

# HOUSE BILL No. 1346

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-15-5-1; IC 16-18-2-295; IC 25-1-2-2.1; IC 25-23.6; IC 35-51-25-1.

**Synopsis:** Art therapy. Provides that art therapy services provided to an individual in a community mental health center are reimbursable under Medicaid. Provides for the licensure of professional art therapists by an art therapy board through the professional licensing agency. Establishes qualifications and requirements for a licensed professional art therapist. Makes it a Class A misdemeanor to practice as an art therapist without a license. Makes conforming changes.

**Effective:** July 1, 2013.

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## Stemler

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January 17, 2013, read first time and referred to Committee on Employment, Labor and Pensions.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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## HOUSE BILL No. 1346



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-15-5-1 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. Except as provided
- 3 in IC 12-15-2-12, IC 12-15-6, and IC 12-15-21, the following services
- 4 and supplies are provided under Medicaid:
- 5 (1) Inpatient hospital services.
- 6 (2) Nursing facility services.
- 7 (3) Physician's services, including services provided under
- 8 IC 25-10-1 and IC 25-22.5-1.
- 9 (4) Outpatient hospital or clinic services.
- 10 (5) Home health care services.
- 11 (6) Private duty nursing services.
- 12 (7) Physical therapy and related services.
- 13 (8) Dental services.
- 14 (9) Prescribed laboratory and x-ray services.
- 15 (10) Prescribed drugs and services.
- 16 (11) Eyeglasses and prosthetic devices.
- 17 (12) Optometric services.



- 1 (13) Diagnostic, screening, preventive, and rehabilitative services.  
 2 (14) Podiatric medicine services.  
 3 (15) Hospice services.  
 4 (16) Services or supplies recognized under Indiana law and  
 5 specified under rules adopted by the office.  
 6 (17) Family planning services except the performance of  
 7 abortions.  
 8 (18) Nonmedical nursing care given in accordance with the tenets  
 9 and practices of a recognized church or religious denomination to  
 10 an individual qualified for Medicaid who depends upon healing  
 11 by prayer and spiritual means alone in accordance with the tenets  
 12 and practices of the individual's church or religious denomination.  
 13 (19) Services provided to individuals described in IC 12-15-2-8  
 14 and IC 12-15-2-9.  
 15 (20) Services provided under IC 12-15-34 and IC 12-15-32.  
 16 (21) Case management services provided to individuals described  
 17 in IC 12-15-2-11 and IC 12-15-2-13.  
 18 (22) Any other type of remedial care recognized under Indiana  
 19 law and specified by the United States Secretary of Health and  
 20 Human Services.  
 21 (23) Examinations required under IC 16-41-17-2(a)(10).  
 22 **(24) Art therapy provided by a professional art therapist**  
 23 **licensed under IC 25-23.6-12 to an individual described in**  
 24 **IC 12-29-2.**  
 25 SECTION 2. IC 16-18-2-295, AS AMENDED BY P.L.141-2012,  
 26 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2013]: Sec. 295. (a) "Provider", for purposes of IC 16-21-8,  
 28 has the meaning set forth in IC 16-21-8-0.5.  
 29 (b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for  
 30 IC 16-39-7), and IC 16-41-1 through IC 16-41-9, means any of the  
 31 following:  
 32 (1) An individual (other than an individual who is an employee or  
 33 a contractor of a hospital, a facility, or an agency described in  
 34 subdivision (2) or (3)) who is licensed, registered, or certified as  
 35 a health care professional, including the following:  
 36 (A) A physician.  
 37 (B) A psychotherapist.  
 38 (C) A dentist.  
 39 (D) A registered nurse.  
 40 (E) A licensed practical nurse.  
 41 (F) An optometrist.  
 42 (G) A podiatrist.

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- 1 (H) A chiropractor.  
 2 (I) A physical therapist.  
 3 (J) A psychologist.  
 4 (K) An audiologist.  
 5 (L) A speech-language pathologist.  
 6 (M) A dietitian.  
 7 (N) An occupational therapist.  
 8 (O) A respiratory therapist.  
 9 (P) A pharmacist.  
 10 (Q) A sexual assault nurse examiner.  
 11 **(R) A professional art therapist.**  
 12 **(S) A professional art therapist associate.**  
 13 (2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or  
 14 described in IC 12-24-1 or IC 12-29.  
 15 (3) A health facility licensed under IC 16-28-2.  
 16 (4) A home health agency licensed under IC 16-27-1.  
 17 (5) An employer of a certified emergency medical technician, a  
 18 certified advanced emergency medical technician, or a licensed  
 19 paramedic.  
 20 (6) The state department or a local health department or an  
 21 employee, agent, designee, or contractor of the state department  
 22 or local health department.  
 23 (c) "Provider", for purposes of IC 16-39-7-1, has the meaning set  
 24 forth in IC 16-39-7-1(a).  
 25 (d) "Provider", for purposes of IC 16-48-1, has the meaning set forth  
 26 in IC 16-48-1-3.  
 27 SECTION 3. IC 25-1-2-2.1, AS AMENDED BY P.L.84-2010,  
 28 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2013]: Sec. 2.1. Rather than being issued annually, the  
 30 following permits, licenses, certificates of registration, or evidences of  
 31 authority granted by a state agency must be issued for a period of two  
 32 (2) years or for the period specified in the article under which the  
 33 permit, license, certificate of registration, or evidence of authority is  
 34 issued if the period specified in the article is longer than two (2) years:  
 35 (1) Certified public accountants, public accountants, and  
 36 accounting practitioners.  
 37 (2) Architects and landscape architects.  
 38 (3) Dry cleaners.  
 39 (4) Professional engineers.  
 40 (5) Land surveyors.  
 41 (6) Real estate brokers.  
 42 (7) Real estate agents.

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- 1 (8) Security dealers' licenses issued by the securities  
 2 commissioner.  
 3 (9) Dental hygienists.  
 4 (10) Dentists.  
 5 (11) Veterinarians.  
 6 (12) Physicians.  
 7 (13) Chiropractors.  
 8 (14) Physical therapists.  
 9 (15) Optometrists.  
 10 (16) Pharmacists and assistants, drugstores or pharmacies.  
 11 (17) Motels and mobile home community licenses.  
 12 (18) Nurses.  
 13 (19) Podiatrists.  
 14 (20) Occupational therapists and occupational therapy assistants.  
 15 (21) Respiratory care practitioners.  
 16 (22) Social workers, marriage and family therapists, ~~and~~ mental  
 17 health counselors, **art therapists, and art therapist associates.**  
 18 (23) Real estate appraiser licenses and certificates issued by the  
 19 real estate appraiser licensure and certification board.  
 20 (24) Wholesale legend drug distributors.  
 21 (25) Physician assistants.  
 22 (26) Dietitians.  
 23 (27) Athlete agents.  
 24 (28) Manufactured home installers.  
 25 (29) Home inspectors.  
 26 (30) Massage therapists.  
 27 (31) Interior designers.  
 28 (32) Genetic counselors.

29 SECTION 4. IC 25-23.6-1-1.1 IS ADDED TO THE INDIANA  
 30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 31 [EFFECTIVE JULY 1, 2013]: **Sec. 1.1. "Accredited institution"**  
 32 **means:**

- 33 (1) a university or college accredited by a nationally  
 34 recognized agency providing accreditation of institutions of  
 35 higher education; or  
 36 (2) an institution or clinical program approved by the  
 37 American Art Therapy Association (AATA).

38 SECTION 5. IC 25-23.6-1-4.1 IS ADDED TO THE INDIANA  
 39 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 40 [EFFECTIVE JULY 1, 2013]: **Sec. 4.1. "License holder" means a:**

- 41 (1) licensed professional art therapist; or  
 42 (2) licensed professional art therapist associate;

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1 **licensed under IC 25-23.6-12.**

2 SECTION 6. IC 25-23.6-1-4.6 IS ADDED TO THE INDIANA  
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2013]: **Sec. 4.6. "Licensed professional art  
5 therapist" or "LPAT" means a person who has:**

6 **(1) completed a master's or doctoral degree program in art  
7 therapy, or an equivalent course of study, from an accredited  
8 educational institution;**

9 **(2) completed all the requirements set forth in IC 25-23.6-12;  
10 and**

11 **(3) been issued a license by the board for the independent  
12 practice of art therapy.**

13 SECTION 7. IC 25-23.6-1-4.7 IS ADDED TO THE INDIANA  
14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2013]: **Sec. 4.7. "Licensed professional art  
16 therapist associate" or "LPATA" means a person who has  
17 completed a master's or doctoral degree program in art therapy,  
18 or an equivalent course of study, from an accredited educational  
19 institution, and has been issued a license by the board to practice  
20 art therapy under an approved clinical supervisor as authorized by  
21 the board.**

22 SECTION 8. IC 25-23.6-1-8.5 IS ADDED TO THE INDIANA  
23 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2013]: **Sec. 8.5. "Professional art therapy"  
25 means the integrated use of psychotherapeutic principles, human  
26 development theory, and counseling techniques using art media  
27 and the creative process in the assessment, evaluation, treatment,  
28 amelioration, and remediation of psychological, social, educational,  
29 physical, and developmental impairment and disorders in children,  
30 adolescents, adults, families, and groups.**

31 SECTION 9. IC 25-23.6-2-2, AS AMENDED BY P.L.122-2009,  
32 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2013]: **Sec. 2. (a) The board consists of ~~eleven (11)~~ thirteen  
34 (13) members appointed by the governor for terms of three (3) years.  
35 The board must include the following:**

36 **(1) Two (2) marriage and family therapists who:**

37 **(A) have at least a master's degree in marriage and family  
38 therapy or a related field from an eligible postsecondary  
39 educational institution;**

40 **(B) are licensed under this chapter; and**

41 **(C) have five (5) years of experience in marriage and family  
42 therapy.**



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- 1 (2) One (1) social worker who:  
 2 (A) has at least a master's degree in social work from an  
 3 eligible postsecondary educational institution accredited by the  
 4 Council on Social Work Education;  
 5 (B) is licensed under this article; and  
 6 (C) has at least five (5) years of experience as a social worker.  
 7 (3) One (1) social services director of a hospital with a social  
 8 work degree who has at least three (3) years of experience in a  
 9 hospital setting.  
 10 (4) Two (2) mental health counselors who:  
 11 (A) have at least a master's degree in mental health counseling;  
 12 (B) are licensed under this article; and  
 13 (C) have at least five (5) years experience as a mental health  
 14 counselor.  
 15 (5) Two (2) consumers who have never been credentialed under  
 16 this article.  
 17 (6) One (1) physician licensed under IC 25-22.5 who has training  
 18 in psychiatric medicine.  
 19 (7) Two (2) licensed clinical addiction counselors who:  
 20 (A) are licensed under IC 25-23.6-10.5; and  
 21 (B) have at least five (5) years experience in clinical addiction  
 22 counseling.  
 23 **(8) Two (2) licensed professional art therapists who:**  
 24 **(A) are licensed under IC 25-23.6-12; and**  
 25 **(B) have at least five (5) years experience in art therapy.**  
 26 (b) Not more than ~~six (6)~~ **seven (7)** members of the board may be  
 27 from the same political party.  
 28 SECTION 10. IC 25-23.6-2-8, AS AMENDED BY P.L.122-2009,  
 29 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2013]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2  
 31 establishing standards for the following:  
 32 (1) The competent practice of marriage and family therapy, social  
 33 work, clinical social work, mental health counseling, addiction  
 34 counseling, ~~and~~ clinical addiction counseling, **and professional**  
 35 **art therapy.**  
 36 (2) The renewal of licenses issued under this article.  
 37 (3) Standards for the administration of this article.  
 38 (4) Continuing education requirements for an individual seeking  
 39 renewal of licensure as a social worker, clinical social worker, ~~or~~  
 40 marriage and family therapist, **licensed professional art**  
 41 **therapist, or licensed professional art therapist associate.**  
 42 (5) The retention of patient records and reports by a counselor ~~or~~

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- 1           **therapist.**  
 2           (6) The approval of continuing education providers, programs,  
 3           courses, fees, and proof of course completion.  
 4           (b) The board shall establish fees under IC 25-1-8-2.  
 5           (c) The board shall do the following:  
 6           (1) Consider the qualifications of individuals who apply for a  
 7           license under this article.  
 8           (2) Provide for examinations required under this article.  
 9           (3) Subject to IC 25-1-8-6, renew licenses under this article.  
 10          (4) Conduct proceedings under IC 25-1-9.  
 11          SECTION 11. IC 25-23.6-2-10.6 IS ADDED TO THE INDIANA  
 12          CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 13          [EFFECTIVE JULY 1, 2013]: **Sec. 10.6. (a) The professional art**  
 14          **therapist section of the board is established. The section consists of**  
 15          **the following:**  
 16                (1) **Two (2) licensed professional art therapist members of the**  
 17                **board.**  
 18                (2) **Two (2) consumer members of the board.**  
 19                (3) **One (1) physician member of the board.**  
 20                **(b) Three (3) members of the professional art therapist section,**  
 21                **two (2) of whom must be licensed professional art therapists,**  
 22                **constitute a quorum.**  
 23          SECTION 12. IC 25-23.6-12 IS ADDED TO THE INDIANA  
 24          CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
 25          [EFFECTIVE JULY 1, 2013]:  
 26          **Chapter 12. Professional Art Therapy**  
 27          **Sec. 1. (a) After July 1, 2014, an individual may not:**  
 28                (1) **profess to be a licensed professional art therapist;**  
 29                (2) **use the title:**  
 30                    (A) **"licensed professional art therapist";**  
 31                    (B) **"licensed art therapist"; or**  
 32                    (C) **"art therapist";**  
 33                (3) **use any other words, letters, abbreviations, or insignia**  
 34                **indicating or implying that the individual is a licensed**  
 35                **professional art therapist; or**  
 36                (4) **practice professional art therapy for compensation;**  
 37          **unless the individual is licensed under this chapter.**  
 38                **(b) After July 1, 2014, an individual may not:**  
 39                (1) **profess to be a licensed professional art therapist**  
 40                **associate;**  
 41                (2) **use the title:**  
 42                    (A) **"licensed professional art therapist associate";**

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- 1           **(B) "licensed art therapist associate"; or**
- 2           **(C) "art therapist associate";**
- 3           **(3) use any other words, letters, abbreviations, or insignia**
- 4           **indicating or implying that the individual is a licensed**
- 5           **professional art therapist associate; or**
- 6           **(4) practice professional art therapy for compensation;**
- 7           **unless the individual is licensed under this chapter.**
- 8           **Sec. 2. (a) This chapter may not be construed to limit the**
- 9           **services performed by a person who does not use a title specified in**
- 10           **this article and who is one (1) of the following:**
- 11           **(1) A licensed, registered, or certified health care professional**
- 12           **acting within the scope of the person's license, registration, or**
- 13           **certificate.**
- 14           **(2) A student, an intern, or a trainee pursuing a course of**
- 15           **study in medicine, psychology, or a course of study to gain**
- 16           **licensure under this article in an accredited eligible**
- 17           **postsecondary educational institution or training institution,**
- 18           **or a graduate accumulating experience required for licensure**
- 19           **if:**
- 20           **(A) the services are performed under qualified supervision**
- 21           **and constitute a part of the person's supervised course of**
- 22           **study or other level of supervision; and**
- 23           **(B) the person uses a title that contains the term "intern"**
- 24           **or "trainee".**
- 25           **(3) Not a resident of Indiana, if the person performed the**
- 26           **services in Indiana for not more than:**
- 27           **(A) five (5) days in any one (1) month; or**
- 28           **(B) fifteen (15) days within any one (1) calendar year;**
- 29           **and the person is authorized to perform such services under**
- 30           **the laws of the state or country in which the person resides.**
- 31           **(4) A rabbi, priest, Christian Science practitioner, minister, or**
- 32           **other member of the clergy.**
- 33           **(5) An employee or a volunteer for an organization who is**
- 34           **performing charitable, religious, or educational functions,**
- 35           **providing pastoral counseling, or providing other assistance.**
- 36           **(6) A person who provides school counseling or a person who**
- 37           **is certified by a state or national organization that is**
- 38           **recognized by the Indiana division of mental health and**
- 39           **addiction and who provides counseling in the areas of alcohol**
- 40           **or drug abuse addictions.**
- 41           **(7) A governmental employee who remains in the same job**
- 42           **classification or job family of that job classification.**

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1 (8) A teacher who teaches in the subject area for which the  
2 teacher is certified and holds a license.

3 (b) This section does not prohibit a person referred to in  
4 subsection (a) from qualifying for licensure under this article.

5 Sec. 3. An individual who is licensed as a licensed professional  
6 art therapist shall:

7 (1) display the license or a clear copy of the license at each  
8 location where the licensed professional art therapist  
9 regularly practices; and

10 (2) include the words "licensed professional art therapist" or  
11 the letters "LPAT" on all promotional materials, including  
12 business cards, brochures, stationery, advertisements, and  
13 signs, that name the individual.

14 Sec. 4. The board shall issue a license as a licensed professional  
15 art therapist to any person who files a completed application,  
16 accompanied by the required fees, and who:

17 (1) furnishes satisfactory evidence to the board that the  
18 applicant is at least twenty-one (21) years of age;

19 (2) furnishes satisfactory evidence to the board that the  
20 applicant does not have a conviction for a crime that has a  
21 direct bearing on the applicant's ability to practice  
22 competently;

23 (3) furnishes satisfactory evidence to the board that the  
24 applicant has not been the subject of a disciplinary action by  
25 a licensing or certification agency of another state or  
26 jurisdiction on the grounds that the applicant was not able to  
27 practice professional art therapy without endangering the  
28 public;

29 (4) demonstrates professional competency by satisfactorily  
30 passing the examination required by the board;

31 (5) furnishes satisfactory evidence that the applicant has met:

32 (A) the educational requirements set forth in section 14 of  
33 this chapter; and

34 (B) the clinical experience requirements set forth in section  
35 15 of this chapter; and

36 (6) is:

37 (A) a registered art therapist as defined by the Art  
38 Therapy Credentials Board, Inc., and has passed the  
39 examination required by the Art Therapy Credentials  
40 Board, Inc.; or

41 (B) a board-certified art therapist as defined by the Art  
42 Therapy Credentials Board, Inc.

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1           **Sec. 5. The board shall adopt rules under IC 4-22-2 to allow for**  
 2 **the approval of licensure, on a case-by-case basis, for applicants**  
 3 **who have a master's degree or a doctoral degree from**  
 4 **nonaccredited institutions.**

5           **Sec. 6. The board shall adopt rules under IC 4-22-2 to allow for**  
 6 **the issuance of a license to an applicant without examination if the**  
 7 **applicant possesses a valid regulatory document issued by the**  
 8 **appropriate examining board under the laws of any other state or**  
 9 **territory of the United States, the District of Columbia, or any**  
 10 **foreign nation that, in the judgment of the board, has requirements**  
 11 **substantially equivalent to or exceeding the requirements in this**  
 12 **chapter.**

13           **Sec. 7. The board may issue a license as a licensed professional**  
 14 **art therapist associate for a period not to exceed two (2) years to an**  
 15 **applicant who has:**

- 16           (1) completed the educational requirements under section 4 of
- 17           this chapter;
- 18           (2) obtained a board approved supervisor of record;
- 19           (3) paid the required fees;
- 20           (4) furnished satisfactory evidence to the board that the
- 21           applicant does not have a conviction for a crime that has a
- 22           direct bearing on the applicant's ability to practice
- 23           competently; and
- 24           (5) furnished satisfactory evidence to the board that the
- 25           applicant has not been the subject of a disciplinary action by
- 26           a licensing or certification agency of another state or
- 27           jurisdiction on the grounds that the applicant was not able to
- 28           practice professional art therapy without endangering the
- 29           public.

30           **Sec. 8. A licensed professional art therapist associate shall**  
 31 **maintain ongoing supervision as approved by the board until the**  
 32 **associate has:**

- 33           (1) completed the client contact hours of postgraduate
- 34           experience under appropriate supervision required under
- 35           section 4 of this chapter;
- 36           (2) passed an examination approved by the board; and
- 37           (3) paid the required fees.

38           **Sec. 9. (a) If, two (2) years after receiving a license as a licensed**  
 39 **professional art therapist associate, an individual has not**  
 40 **completed the requirements for licensure as a licensed professional**  
 41 **art therapist, the individual may submit to the board an**  
 42 **application for an extension of the individual's license as a licensed**

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professional art therapist associate.

(b) An application under subsection (a) must include:

- (1) a plan for completing the requirements to obtain licensure as a licensed professional art therapist;
- (2) documentation of compliance with the continuing education requirements for a licensed professional art therapist associate;
- (3) documentation of compliance with the supervised clinical experience requirements under section 15 of this chapter;
- (4) letters of recommendation from two (2) supervisors of record; and
- (5) payment of an extension fee to be determined by the board.

(c) Upon review of an application for extension and accompanying documentation, the board may approve an extension of the license as a licensed professional art therapist associate for a period of time not to exceed two (2) years.

Sec. 10. If, at the end of a period of extension granted under section 9 of this chapter, the individual has not completed all requirements for licensure as a licensed professional art therapist, the board shall rescind the individual's license as a licensed professional art therapist associate, and the individual may not practice professional art therapy or refer to himself or herself by any title that would indicate that the individual is licensed by the board.

Sec. 11. A licensed professional art therapist associate may apply for a license as a licensed professional art therapist upon:

- (1) registration with the Art Therapy Credentials Board, Inc.; and
- (2) passage of an examination approved by the board.

Sec. 12. An individual who is an art therapist registered (ATR), as defined by the Art Therapy Credentials Board, Inc., but who has not passed the required examination shall maintain the individual's professional art therapist associate license in order to practice under board approved supervision and shall be scheduled to take the next examination in accordance with the requirements of the board.

Sec. 13. A licensed professional art therapist associate may not supervise licensed professional art therapists, other licensed professional art therapist associates, or applicants for those licenses.

Sec. 14. To receive a license under this chapter, an applicant

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1 must have completed one (1) of the following educational  
2 requirements:

3 (1) A master's or doctoral degree program in professional art  
4 therapy from a program that was approved by the American  
5 Art Therapy Association (AATA) at the time of the  
6 applicant's graduation. The master's or doctoral program  
7 must:

8 (A) be comprised of at least forty-eight (48) and not more  
9 than sixty (60) semester hours; and

10 (B) include not less than seven hundred (700) hours of  
11 supervised internship experience from an AATA  
12 accredited institution or its equivalent.

13 If the program is no longer AATA approved, the applicant  
14 must obtain verification of past approval directly from the  
15 AATA and submit that verification along with the application.

16 (2) An applicant who does not hold a master's or higher  
17 degree from a program approved by the AATA must have  
18 received a master's or doctoral degree in a related field and  
19 completed not less than seven hundred (700) hours of  
20 supervised internship experience from an accredited  
21 institution. The degree program in a related field must be  
22 comprised of a number of credit hours determined by the  
23 board, in graduate level courses in the following topics:

24 (A) History and theory of art therapy.

25 (B) Techniques of practice in art therapy.

26 (C) Application of art therapy with people in different  
27 treatment settings.

28 (D) Group dynamics, processes, counseling, and  
29 consultation.

30 (E) Art therapy assessment.

31 (F) Ethics and legal issues of art therapy practice.

32 (G) Standards of practice in art therapy.

33 (H) Human growth and development.

34 (I) Psychopathology and abnormal psychology.

35 (J) Counseling and psychological theories and practice.

36 (K) Cultural and social diversity.

37 (L) Research and program evaluation.

38 All coursework under this section must earn credit from a college  
39 or university approved by a national or regional accrediting  
40 agency.

41 Sec. 15. (a) An applicant for licensure under this chapter must  
42 have completed one (1) of the following clinical experience

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- 1 requirements:
- 2 (1) If the applicant holds a degree described in section 14(1)
- 3 of this chapter, the applicant must have completed at least one
- 4 thousand (1,000) hours of postgraduate direct clinical
- 5 experience obtained over a two (2) year period. The clinical
- 6 experience must include one hundred (100) hours of face to
- 7 face supervision under a licensed professional art therapist or
- 8 an equivalent supervisor, as determined by the board.
- 9 (2) If the applicant holds a degree described in section 14(2)
- 10 of this chapter, the applicant must have completed at least one
- 11 thousand five hundred (1,500) hours of postgraduate direct
- 12 clinical experience obtained over a two (2) year period. The
- 13 clinical experience must include one hundred fifty (150) hours
- 14 of face to face supervision under a licensed professional art
- 15 therapist or an equivalent supervisor, as determined by the
- 16 board.
- 17 (b) A doctoral internship may be applied toward the supervised
- 18 clinical experience requirement.
- 19 (c) Except as provided in subsection (d), the clinical experience
- 20 requirement may be met by work performed at or away from the
- 21 premises of the supervising licensed professional art therapist.
- 22 (d) The clinical experience requirement may not be performed
- 23 away from the supervising licensed professional art therapist's
- 24 premises if the work is not performed at a place that is under the
- 25 supervision of a licensed professional art therapist or an equivalent
- 26 supervisor, as determined by the board.
- 27 Sec. 16. (a) The license of a licensed professional art therapist
- 28 issued under this chapter is valid for two (2) years, or for the
- 29 remainder of the renewal period in effect on the date the license is
- 30 issued.
- 31 (b) A licensed professional art therapist may renew the
- 32 individual's license by:
- 33 (1) submitting a renewal application on a form provided by
- 34 the board;
- 35 (2) paying a renewal fee on or before the expiration date of
- 36 the license; and
- 37 (3) completing at least twenty (20) hours of continuing
- 38 education per licensure year.
- 39 Sec. 17. (a) The license of a licensed professional art therapist
- 40 associate issued under this chapter is valid for two (2) years, or for
- 41 the remainder of the renewal period in effect on the date the license
- 42 is issued.

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1 (b) A licensed professional art therapist associate may renew the  
2 individual's license by:

3 (1) submitting a renewal application on a form provided by  
4 the board;

5 (2) paying a renewal fee on or before the expiration date of  
6 the license; and

7 (3) completing at least twenty (20) hours of continuing  
8 education per licensure year.

9 (c) The board may renew the license of a licensed professional  
10 art therapist associate for additional periods of up to five (5) years,  
11 based on circumstances determined by the board.

12 Sec. 18. (a) If, not more than ninety (90) days after the  
13 expiration date of a license issued under this chapter, an individual  
14 has failed to pay the renewal fee required to renew the license, the  
15 individual may renew the license by paying the renewal fee, paying  
16 a late fee, and complying with all renewal requirements.

17 (b) If, more than ninety (90) days after the expiration date of a  
18 license issued under this chapter, an individual has failed to pay the  
19 renewal fee required to renew the license, the license becomes  
20 invalid.

