisfactorily completed a:

“(A) Master’s degree from an accredited college or university in a program in art therapy that was either approved by the American Art Therapy Association or accredited by the Commission on Accreditation of Allied Health Education Programs at the time the degree was conferred or a substantially equivalent program, as determined by the Board; or

“(B) Doctoral degree in art therapy or a related subject, including psychology, professional counseling, or marriage and family therapy, from an accredited college or university, as approved by the Board.

“(c) The Board of Professional Counseling shall license as a professional art therapist by endorsement a person who, in addition to meeting the requirements of Title V of this act, is currently licensed in good standing in another state that has licensing requirements that are equivalent to or exceed the requirements of subsection (a) of this section.

“Sec. 872. Waiver of requirements.

“(a) The Board of Professional Counseling shall waive the requirements of section 871(a)(1) and (2) for any applicant for licensure as a professional art therapist who presents evidence satisfactory to the Board that the applicant holds a credential as a board certified art therapist in good standing with the Art Therapy Credentials Board, Inc., or its successor, and has been engaged in active practice of art therapy for at least 3 of the previous 5 years prior to the effective date of the Professional Art Therapist Licensure Amendment Act of 2020, passed on 2nd reading on April 7, 2020 (Enrolled version of Bill 23-250); provided, that the applicant for licensure is made within 24 months of the effective date of the Professional Art Therapist Licensure Amendment Act of 2020, passed on 2nd on April 7, 2020 (Enrolled version of Bill 23-250).”.

(g) Section 1003 (D.C. Official Code § 3-1210.03) is amended by adding a new subsection (p-1) to read as follows:

“(p-1) Unless authorized to practice as an art therapist under this act, a person shall not use or imply the use of the words or terms “professional art therapist,” “graduate art therapist,” or any similar title or description of services with the intent to represent that the person practices art therapy.”.

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Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia