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Lawmakers move to regulate art therapy, require licensure

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A proposal that was heavily backed by members of the art therapy community in the previous legislature was reintroduced into the Ohio General Assembly this week.

The measure, Senate Bill 205, is sponsored by Sen. Michael Skindell.

The proposed legislation, which originally was put forth at the request of the Buckeye Art Therapy Association, aims to regulate the practice of art therapy by establishing credentialing and licensing standards.

Skindell, D-Lakewood, could not be reached for immediate comment but he previously said the need to "protect consumers of mental health services through the regulation and clarification of the practice of art therapy is clear."

He introduced the measure during the 128th General Assembly as a member of the Ohio House. That bill, House Bill 208, had three hearings before the House Health committee.

The proposed legislation defines art therapy as the use of art media, images and the creative art process to help evaluate an individual's development, personality, interests and concerns in order to reconcile emotional conflicts, foster self-awareness, develop social skills, manage behavior, reduce anxiety and increase self-esteem.

Skindell said within Ohio, the practice is widely used in medical and psychiatric hospitals, outpatient mental health facilities, drug rehabilitation centers, prisons, nursing homes and in private practice settings.

Under SB 205, the Counselor, Social Worker, and Marriage and Family Therapist Board would grant licensure to those seeking to practice art therapy.

"... The practice of art therapy goes beyond the ability to teach art or provide well intended, art activity for the benefit of self and others," Skindell said. "It is a long-standing method of psychiatric practice that has long-since developed into a definitive profession being practiced as its own throughout the state of Ohio."

He said the bill would limit the title of art therapist to those individuals who have met state standards and are certified.

"In short, it will protect Ohio consumers and improve mental health outcomes by prohibiting unqualified practitioners from practicing art therapy," Skindell said.

SB 205 is jointly sponsored by Sen. Timothy Grendell, R-Chesterland.

In addition to establishing an application procedure and eligibility requirements for those wanting to become licensed, the bill would add "Art Therapist" to the name of the Counselor, Social Worker, and Marriage and Family Therapist Board.

It would also create an art therapist professional standards committee within the board.

"Currently, Ohio does not regulate art therapists and as the profession continues to grow, it is of great importance that we pass legislation that defines the practice of art therapy and provides for the licensure of professionals who are appropriately trained and qualified," Gretchen Miller, past president of the BATA, previously testified in support of the bill.

The BATA, one of the oldest and largest art therapy associations in the nation, is a nonprofit organization for those who support art therapy and its advancement.

Miller said the master's level education she received in art therapy and the post-graduate supervision and clinical hours she needed to earn national registration and board certification helped define some competency and ethical standards but noted that it was "not enough."

"To protect the practice of art therapy and consumers who receive art therapy services from individuals who have not obtained these standards of education and credentialing, licensure at the state level is absolutely needed," she said.

Current BATA President Michele Tarsitano-Amato also testified in support of the bill.

"There continues to be frustration over the ability to legally hold individuals who falsely advertise the use of art therapy with clients accountable to hold the national credentials of an art therapist," she said.

In filling various BATA board positions since 1994, Tarsitano-Amato said the board has been repeatedly asked to push for a bill, such as SB 205, to be made into law.

The bill was also backed by the Virginia-based American Art Therapy Association.

In a statement, AATA representative Joan Phillips said the proposal would "protect consumers from those who hold themselves out as art therapists" without adequate training.

"Such practice by unqualified people is certainly a cost to both the consumer and the organizations who unknowingly hire those individuals," she said.

"People most in need of a credentialed, highly-trained art therapist at a critical time in their treatment could suffer great harm if the service they receive is not provided by a licensed art therapist."

A host of states, including Delaware, Indiana, Louisiana, Maryland, Texas and Wisconsin, have enacted legislation to regulate art therapy, Skindell said.

Other states, including Kentucky, New York and Pennsylvania, have passed bills to require the licensure of art therapists.

Skindell said the proposed legislation is designed to "join Ohio with those states that already recognize the need to protect the consumer and health care provider status through regulation of the title and practice of art therapy."

SB 205 is awaiting a committee assignment.

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