21 (c) The board may reinstate an invalid license issued issued to  
22 a licensed professional art therapist under this chapter up to three  
23 (3) years after the expiration date of the license if the individual  
24 holding the license meets the requirements under this chapter. If  
25 more than three (3) years have elapsed since the date the license  
26 expired, the individual holding the license may have the license  
27 reinstated by satisfying the requirements for reinstatement  
28 established by the board and meeting the requirements under this  
29 chapter.

30 (d) The board may reinstate an invalid license issued to a  
31 licensed professional art therapist associate under this chapter up  
32 to one (1) year after the expiration date of the license if the  
33 individual holding the license meets the requirements under this  
34 chapter. A license issued to a licensed professional art therapist  
35 associate under this chapter that remains expired for more than  
36 one (1) year may not be reinstated under this chapter.

37 Sec. 19. (a) The board may issue a temporary permit to allow an  
38 individual to profess to be a professional art therapist if the  
39 individual pays a fee and:

40 (1) has a valid license or certificate to practice professional art  
41 therapy issued by another state and has applied for a license  
42 under this chapter;

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- 1           **(2) is practicing in a state that does not license or certify**
- 2           **professional art therapists but is certified by a national**
- 3           **association approved by the board, and has applied for a**
- 4           **license under this chapter; or**
- 5           **(3) has been approved by the board to take the examination**
- 6           **required for licensure under this chapter, has graduated from**
- 7           **a school or program approved by the board, and has**
- 8           **completed the clinical experience required for licensure under**
- 9           **this chapter.**
- 10          **(b) A temporary permit expires on the earlier of:**
- 11           **(1) the date the individual holding the permit is issued a**
- 12           **license under this chapter; or**
- 13           **(2) the date the board disapproves the individual's application**
- 14           **for a license under this chapter.**
- 15          **(c) The board may renew a temporary permit if the individual**
- 16          **holding the permit was scheduled to take the next examination**
- 17          **required for licensure under this chapter and the individual:**
- 18           **(1) did not take the examination; and**
- 19           **(2) shows good cause for not taking the examination.**
- 20          **(d) A permit renewed under subsection (c) expires on the date**
- 21          **the individual holding the permit receives the results from the next**
- 22          **examination given after the permit was issued.**
- 23          **Sec. 20. (a) An individual who is licensed under this chapter**
- 24          **shall notify the board in writing when the individual retires from**
- 25          **practice.**
- 26           **(b) Upon receipt of the notice, the board shall:**
- 27           **(1) record the fact the individual is retired; and**
- 28           **(2) release the individual from further payment of renewal**
- 29           **fees and continuing education requirements.**
- 30           **(c) If, within a period of five (5) years after a licensee retires, the**
- 31           **licensee wishes to resume practice as a licensed professional art**
- 32           **therapist or as a licensed professional art therapist associate, the**
- 33           **individual shall notify the board in writing, and upon:**
- 34           **(1) giving proof of completing the required continuing**
- 35           **education;**
- 36           **(2) payment of an amount equivalent to elapsed renewal fees;**
- 37           **and**
- 38           **(3) for a licensed professional art therapist associate,**
- 39           **providing documentation of obtaining a board approved**
- 40           **supervisor of record;**
- 41          **the license shall be restored.**
- 42          **Sec. 21. An individual who applies for a license under this**

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- 1 **chapter may be exempted by the board from the examination**
- 2 **requirement under this chapter if the individual:**
- 3 **(1) is licensed or certified to practice as a licensed professional**
- 4 **art therapist in another state, or has passed a licensing**
- 5 **examination substantially equivalent to the licensing**
- 6 **examination required under this chapter;**
- 7 **(2) has not committed any act or is not under investigation for**
- 8 **any act that constitutes a violation of this article;**
- 9 **(3) is otherwise qualified under this chapter; and**
- 10 **(4) pays a fee determined by the board.**

11 **Sec. 22. A person who knowingly or intentionally practices**  
 12 **professional art therapy without holding a license or permit issued**  
 13 **under this chapter commits a Class A misdemeanor.**

14 SECTION 13. IC 35-51-25-1, AS ADDED BY P.L.70-2011,  
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2013]: Sec. 1. The following statutes define crimes in IC 25:

