

45:8B-51 TO 45:8B-67
LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2015 **CHAPTER:** 199
NJSA: 45:8B-51 TO 45:8B-67 ("Art Therapist Licensing Act.")
BILL NO: A1783 (Substituted for S2020 (1R))
SPONSOR(S) McKeon, John F., and others
DATE INTRODUCED: January 16, 2014

COMMITTEE: **ASSEMBLY:** Regulated Professions
SENATE: Commerce
Budget and Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 12/17/2015
SENATE: 12/17/2015

DATE OF APPROVAL: January 11, 2016

FOLLOWING ARE ATTACHED IF AVAILABLE:

| | |
|---|---|
| FINAL TEXT OF BILL (Second Reprint enacted) | Yes |
| A1783 | |
| INTRODUCED BILL: (Includes sponsor(s) statement) | Yes |
| COMMITTEE STATEMENT: | ASSEMBLY: Yes Regulated Professions |
| | SENATE: Yes Commerce Budget and Appropriations |

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

| | | |
|-------------------------------------|-----|-------------------------|
| FLOOR AMENDMENT STATEMENT: | Yes | 5/22/2014 |
| LEGISLATIVE FISCAL ESTIMATE: | Yes | 6/19/2014 12/11/2015 |

S2020 (1R)

| | |
|---|---|
| INTRODUCED BILL: (Includes sponsor(s) statement) | Yes |
| COMMITTEE STATEMENT: | ASSEMBLY: No |
| | SENATE: Yes Commerce Budget and Appropriations |

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:

LEGISLATIVE FISCAL ESTIMATE:

Yes 12/11/2015

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

end

Title 45.
Chapter 8B.
"Counseling"
(Revised)
§§1-17 -
C.45:8B-51 to
45:8B-67
§18 - Note

P.L.2015, CHAPTER 199, *approved January 11, 2016*
Assembly, No. 1783 (*Second Reprint*)

1 AN ACT providing for the licensure of art therapists and
2 supplementing Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the “Art
8 Therapist Licensing Act.”

9

10 2. The profession of art therapy in the State of New Jersey is
11 determined to affect the public safety and welfare, and to be subject
12 to regulation and control in the public interest in order to protect the
13 public by setting standards of qualification, education, training, and
14 experience for professional art therapists and associate art
15 therapists.

16

17 3. As used in this act:

18 “Art therapist” means any person licensed to practice art therapy
19 pursuant to the provisions of this act.

20 “Art therapy” means the integrated use of psychotherapeutic
21 principles with art media and the creative process to assist
22 individuals, families or groups in:

23 (1) increasing awareness of self and others;

24 (2) coping with symptoms, stress, and traumatic experiences;

25 (3) enhancing cognitive abilities; and

26 (4) identifying and assessing clients’ needs in order to
27 implement therapeutic intervention to meet developmental,
28 behavioral, mental, and emotional needs.

29 “Board” means the State Board of Marriage and Family Therapy
30 Examiners.

31 “Committee” means the Art Therapists Advisory Committee
32 established pursuant to section 4 of this act.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted May 22, 2014.

²Senate SCM committee amendments adopted May 7, 2015.

1 “Licensed associate art therapist” means an individual who
2 holds a current, valid license issued pursuant to section 11 of this
3 act.

4 “Licensed professional art therapist” means an individual who
5 holds a current, valid license issued pursuant to section 10 of this
6 act.

7 “Supervision” means: (1) ensuring that the extent, kind, and
8 quality of art therapy performed is consistent with the education,
9 training, and experience of the person being supervised; (2)
10 reviewing client or patient records, monitoring and evaluating
11 assessment, diagnosis, and treatment decisions of the art therapist
12 trainee; (3) monitoring and evaluating the ability of the licensed
13 associate art therapist to provide services to the particular clientele
14 at the site or sites where he or she will be practicing; (4) ensuring
15 compliance with laws and regulations governing the practice of
16 licensed professional art therapy; (5) completing that amount of
17 direct observation, or review of audio or videotapes of art therapy,
18 as deemed appropriate by the supervisor; and (6) completing the
19 services conducted by an Art Therapy Certified Supervisor (ATCS)
20 credentialed by the Art Therapy Credentials Board or approved by
21 the committee.

22

23 4. There is created within the Division of Consumer Affairs in
24 the Department of Law and Public Safety, under the State Board of
25 Marriage and Family Therapy Examiners, an Art Therapists
26 Advisory Committee. The committee shall consist of five members
27 who are residents of the State. Except for the members first
28 appointed, the members shall be licensed art therapists under the
29 provisions of this act and shall have been actively engaged in the
30 practice of art therapy in the State for at least five years
31 immediately preceding their appointment.

32 The Governor shall appoint the members with the advice and
33 consent of the Senate. Each member shall be appointed for a term
34 of three years, except that of the members first appointed, two shall
35 serve for a term of three years, two shall serve a term of two years
36 and one shall serve for a term of one year. Each member shall hold
37 office until his successor has been qualified and appointed. Any
38 vacancy in the membership of the committee shall be filled for the
39 unexpired term in the manner provided for in the original
40 appointment. No member of the committee may serve more than
41 two successive terms in addition to any unexpired term to which he
42 has been appointed.

43

44 5. Members of the committee shall be ²**[compensated and]**²
45 reimbursed for expenses and provided with office and meeting
46 facilities and personnel required for the proper conduct of the
47 business of the committee.

1 6. The committee shall organize within 30 days after the
2 appointment of its members and shall annually elect from its
3 members a chairperson and a vice-chairperson, and may appoint a
4 secretary, who need not be a member of the committee. The
5 committee shall meet at least twice a year and may hold additional
6 meeting as necessary to discharge its duties. A majority of the
7 committee membership shall constitute a quorum.

8

9 7. The committee shall have the following powers and duties:

10 a. Issue and renew licenses to art therapists pursuant to the
11 provisions of this act;

12 b. Suspend, revoke or fail to renew the license of an art
13 therapist pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et
14 seq.);

15 c. Maintain a record of every art therapist licensed in this State,
16 their place of business, place of residence, and the date and number
17 of their license;

18 d. Prescribe or change the charges for examinations, licensures,
19 renewal and other services performed pursuant to P.L.1974,
20 c.46 (C.45:1-3.1);

21 e. Establish standards for the continuing education of art
22 therapists; and

23 f. Promulgate rules and regulations to carry out matters
24 delegated to the committee by the board concerning any provisions
25 of this act, in conformance with the “Administrative Procedure
26 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).

27

28 8. a. No person shall engage in the practice of art therapy
29 unless licensed as a professional art therapist or associate art
30 therapist pursuant to the provisions of this act.

31 b. No person shall use the title “licensed professional art
32 therapist” or “licensed associate art therapist” or the abbreviation
33 “LPAT” or “LAAT” or any other title, designation, words, letters,
34 abbreviations or insignia indicating the practice of art therapy
35 unless licensed pursuant to the provisions of this act.

36

37 9. Nothing in this act shall be construed to apply to:

38 a. The activities and services of qualified members of other
39 professions, including physicians, psychologists, psychoanalysts,
40 registered nurses, marriage and family therapists, social workers,
41 ‘occupational therapists,’ professional or rehabilitation counselors
42 or any other professional licensed by the State, when acting within
43 the scope of their profession and doing work of a nature consistent
44 with their training, provided they do not hold themselves out to the
45 public as possessing a license issued pursuant to this act or
46 represent themselves by any professional title regulated by this act.

1 b. The activities of an art therapy nature on the part of persons
2 employed by an accredited or State-approved college or university,
3 or working in a recognized training program, provided that these
4 activities and services constitute a part of a supervised course of
5 study and that those persons are designated by a title such as “art
6 therapy intern” or other title clearly indicating the training status
7 appropriate to the level of training.

8
9 10. To be eligible to be licensed as a professional art therapist,
10 an applicant shall fulfill the following requirements:

- 11 a. Is at least 18 years of age;
12 b. Is of good moral character;
13 c. Holds a master’s degree in art therapy, or a clearly related
14 field with specialization in art therapy, as determined by the
15 committee, from an accredited educational institution that is
16 approved by the committee; or a master’s degree or doctoral degree
17 in a field closely related to art therapy without specialization in art
18 therapy and demonstrates to the committee that he has completed
19 course work content and training substantially equivalent to that
20 required for a master’s degree in art therapy from an accredited
21 educational institution that is approved by the committee.

22 (1) In the case of an applicant holding a master’s degree in art
23 therapy or a clearly related field with specialization in art therapy,
24 the applicant shall have completed:

25 (a) A minimum of 60 graduate credit hours from any accredited
26 educational institution that is approved by the committee; and

27 (b) Not less than 4,500 hours of supervised experience approved
28 by the committee, a minimum of 3,500 hours of which shall have
29 been completed after the award of the master’s degree.

30 (2) In the case of an applicant holding a doctoral degree in a
31 field closely related to art therapy without specialization in art
32 therapy, the applicant shall have completed:

33 (a) A minimum of 90 graduate credit hours in that closely
34 related field;

35 (b) A minimum of 30 graduate credit hours in a post-graduate
36 art therapy program approved by the committee; and

37 (c) Not less than 3,000 hours of supervised experience in art
38 therapy approved by the committee. The committee shall establish
39 criteria for determining the specifications as to what constitutes
40 supervised art therapy experience. An applicant may eliminate
41 1,000 hours of the required supervised art therapy experience by
42 substituting 30 graduate credit hours beyond the master’s degree if
43 those graduate credit hours are clearly related to art therapy, as
44 determined by the committee. In no case, however, may the
45 applicant have less than 1,000 hours of supervised professional art
46 therapy experience after the granting of the master’s degree.

1 (3) In the case of an applicant holding a master's degree in a
2 field closely related to art therapy without specialization in art
3 therapy, the applicant shall have completed:

4 (a) A minimum of 60 graduate credit hours in that closely
5 related field;

6 (b) A minimum of 30 graduate credit hours in a post-graduate
7 art therapy program approved by the committee; and

8 (c) Not less than 4,500 hours of supervised experience in art
9 therapy approved by the committee, a minimum of 3,500 hours of
10 which shall have been completed after the award of the master's
11 degree. The committee shall establish criteria for determining the
12 specifications as to what constitutes supervised art therapy
13 experience;

14 The completed graduate course work in art therapy from an
15 accredited college or university program that is approved by the
16 committee shall include training in:

17 (1) The art therapy profession;

18 (2) Theory and practice of art therapy;

19 (3) Human growth and developmental dynamics in art;

20 (4) Application of art therapy with people in different treatment
21 settings;

22 (5) Art therapy appraisal, diagnosis and assessment;

23 (6) Ethical and legal issues of art therapy practice;

24 (7) Matters of cultural and social diversity bearing on the
25 practice of art therapy;

26 (8) Standards of good art therapy practice; and

27 (9) Group art therapy; and

28 d. Has passed the Art Therapy Credentials Board Examination.
29

30 11. To be eligible to be licensed as an associate art therapist, an
31 applicant shall fulfill the following requirements:

32 a. Is at least 18 years of age;

33 b. Is of good moral character;

34 c. Holds a master's degree in art therapy, or a clearly related
35 field with specialization in art therapy, as determined by the
36 committee, from any accredited educational institution that is
37 approved by the committee; or a master's degree or doctoral degree
38 in a closely related field to art therapy without specialization in art
39 therapy and demonstrates to the committee that he has completed
40 course work content and training substantially equivalent to that
41 required for a master's degree in art therapy from an accredited
42 educational institution that is approved by the committee.

43 (1) In the case of an applicant holding a master's degree in art
44 therapy or a clearly related field with specialization in art therapy,
45 the applicant shall have completed not less than 60 graduate credit
46 hours in an art therapy program that is approved by the committee.

1 (2) In the case of an applicant holding a doctoral degree in a
2 planned educational program of 90 graduate credit hours in a field
3 closely related to art therapy without specialization in art therapy,
4 the applicant shall have completed not less than 30 graduate credit
5 hours in an art therapy program approved by the committee.

6 (3) In the case of an applicant holding a master's degree in a
7 planned educational program of 60 graduate credit hours in a field
8 closely related to art therapy without specialization in art therapy,
9 the applicant shall have completed not less than 30 graduate credit
10 hours in an art therapy program approved by the committee;

11 The graduate course work in art therapy from an accredited
12 college or university program that is approved by the committee
13 shall include training in:

- 14 (1) The art therapy profession;
- 15 (2) Theory and practice of art therapy;
- 16 (3) Human growth and developmental dynamics in art;
- 17 (4) Application of art therapy with people in different treatment
18 settings;
- 19 (5) Art therapy appraisal, diagnosis and assessment;
- 20 (6) Ethical and legal issues of art therapy practice;
- 21 (7) Matters of cultural and social diversity bearing on the
22 practice of art therapy;
- 23 (8) Standards of good art therapy practice; and
- 24 (9) Group art therapy; and
- 25 d. Has passed the Art Therapy Credentials Board Examination.

26
27 12. a. The committee shall issue a license to any applicant who,
28 in the opinion of the committee, has satisfactorily met all the
29 requirements of this act.

30 b. All licenses shall be issued for a two-year period upon the
31 payment of the prescribed licensure fee, and shall be renewed upon
32 filing of a renewal application, the payment of a licensure fee, and
33 presentation of satisfactory evidence to the committee that in the
34 period since the license was issued or last renewed any continuing
35 education requirements have been completed as specified by the
36 committee.

37
38 13. Upon payment to the board of a fee and the submission of a
39 written application provided by the board, the committee shall issue
40 an art therapy license to any person who holds a valid license issued
41 by another state or possession of the United States or the District of
42 Columbia which has standards substantially equivalent to those of
43 this State, as determined by the committee.

44
45 14. For 360 days after the date procedures are established by the
46 committee for applying for licensure under section 10 of P.L. ,
47 c. (C.) (pending before the Legislature as this bill), any person

1 may qualify as a licensed professional art therapist, upon
2 application for licensure and payment of the appropriate fee,
3 provided the applicant furnishes satisfactory evidence to the
4 committee that he has either:

5 a. completed a minimum of 45 graduate credit hours, which
6 includes a master's degree or doctorate from a regionally accredited
7 institution of higher education, in subject matter that is primarily art
8 therapy in content; and has completed not less than five years of
9 experience in the practice of art therapy; or

10 b. completed a minimum of 45 graduate semester hours, which
11 includes a master's degree from a regionally accredited institution
12 of higher education; and has passed the Art Therapy Credentials
13 Board Examination.

14

15 15. a. The committee shall require each licensed professional
16 art therapist or licensed associate art therapist, as a condition of
17 biennial license renewal to complete any continuing education
18 requirements imposed by the board pursuant to this section.

19 b. The board shall:

20 (1) Promulgate rules and regulations for implementing
21 continuing education requirements as a condition of license renewal
22 for licenses issued under its jurisdiction;

23 (2) Establish standards for continuing education, including the
24 subject matter and content of courses of study, and the number and
25 type of continuing education credits required of a licensee as a
26 condition of biennial license renewal;

27 (3) Recognize the American Art Therapy Association and other
28 organizations as providers of continuing education, and accredit
29 educational programs, including, but not limited to, meetings of
30 constituents and components of art therapy associations recognized
31 by the board, examinations, papers, publications, presentations,
32 teaching and research appointments, and shall establish procedures
33 for the issuance of credit upon satisfactory proof of the completion
34 of these programs. In the case of education courses or programs,
35 each hour of instruction shall be equivalent to one credit; and

36 (4) Approve only those continuing education programs as are
37 available to all art therapists in this State on a reasonable
38 nondiscriminatory basis.

39

40 16. Any communication between a licensed professional art
41 therapist or licensed associate art therapist and the person receiving
42 the art therapy, while performing art therapy, shall be confidential
43 and its secrecy preserved. This privilege shall not be subject to
44 waiver, except when disclosure is required by State law or when the
45 licensed professional art therapist or licensed associate art therapist
46 is a party defendant to a civil, criminal or disciplinary action arising

1 from that art therapy, in which case the waiver of the privilege
2 accorded by this section shall be limited to that action.

3
4 17. Supervision of art therapy students shall be provided by an
5 Art Therapy Certified Supervisor (ATCS) credentialed by the Art
6 Therapy Credentials Board or approved by the committee. No
7 licensed associate art therapist shall practice art therapy without
8 supervision by a licensed professional art therapist or a supervisor
9 acceptable to the committee. The plan for supervision of the
10 licensed associate art therapist shall be approved by the committee
11 prior to any actual performance of art therapy by the licensed
12 associate art therapist.

13
14 18. This act shall take effect on the 180th day following
15 enactment.

16
17
18
19
20

“Art Therapist Licensing Act.”

ASSEMBLY, No. 1783

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblyman DAVID P. RIBLE

District 30 (Monmouth and Ocean)

Co-Sponsored by:

Assemblymen Giblin and Wolfe

SYNOPSIS

“Art Therapist Licensing Act.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT providing for the licensure of art therapists and
2 supplementing Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the “Art
8 Therapist Licensing Act.”

9

10 2. The profession of art therapy in the State of New Jersey is
11 determined to affect the public safety and welfare, and to be subject
12 to regulation and control in the public interest in order to protect the
13 public by setting standards of qualification, education, training, and
14 experience for professional art therapists and associate art
15 therapists.

16

17 3. As used in this act:

18 “Art therapist” means any person licensed to practice art therapy
19 pursuant to the provisions of this act.

20 “Art therapy” means the integrated use of psychotherapeutic
21 principles with art media and the creative process to assist
22 individuals, families or groups in:

23 (1) increasing awareness of self and others;

24 (2) coping with symptoms, stress, and traumatic experiences;

25 (3) enhancing cognitive abilities; and

26 (4) identifying and assessing clients’ needs in order to implement
27 therapeutic intervention to meet developmental, behavioral, mental,
28 and emotional needs.

29 “Board” means the State Board of Marriage and Family Therapy
30 Examiners.

31 “Committee” means the Art Therapists Advisory Committee
32 established pursuant to section 4 of this act.

33 “Licensed associate art therapist” means and individual who
34 holds a current, valid license issued pursuant to section 11 of this
35 act.

36 “Licensed professional art therapist” means an individual who
37 holds a current, valid license issued pursuant to section 10 of this
38 act.

39 “Supervision” means: (1) ensuring that the extent, kind, and
40 quality of art therapy performed is consistent with the education,
41 training, and experience of the person being supervised; (2)
42 reviewing client or patient records, monitoring and evaluating
43 assessment, diagnosis, and treatment decisions of the art therapist
44 trainee; (3) monitoring and evaluating the ability of the licensed
45 associate art therapist to provide services to the particular clientele
46 at the site or sites where he or she will be practicing; (4) ensuring
47 compliance with laws and regulations governing the practice of

1 licensed professional art therapy; (5) completing that amount of
2 direct observation, or review of audio or videotapes of art therapy,
3 as deemed appropriate by the supervisor; and (6) completing the
4 services conducted by an Art Therapy Certified Supervisor (ATCS)
5 credentialed by the Art Therapy Credentials Board or approved by
6 the committee.

7
8 4. There is created within the Division of Consumer Affairs in
9 the Department of Law and Public Safety, under the State Board of
10 Marriage and Family Therapy Examiners, an Art Therapists
11 Advisory Committee. The committee shall consist of five members
12 who are residents of the State. Except for the members first
13 appointed, the members shall be licensed art therapists under the
14 provisions of this act and shall have been actively engaged in the
15 practice of art therapy in the State for at least five years
16 immediately preceding their appointment.

17 The Governor shall appoint the members with the advice and
18 consent of the Senate. Each member shall be appointed for a term
19 of three years, except that of the members first appointed, two shall
20 serve for a term of three years, two shall serve a term of two years
21 and one shall serve for a term of one year. Each member shall hold
22 office until his successor has been qualified and appointed. Any
23 vacancy in the membership of the committee shall be filled for the
24 unexpired term in the manner provided for in the original
25 appointment. No member of the committee may serve more than
26 two successive terms in addition to any unexpired term to which he
27 has been appointed.

28
29 5. Members of the committee shall be compensated and
30 reimbursed for expenses and provided with office and meeting
31 facilities and personnel required for the proper conduct of the
32 business of the committee.

33
34 6. The committee shall organize within 30 days after the
35 appointment of its members and shall annually elect from its
36 members a chairperson and a vice-chairperson, and may appoint a
37 secretary, who need not be a member of the committee. The
38 committee shall meet at least twice a year and may hold additional
39 meeting as necessary to discharge its duties. A majority of the
40 committee membership shall constitute a quorum.

41
42 7. The committee shall have the following powers and duties:
43 a. Issue and renew licenses to art therapists pursuant to the
44 provisions of this act;
45 b. Suspend, revoke or fail to renew the license of an art therapist
46 pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.);

- 1 c. Maintain a record of every art therapist licensed in this State,
2 their place of business, place of residence, and the date and number
3 of their license;
- 4 d. Prescribe or change the charges for examinations, licensures,
5 renewal and other services performed pursuant to P.L.1974, c.46
6 (C.45:1-3.1);
- 7 e. Establish standards for the continuing education of art
8 therapists; and
- 9 f. Promulgate rules and regulations to carry out matters delegated
10 to the committee by the board concerning any provisions of this act,
11 in conformance with the “Administrative Procedure Act,” P.L.1968,
12 c.410 (C.52:14B-1 et seq.).
13
- 14 8. a. No person shall engage in the practice of art therapy unless
15 licensed as a professional art therapist or associate art therapist
16 pursuant to the provisions of this act.
- 17 b. No person shall use the title “licensed professional art
18 therapist” or “licensed associate art therapist” or the abbreviation
19 “LPAT” or “LAAT” or any other title, designation, words, letters,
20 abbreviations or insignia indicating the practice of art therapy
21 unless licensed pursuant to the provisions of this act.
22
- 23 9. Nothing in this act shall be construed to apply to:
24 a. The activities and services of qualified members of other
25 professions, including physicians, psychologists, psychoanalysts,
26 registered nurses, marriage and family therapists, social workers,
27 professional or rehabilitation counselors or any other professional
28 licensed by the State, when acting within the scope of their
29 profession and doing work of a nature consistent with their training,
30 provided they do not hold themselves out to the public as
31 possessing a license issued pursuant to this act or represent
32 themselves by any professional title regulated by this act.
- 33 b. The activities of an art therapy nature on the part of persons
34 employed by an accredited or State-approved college or university,
35 or working in a recognized training program, provided that these
36 activities and services constitute a part of a supervised course of
37 study and that those persons are designated by a title such as “art
38 therapy intern” or other title clearly indicating the training status
39 appropriate to the level of training.
40
- 41 10. To be eligible to be licensed as a professional art therapist,
42 an applicant shall fulfill the following requirements:
43 a. Is at least 18 years of age;
44 b. Is of good moral character;
45 c. Holds a master’s degree in art therapy, or a clearly related
46 field with specialization in art therapy, as determined by the
47 committee, from an accredited educational institution that is

1 approved by the committee; or a master's degree or doctoral degree
2 in a closely related field to art therapy without specialization in art
3 therapy and demonstrates to the committee that he has completed
4 course work content and training substantially equivalent to that
5 required for a master's degree in art therapy from an accredited
6 educational institution that is approved by the committee.

7 (1) In the case of an applicant holding a master's degree in art
8 therapy or a clearly related field with specialization in art therapy,
9 the applicant shall have completed:

10 (a) A minimum of 60 graduate credit hours from any accredited
11 educational institution that is approved by the committee; and

12 (b) Not less than 4,500 hours of supervised experience approved
13 by the committee, a minimum of 3,500 hours of which shall have
14 been completed after the award of the master's degree.

15 (2) In the case of an applicant holding a doctoral degree in a
16 closely related field to art therapy without specialization in art
17 therapy, the applicant shall have completed:

18 (a) A minimum of 90 graduate credit hours in that closely related
19 field;

20 (b) A minimum of 30 graduate credit hours in a post-graduate art
21 therapy program approved by the committee; and

22 (c) Not less than 3,000 hours of supervised experience in art
23 therapy approved by the committee. The committee shall establish
24 criteria for determining the specifications as to what constitutes
25 supervised art therapy experience. An applicant may eliminate
26 1,000 hours of the required supervised art therapy experience by
27 substituting 30 graduate credit hours beyond the master's degree if
28 those graduate credit hours are clearly related to art therapy, as
29 determined by the committee. In no case, however, may the
30 applicant have less than 1,000 hours of supervised professional art
31 therapy experience after the granting of the master's degree.

32 (3) In the case of an applicant holding a master's degree in a
33 closely related field to art therapy without specialization in art
34 therapy, the applicant shall have completed:

35 (a) A minimum of 60 graduate credit hours in that closely related
36 field;

37 (b) A minimum of 30 graduate credit hours in a post-graduate art
38 therapy program approved by the committee; and

39 (c) Not less than 4,500 hours of supervised experience in art
40 therapy approved by the committee, a minimum of 3,500 hours of
41 which shall have been completed after the award of the master's
42 degree. The committee shall establish criteria for determining the
43 specifications as to what constitutes supervised art therapy
44 experience;

45 The completed graduate course work in art therapy from an
46 accredited college or university program that is approved by the
47 committee shall include training in:

- 1 (1) The art therapy profession;
- 2 (2) Theory and practice of art therapy;
- 3 (3) Human growth and developmental dynamics in art;
- 4 (4) Application of art therapy with people in different treatment
- 5 settings;
- 6 (5) Art therapy appraisal, diagnosis and assessment;
- 7 (6) Ethical and legal issues of art therapy practice;
- 8 (7) Matters of cultural and social diversity bearing on the
- 9 practice of art therapy;
- 10 (8) Standards of good art therapy practice; and
- 11 (9) Group art therapy; and
- 12 d. Has passed the Art Therapy Credentials Board Examination.

13
14 11. To be eligible to be licensed as an associate art therapist, an
15 applicant shall fulfill the following requirements:

- 16 a. Is at least 18 years of age;
- 17 b. Is of good moral character;
- 18 c. Holds a master's degree in art therapy, or a clearly related
- 19 field with specialization in art therapy, as determined by the
- 20 committee, from any accredited educational institution that is
- 21 approved by the committee; or a master's degree or doctoral degree
- 22 in a closely related field to art therapy without specialization in art
- 23 therapy and demonstrates to the committee that he has completed
- 24 course work content and training substantially equivalent to that
- 25 required for a master's degree in art therapy from an accredited
- 26 educational institution that is approved by the committee.

27 (1) In the case of an applicant holding a master's degree in art
28 therapy or a clearly related field with specialization in art therapy,
29 the applicant shall have completed not less than 60 graduate credit
30 hours in any art therapy program that is approved by the committee.

31 (2) In the case of an applicant holding a doctoral degree in a
32 planned educational program of 90 graduate credit hours in a
33 closely related field to art therapy without specialization in art
34 therapy, the applicant shall have completed not less than 30
35 graduate credit hours in an art therapy program approved by the
36 committee.

37 (3) In the case of an applicant holding a master's degree in a
38 planned educational program of 60 graduate credit hours in a
39 closely related field to art therapy without specialization in art
40 therapy, the applicant shall have completed not less than 30
41 graduate credit hours in an art therapy program approved by the
42 committee;

43 The graduate course work in art therapy from an accredited
44 college or university program that is approved by the committee
45 shall include training in:

- 46 (1) The art therapy profession;
- 47 (2) Theory and practice of art therapy;

- 1 (3) Human growth and developmental dynamics in art;
- 2 (4) Application of art therapy with people in different treatment
- 3 settings;
- 4 (5) Art therapy appraisal, diagnosis and assessment;
- 5 (6) Ethical and legal issues of art therapy practice;
- 6 (7) Matters of cultural and social diversity bearing on the
- 7 practice of art therapy;
- 8 (8) Standards of good art therapy practice; and
- 9 (9) Group art therapy; and
- 10 d. Has passed the Art Therapy Credentials Board Examination.

11
12 12. a. The committee shall issue a license to any applicant who,
13 in the opinion of the committee, has satisfactorily met all the
14 requirements of this act.

15 b. All licenses shall be issued for a two-year period upon the
16 payment of the prescribed licensure fee, and shall be renewed upon
17 filing of a renewal application, the payment of a licensure fee, and
18 presentation of satisfactory evidence to the committee that in the
19 period since the license was issued or last renewed any continuing
20 education requirements have been completed as specified by the
21 committee.

22
23 13. Upon payment to the board of a fee and the submission of a
24 written application provided by the board, the committee shall issue
25 an art therapy license to any person who holds a valid license issued
26 by another state or possession of the United States or the District of
27 Columbia which has standards substantially equivalent to those of
28 this State, as determined by the committee.

29
30 14. For 360 days after the date procedures are established by the
31 committee for applying for licensure under section 10 of P.L. ,
32 c. (C.) (pending before the Legislature as this bill), any person
33 may qualify as a licensed professional art therapist, upon
34 application for licensure and payment of the appropriate fee,
35 provided the applicant furnishes satisfactory evidence to the
36 committee that he has either:

37 a. completed a minimum of 45 graduate credit hours, which
38 includes a master's degree or doctorate from a regionally accredited
39 institution of higher education, in subject matter that is primarily art
40 therapy in content; and has completed not less than five years of
41 experience in the practice of art therapy; or

42 b. completed a minimum of 45 graduate semester hours, which
43 includes a master's degree from a regionally accredited institution
44 of higher education; and has passed the Art Therapy Credentials
45 Board Examination.

1 15. a. The committee shall require each licensed professional
2 art therapist or licensed associate art therapist, as a condition of
3 biennial license renewal to complete any continuing education
4 requirements imposed by the board pursuant to this section.

5 b. The board shall:

6 (1) Promulgate rules and regulations for implementing
7 continuing education requirements as a condition of license renewal
8 for licenses issued under its jurisdiction;

9 (2) Establish standards for continuing education, including the
10 subject matter and content of courses of study, and the number and
11 type of continuing education credits required of a licensee as a
12 condition of biennial license renewal;

13 (3) Recognize the American Art Therapy Association and other
14 organizations as providers of continuing education, and accredit
15 educational programs, including, but not limited to, meetings of
16 constituents and components of art therapy associations recognized
17 by the board, examinations, papers, publications, presentations,
18 teaching and research appointments, and shall establish procedures
19 for the issuance of credit upon satisfactory proof of the completion
20 of these programs. In the case of education courses or programs,
21 each hour of instruction shall be equivalent to one credit; and

22 (4) Approve only those continuing education programs as are
23 available to all art therapists in this State on a reasonable
24 nondiscriminatory basis.

25
26 16. Any communication between a licensed professional art
27 therapist or licensed associate art therapist and the person receiving
28 the art therapy, while performing art therapy, shall be confidential
29 and its secrecy preserved. This privilege shall not be subject to
30 waiver, except when disclosure is required by State law or when the
31 licensed professional art therapist or licensed associate art therapist
32 is a party defendant to a civil, criminal or disciplinary action arising
33 from that art therapy, in which case the waiver of the privilege
34 accorded by this section shall be limited to that action.

35
36 17. Supervision of art therapy students shall be provided by an
37 Art Therapy Certified Supervisor (ATCS) credentialed by the Art
38 Therapy Credentials Board or approved by the committee. No
39 licensed associate art therapist shall practice art therapy without
40 supervision by a licensed professional art therapist or a supervisor
41 acceptable to the committee. The plan for supervision of the
42 licensed associate art therapist shall be approved by the committee
43 prior to any actual performance of art therapy by the licensed
44 associate art therapist.

45
46 18. This act shall take effect on the 180th day following
47 enactment.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

This bill provides for the licensure of art therapists and establishes an Art Therapists Advisory Committee under the State Board of Marriage and Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety. The committee is to consist of five members who are residents of the State, who have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment.

To be eligible for licensure as a professional art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. In the case of an applicant holding a master's degree in art therapy or a clearly related field with specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in any art therapy program approved by the committee; and not less than 4,500 hours in art therapy under the supervision by a licensed professional art therapist or a supervisor acceptable to the committee. In the case of an applicant holding a doctoral degree in a clearly related field to art therapy, the applicant shall have completed: a minimum of 90 graduate credit hours in that clearly related field, a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 3,000 hours, of supervised experience approved by the committee. In the case of an applicant holding a master's degree in a clearly related field without specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in that clearly related field, a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 4,500 hours of supervised experience in art therapy approved by the committee.

To be eligible for licensure as an associate art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. In the case of an applicant holding a master's degree in art therapy or clearly related field with specialization in art therapy, the applicant shall have completed: not less than 60 graduate credit hours in an art therapy program approved by the committee. In the case of an applicant holding a doctoral degree or master's degree in a clearly related field, the applicant shall have completed: not less than 30 graduate credit hours in a post-graduate art therapy program approved by the committee.

1 The graduate course work in art therapy that is to be approved by
2 the committee shall include training in: the art therapy profession;
3 theory and practice of art therapy; human growth and
4 developmental dynamics in art; application of art therapy with
5 people in different treatment settings; art therapy appraisal,
6 diagnosis and assessment; ethical and legal issues of art therapy
7 practice; matters of cultural and social diversity bearing on the
8 practice of art therapy; and group art therapy.

9 Additionally, each applicant is required to pass the Art Therapy
10 Credentials Board Examination.

11 “Art therapy” is defined in the bill as the integrated use of
12 psychotherapeutic principles with art media, and the creative
13 process to assist individuals, families or groups in increasing
14 awareness of self and others; coping with symptoms, stress, and
15 traumatic experiences; enhancing cognitive abilities; and
16 identifying and assessing clients’ needs in order to implement
17 therapeutic intervention to meet developmental, behavioral, mental,
18 and emotional needs.

19 The bill provides that no person shall engage in the practice of
20 art therapy unless licensed as a professional art therapist or licensed
21 associate art therapist. Additionally, the bill provides that no
22 person shall use the title “licensed professional art therapist” or
23 “licensed associate art therapist” or the abbreviation “LPAT” or
24 “LAAT” or any other title, designation, words, letters, abbreviations
25 or insignia indicating the practice of art therapy unless licensed
26 pursuant to the provisions of this bill.

27 For a period of 360 days after the date procedures are established
28 by the committee for applying for licensure as an art therapist, any
29 person may qualify as a licensed art therapist, upon application for
30 licensure and payment of the appropriate fee, provided the applicant
31 furnishes satisfactory evidence to the committee that he has
32 completed a minimum of 45 graduate credit hours, which includes a
33 master’s degree or doctorate from a regionally accredited institution
34 of higher education, in subject matter that is primarily art theory in
35 content; and has completed not less than five years of experience in
36 the practice of art therapy.

37 Professional art therapist licenses and associate art therapist
38 licenses shall be issued for a two-year period upon the payment of
39 the prescribed licensure fee, and shall be renewed upon filing of a
40 renewal application, the payment of a licensure fee, and
41 presentation of satisfactory evidence to the committee that in the
42 period since the license was issued or last renewed any continuing
43 education requirements have been completed as specified by the
44 committee.

45 The bill provides that the Art Therapists Advisory Committee
46 shall establish standards for continuing art therapy education,
47 including the subject matter and content of courses of study and the

A1783 MCKEON, RIBLE

11

- 1 selection of instructors, and approve programs offering continuing
- 2 education credits.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1783

STATE OF NEW JERSEY

DATED: FEBRUARY 20, 2014

The Assembly Regulated Professions Committee reports favorably on Assembly Bill No. 1783.

This bill provides for the licensure of art therapists and establishes an Art Therapists Advisory Committee under the State Board of Marriage and Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety. The committee is to consist of five members who are residents of the State, who have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment.

To be eligible for licensure as a professional art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. In the case of an applicant holding a master's degree in art therapy or a clearly related field with specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in any art therapy program approved by the committee; and not less than 4,500 hours in art therapy under the supervision of a licensed professional art therapist or a supervisor acceptable to the committee. In the case of an applicant holding a doctoral degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: a minimum of 90 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 3,000 hours, of supervised experience approved by the committee. In the case of an applicant holding a master's degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 4,500 hours of supervised experience in art therapy approved by the committee.

To be eligible for licensure as an associate art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is

approved by the committee. In the case of an applicant holding a master's degree in art therapy or clearly related field with specialization in art therapy, the applicant shall have completed: not less than 60 graduate credit hours in an art therapy program approved by the committee. In the case of an applicant holding a doctoral degree or master's degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: not less than 30 graduate credit hours in a post-graduate art therapy program approved by the committee.

The graduate course work in art therapy that is to be approved by the committee shall include training in: the art therapy profession; theory and practice of art therapy; human growth and developmental dynamics in art; application of art therapy with people in different treatment settings; art therapy appraisal, diagnosis and assessment; ethical and legal issues of art therapy practice; matters of cultural and social diversity bearing on the practice of art therapy; and group art therapy.

Additionally, each applicant is required to pass the Art Therapy Credentials Board Examination.

"Art therapy" is defined in the bill as the integrated use of psychotherapeutic principles with art media and the creative process to assist individuals, families or groups in increasing awareness of self and others; coping with symptoms, stress, and traumatic experiences; enhancing cognitive abilities; and identifying and assessing clients' needs in order to implement therapeutic intervention to meet developmental, behavioral, mental, and emotional needs.

The bill provides that no person shall engage in the practice of art therapy unless licensed as a professional art therapist or licensed associate art therapist. Additionally, the bill provides that no person shall use the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the provisions of this bill.

For a period of 360 days after the date procedures are established by the committee for applying for licensure as an art therapist, any person may qualify as a licensed art therapist, upon application for licensure and payment of the appropriate fee, provided the applicant furnishes satisfactory evidence to the committee that he has: completed a minimum of 45 graduate credit hours, which includes a master's degree or doctorate from a regionally accredited institution of higher education, in subject matter that is primarily art theory in content and has completed not less than five years of experience in the practice of art therapy; or completed a minimum of 45 graduate semester hours, which includes a master's degree from a regionally accredited institution of higher education and has passed the Art Therapy Credentials Board Examination.

Professional art therapist licenses and associate art therapist licenses shall be issued for a two-year period upon the payment of the prescribed licensure fee, and shall be renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.

The bill provides that the Art Therapists Advisory Committee shall establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and approve programs offering continuing education credits.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO
ASSEMBLY, No. 1783

with Assembly Floor Amendments
(Proposed by Assemblyman MCKEON)

ADOPTED: MAY 22, 2014

These amendments stipulate that the provisions of this bill, which is to be known and cited as the “Art Therapist Licensing Act,” shall not apply to the activities and services of occupational therapists licensed by the State, when acting within the scope of their profession and doing work of a nature consistent with their training, provided they do not hold themselves out to the public as possessing a license issued pursuant to this bill or represent themselves by any professional title regulated by the bill.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 1783

STATE OF NEW JERSEY 216th LEGISLATURE

DATED: JUNE 19, 2014

SUMMARY

- Synopsis:** “Art Therapist Licensing Act.”
- Type of Impact:** Fees paid by licenses would defray licensure and program costs.
- Agencies Affected:** Department of Law and Public Safety; Division of Consumer Affairs.

Office of Legislative Services Estimate

| Fiscal Impact | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> |
|----------------------|---|----------------------|----------------------|
| State Cost | Revenues collected through licensure fees would defray licensure and program costs. | | |
| State Revenue | | | |

- Establishes a license as a professional art therapist and associate art therapist as well as an oversight board, the Art Therapists Advisory Committee.
- Professional art therapist licenses and associate art therapist licenses are to be issued for a two-year period upon the payment of the prescribed licensure fee, and renewed upon filing of a renewal application, payment of the licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.
- The bill prohibits any person from practicing the profession of an art therapist, unless licensed to do so in the State.

BILL DESCRIPTION

Assembly Bill No. 1783 (1R) of 2014 provides for the licensure of art therapists and establishes an Art Therapists Advisory Committee under the State Board of Marriage and Family

Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety.

The committee is to consist of five members who are residents of the State and except for the members first appointed, are licensed art therapists and have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment.

To be eligible for licensure as a professional art therapist or an associate art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. The bill provides additional educational criteria to qualify for the licensure and each applicant is required to pass the Art Therapy Credentials Board Examination.

The bill provides that no person shall engage in the practice of art therapy unless licensed as a professional art therapist or associate art therapist. Additionally, the bill provides that no person shall use the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the provisions of this bill.

Professional art therapist licenses and associate art therapist licenses are to be issued for a two-year period upon the payment of the prescribed licensure fee, and renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed, any continuing education requirements have been completed as specified by the committee.

The bill provides that the Art Therapists Advisory Committee is to establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and approve programs offering continuing education credits.

The "Art Therapist Licensing Act" does not apply to the activities and services of qualified members of other licensed professionals licensed by the State, when acting within the scope of their profession and doing work of a nature consistent with their training, provided they do not hold themselves out to the public as possessing a license issued pursuant to this bill or represent themselves by any professional title regulated by the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services notes that the Art Therapist licensing program is intended to be self-supporting; however, the amounts needed to administer the program in year one and two may require an advance loan from the General Fund prior to licensure revenues being collected to offset any initial costs. The administrative and other recurring program costs would be supported by the charge for examination of licensure, as prescribed by the State Board of Marriage and Family Therapy Examiners under N.J.S.A 45:1-3.2.