- 17 IC 25-2.1-13-3 (Concerning accountants).
- 18 IC 25-2.5-3-4 (Concerning acupuncturists).
- 19 IC 25-5.1-4-2 (Concerning athletic trainers).
- 20 IC 25-5.2-2-12 (Concerning athlete agents).
- 21 IC 25-6.1-7-1 (Concerning auctioneers and auctions).
- 22 IC 25-6.1-7-2 (Concerning auctioneers and auctions).
- 23 IC 25-8-15.4-25 (Concerning beauty culture).
- 24 IC 25-10-1-11 (Concerning chiropractors).
- 25 IC 25-11-1-12 (Concerning collection agencies).
- 26 IC 25-13-1-3 (Concerning dental hygienists).
- 27 IC 25-14-1-25 (Concerning dentists).
- 28 IC 25-14-4-6 (Concerning dentists).
- 29 IC 25-14.5-7-2 (Concerning dietitians).
- 30 IC 25-16-1-18 (Concerning employment services).
- 31 IC 25-17.3-5-3 (Concerning genetic counselors).
- 32 IC 25-17.6-8-2 (Concerning geologists).
- 33 IC 25-18-1-19 (Concerning distress sales).
- 34 IC 25-20-1-21 (Concerning hearing aid dealers).
- 35 IC 25-20.7-5-1 (Concerning interior designers).
- 36 IC 25-21.5-5-10 (Concerning land surveyors).
- 37 IC 25-21.5-13-2 (Concerning land surveyors).
- 38 IC 25-21.8-7-1 (Concerning massage therapists).
- 39 IC 25-22.5-8-2 (Concerning physicians).
- 40 IC 25-22.5-8-3 (Concerning physicians).
- 41 IC 25-23-1-27 (Concerning nurses).
- 42 IC 25-23.5-3-2 (Concerning occupational therapists).

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- 1 IC 25-23.6-3-3 (Concerning marriage and family therapists).  
 2 IC 25-23.6-4-4 (Concerning marriage and family therapists).  
 3 IC 25-23.6-4.5-4 (Concerning marriage and family therapists).  
 4 ~~IC 25-23.6-4.7-7~~ **IC 25-23.6-7-7** (Concerning marriage and  
 5 family therapists).  
 6 IC 25-23.6-10.1-6 (Concerning marriage and family therapists).  
 7 IC 25-23.6-11-1 (Concerning marriage and family therapists).  
 8 IC 25-23.6-11-2 (Concerning marriage and family therapists).  
 9 IC 25-23.6-11-3 (Concerning marriage and family therapists).  
 10 **IC 25-23.6-12 (Concerning professional art therapists).**  
 11 IC 25-23.7-7-5 (Concerning manufactured home installers).  
 12 IC 25-24-1-18 (Concerning optometrists).  
 13 IC 25-24-3-17 (Concerning optometrists).  
 14 IC 25-26-13-29 (Concerning pharmacists, pharmacies, and drug  
 15 stores).  
 16 IC 25-26-14-23 (Concerning pharmacists, pharmacies, and drug  
 17 stores).  
 18 IC 25-26-14-25 (Concerning pharmacists, pharmacies, and drug  
 19 stores).  
 20 IC 25-26-14-26 (Concerning pharmacists, pharmacies, and drug  
 21 stores).  
 22 IC 25-26-14-27 (Concerning pharmacists, pharmacies, and drug  
 23 stores).  
 24 IC 25-26-19-9 (Concerning pharmacists, pharmacies, and drug  
 25 stores).  
 26 IC 25-26-21-11 (Concerning pharmacists, pharmacies, and drug  
 27 stores).  
 28 IC 25-27-1-12 (Concerning physical therapists).  
 29 IC 25-27.5-7-2 (Concerning physician assistants).  
 30 IC 25-28.5-1-31 (Concerning plumbers).  
 31 IC 25-29-9-1 (Concerning podiatrists).  
 32 IC 25-30-1-21 (Concerning private investigator firms, security  
 33 guards, and polygraph examiners).  
 34 IC 25-30-1.3-23 (Concerning private investigator firms, security  
 35 guards, and polygraph examiners).  
 36 IC 25-31-1-13 (Concerning engineers).  
 37 IC 25-31-1-27 (Concerning engineers).  
 38 IC 25-31.5-8-7 (Concerning soil scientists).  
 39 IC 25-33-1-15 (Concerning psychologists).  
 40 IC 25-34.5-3-2 (Concerning respiratory care specialists).  
 41 IC 25-35.6-3-10 (Concerning speech pathologists and  
 42 audiologists).

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- 1 IC 25-36.1-1-2 (Concerning surgical technologists).
- 2 IC 25-36.5-1-10 (Concerning timber buyers).
- 3 IC 25-36.5-1-15 (Concerning timber buyers).
- 4 IC 25-38.1-4-10 (Concerning veterinarians).
- 5 IC 25-38.1-4-11 (Concerning veterinarians).
- 6 IC 25-39-5-1 (Concerning water well drilling contractors).
- 7 IC 25-39-5-7 (Concerning water well drilling contractors).
- 8 IC 25-41-1-2 (Concerning behavior analysts).

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