The New Jersey Art Therapy Association (NJATA) provided information to the Office of Legislative Services that in 2013 the American Art Therapy Association (AATA) had 262 members from New Jersey and in 2012 there were 250 members from New Jersey. It is unknown how many of these members may be qualified members of other professions licensed by the State and would not be required to become licensed under this bill.

In addition to the prescribed licensure fees, members would most likely be paying annual National and State association fees. The AATA's membership fees range from \$550 for an affiliate member, \$164 for an accredited professional, and \$55 for a student. For the NJATA, the credentialed and professional members pay \$35, retired members pay \$30, and the new professionals and new graduates pay \$10. Membership is free for Past-Presidents and NJATA Honorary Lifetime Members. Other related professionals may join NJATA directly for \$25 as an associate member.

Section: Law and Public Safety
Analyst: Kristin Brunner Santos
Senior Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE COMMERCE COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1783

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 4, 2015

The Senate Commerce Committee reports favorably and with committee amendments Assembly Bill No. 1783 (1R).

As amended, this bill provides for the licensure of art therapists and establishes an Art Therapists Advisory Committee under the State Board of Marriage and Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety. The committee is to consist of five members who are residents of the State, who have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment.

To be eligible for licensure as a professional art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. In the case of an applicant holding a master's degree in art therapy or a clearly related field with specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in any art therapy program approved by the committee; and not less than 4,500 hours in art therapy under the supervision of a licensed professional art therapist or a supervisor acceptable to the committee. In the case of an applicant holding a doctoral degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: a minimum of 90 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 3,000 hours, of supervised experience approved by the committee. In the case of an applicant holding a master's degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 4,500 hours of supervised experience in art therapy approved by the committee.

To be eligible for licensure as an associate art therapist, an applicant must be at least 18 years of age and be of good moral

character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. In the case of an applicant holding a master's degree in art therapy or clearly related field with specialization in art therapy, the applicant shall have completed: not less than 60 graduate credit hours in an art therapy program approved by the committee. In the case of an applicant holding a doctoral degree or master's degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed not less than 30 graduate credit hours in a post-graduate art therapy program approved by the committee.

The graduate course work in art therapy that is to be approved by the committee shall include training in: the art therapy profession; theory and practice of art therapy; human growth and developmental dynamics in art; application of art therapy with people in different treatment settings; art therapy appraisal, diagnosis and assessment; ethical and legal issues of art therapy practice; matters of cultural and social diversity bearing on the practice of art therapy; and group art therapy.

Additionally, each applicant is required to pass the Art Therapy Credentials Board Examination.

"Art therapy" is defined in the bill as the integrated use of psychotherapeutic principles with art media and the creative process to assist individuals, families or groups in increasing awareness of self and others; coping with symptoms, stress, and traumatic experiences; enhancing cognitive abilities; and identifying and assessing clients' needs in order to implement therapeutic intervention to meet developmental, behavioral, mental, and emotional needs.

The bill provides that no person shall engage in the practice of art therapy unless licensed as a professional art therapist or licensed associate art therapist. Additionally, the bill provides that no person shall use the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the provisions of this bill.

For a period of 360 days after the date procedures are established by the committee for applying for licensure as an art therapist, any person may qualify as a licensed art therapist, upon application for licensure and payment of the appropriate fee, provided the applicant furnishes satisfactory evidence to the committee that he has: completed a minimum of 45 graduate credit hours, which includes a master's degree or doctorate from a regionally accredited institution of higher education, in subject matter that is primarily art theory in content and has completed not less than five years of experience in the practice of art therapy; or completed a minimum of 45 graduate semester hours, which includes a master's degree from a regionally

accredited institution of higher education and has passed the Art Therapy Credentials Board Examination.

Professional art therapist licenses and associate art therapist licenses shall be issued for a two-year period upon the payment of the prescribed licensure fee, and shall be renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.

The bill provides that the Art Therapists Advisory Committee shall establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and approve programs offering continuing education credits.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that the members of the committee are not to be compensated, but only reimbursed, for expenses.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]
ASSEMBLY, No. 1783

STATE OF NEW JERSEY

DATED: DECEMBER 10, 2015

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1783 (2R).

This bill provides for the licensure of art therapists, and establishes an Art Therapists Advisory Committee under the State Board of Marriage and Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety. The committee is to consist of five members who: are residents of the State, have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment, and, except for members first appointed to the committee, are licensed art therapists under the provisions of the bill.

To be eligible for licensure as a *professional art therapist*, the bill requires an applicant to be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from an accredited educational institution approved by the committee. In the case of an applicant holding a master's degree in art therapy or a clearly related field with specialization in art therapy, the applicant must have completed: a minimum of 60 graduate credit hours in any art therapy program approved by the committee; and not less than 4,500 hours in art therapy under the supervision of a licensed professional art therapist or a supervisor acceptable to the committee. In the case of an applicant holding a doctoral degree in a field closely related to art therapy without specialization in art therapy, the applicant must have completed: a minimum of 90 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 3,000 hours, of supervised experience approved by the committee. In the case of an applicant holding a master's degree in a field closely related to art therapy without specialization in art therapy, the applicant must have completed: a minimum of 60 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 4,500 hours of supervised experience in art therapy approved by the committee.

To be eligible for licensure as an *associate art therapist*, the bill requires an applicant to be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from an accredited educational institution approved by the committee. In the case of an applicant holding a master's degree in art therapy or clearly related field with specialization in art therapy, the applicant must have completed: not less than 60 graduate credit hours in an art therapy program approved by the committee. In the case of an applicant holding a doctoral degree or master's degree in a field closely related to art therapy without specialization in art therapy, the applicant must have completed: not less than 30 graduate credit hours in a post-graduate art therapy program approved by the committee.

The bill requires the graduate course work in art therapy that is to be approved by the committee to include training in: the art therapy profession; theory and practice of art therapy; human growth and developmental dynamics in art; application of art therapy with people in different treatment settings; art therapy appraisal, diagnosis and assessment; ethical and legal issues of art therapy practice; matters of cultural and social diversity bearing on the practice of art therapy; and group art therapy.

Additionally, the bill requires each applicant for licensure to pass the Art Therapy Credentials Board Examination.

"Art therapy" is defined in the bill as the integrated use of psychotherapeutic principles with art media and the creative process to assist individuals, families or groups in increasing awareness of self and others; coping with symptoms, stress, and traumatic experiences; enhancing cognitive abilities; and identifying and assessing clients' needs to implement therapeutic intervention to meet developmental, behavioral, mental, and emotional needs.

The bill prohibits persons from engaging in the practice of art therapy unless licensed as a professional art therapist or licensed associate art therapist. Additionally, the bill prohibits persons from using the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the bill.

For a period of 360 days after the date procedures are established by the committee for applying for licensure as an art therapist, the bill provides that any person may qualify as a licensed professional art therapist, upon application for licensure and payment of the appropriate fee, provided the applicant furnishes satisfactory evidence to the committee that he has: completed a minimum of 45 graduate credit hours, which includes a master's degree or doctorate from a regionally accredited institution of higher education, in subject matter that is primarily art theory in content and has completed not less than

five years of experience in the practice of art therapy; or completed a minimum of 45 graduate semester hours, which includes a master's degree from a regionally accredited institution of higher education and has passed the Art Therapy Credentials Board Examination.

The bill provides for professional art therapist licenses and associate art therapist licenses to be issued for a two-year period upon the payment of the prescribed licensure fee. The bill provides for these licenses to be renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.

The bill requires the committee to establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and to approve programs offering continuing education credits.

The bill takes effect on the 180th day following enactment.

As reported, this bill is identical to Senate Bill No. 2020 (1R), as reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) notes that the bill's licensing requirements for art therapists are intended to be financially self-supporting; however, the amounts needed to administer the licensing requirements in the first few years following enactment may necessitate the spending of certain additional State funds prior to licensure revenues being collected to offset initial costs. The administrative and other recurring costs related to the bill are expected to be supported by the charge for examination of licensure, as prescribed by current law.

The New Jersey Art Therapy Association provided information to the OLS that in 2015 the American Art Therapy Association (AATA) had 392 members residing in New Jersey. In addition, there are currently 1,172 AATA members residing in New York and 475 AATA members residing in Pennsylvania of which a percentage may choose to become licensed in New Jersey. It is not currently known how many of these members will ultimately seek licensure or how many may already be qualified members of other professions licensed by New Jersey and, therefore, will not be required to become licensed art therapists under the provisions of this bill.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 1783

**STATE OF NEW JERSEY
216th LEGISLATURE**

DATED: DECEMBER 11, 2015

SUMMARY

- Synopsis:** “Art Therapist Licensing Act.”
- Type of Impact:** Fees paid by licensees; Licensure and program costs.
- Agencies Affected:** Department of Law and Public Safety; Division of Consumer Affairs.

Office of Legislative Services Estimate

| Fiscal Impact | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> |
|--------------------------|---|----------------------|----------------------|
| State Expenditure | Indeterminate Increase – See comments below | | |
| State Revenue | Indeterminate Increase – See comments below | | |

- Assembly Bill No 1783 (2R) will result in an indeterminate increase in State expenditures and State revenue by establishing a system of licensure for professional art therapists and associate art therapists.
- Professional art therapist licenses and associate art therapist licenses are to be issued for a two-year period upon the payment of the licensure fee prescribed by Art Therapists Advisory Committee. These licenses may be renewed upon filing of a renewal application, payment of the licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.
- The bill prohibits any person from engaging in the practice of art therapy, unless licensed as a professional art therapist or an associate art therapist in the State.

BILL DESCRIPTION

Assembly Bill No. 1783 (2R) of 2014 provides for the licensure of art therapists and establishes an Art Therapists Advisory Committee (the committee) under the State Board of

Marriage and Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety.

The committee is to consist of five members who are residents of the State and except for the members first appointed, are licensed art therapists and have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment.

To be eligible for licensure as a professional art therapist or an associate art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. The bill provides additional educational criteria to qualify for the licensure and each applicant is required to pass the Art Therapy Credentials Board Examination.

The bill provides that no person shall engage in the practice of art therapy unless licensed as a professional art therapist or an associate art therapist. Additionally, the bill provides that no person shall use the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the provisions of this bill.

Professional art therapist licenses and associate art therapist licenses are to be issued for a two-year period upon the payment of the prescribed licensure fee, and renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed, any continuing education requirements have been completed as specified by the committee.

The bill provides that the Art Therapists Advisory Committee is to establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and approve programs offering continuing education credits.

The "Art Therapist Licensing Act" does not apply to the activities and services of qualified members of other State-licensed professions, when acting within the scope of their profession and doing work of a nature consistent with their training, provided they do not hold themselves out to the public as possessing a license issued pursuant to this bill or represent themselves by any professional title regulated by the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) concludes that the bill will cause an indeterminate increase in State revenues and State expenditures. The administrative and other recurring licensure costs would be supported by the charge for examination of licensure, as prescribed by the Art Therapist Advisory Committee.

The New Jersey Art Therapy Association (NJATA) provided information to OLS that in 2015 the American Art Therapy Association (AATA) had 392 members residing in New Jersey. In addition there are currently 1,172 AATA members residing in New York and 475 AATA

members residing in Pennsylvania, of which an unknown percentage may choose to become licensed in New Jersey. It is unknown how many of these members may be qualified members of other professions licensed by the State and would not be required to become licensed under this bill.

Absent information on the likely number of persons that would seek and obtain licensure as required by the bill, OLS is unable to quantify revenues and expenditures that would result.

Section: Law and Public Safety

*Analyst: Santos, Kristin Brunner
Senior Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2020

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MAY 5, 2014

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Co-Sponsored by:

Senators Madden and T.Kean

SYNOPSIS

“Art Therapist Licensing Act.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/2/2014)

1 AN ACT providing for the licensure of art therapists and
2 supplementing Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the “Art
8 Therapist Licensing Act.”

9

10 2. The profession of art therapy in the State of New Jersey is
11 determined to affect the public safety and welfare, and to be subject
12 to regulation and control in the public interest in order to protect the
13 public by setting standards of qualification, education, training, and
14 experience for professional art therapists and associate art
15 therapists.

16

17 3. As used in this act:

18 “Art therapist” means any person licensed to practice art therapy
19 pursuant to the provisions of this act.

20 “Art therapy” means the integrated use of psychotherapeutic
21 principles with art media and the creative process to assist
22 individuals, families or groups in:

23 (1) increasing awareness of self and others;

24 (2) coping with symptoms, stress, and traumatic experiences;

25 (3) enhancing cognitive abilities; and

26 (4) identifying and assessing clients’ needs in order to
27 implement therapeutic intervention to meet developmental,
28 behavioral, mental, and emotional needs.

29 “Board” means the State Board of Marriage and Family Therapy
30 Examiners.

31 “Committee” means the Art Therapists Advisory Committee
32 established pursuant to section 4 of this act.

33 “Licensed associate art therapist” means an individual who
34 holds a current, valid license issued pursuant to section 11 of this
35 act.

36 “Licensed professional art therapist” means an individual who
37 holds a current, valid license issued pursuant to section 10 of this
38 act.

39 “Supervision” means: (1) ensuring that the extent, kind, and
40 quality of art therapy performed is consistent with the education,
41 training, and experience of the person being supervised; (2)
42 reviewing client or patient records, monitoring and evaluating
43 assessment, diagnosis, and treatment decisions of the art therapist
44 trainee; (3) monitoring and evaluating the ability of the licensed
45 associate art therapist to provide services to the particular clientele
46 at the site or sites where he or she will be practicing; (4) ensuring
47 compliance with laws and regulations governing the practice of
48 licensed professional art therapy; (5) completing that amount of

1 direct observation, or review of audio or videotapes of art therapy,
2 as deemed appropriate by the supervisor; and (6) completing the
3 services conducted by an Art Therapy Certified Supervisor (ATCS)
4 credentialed by the Art Therapy Credentials Board or approved by
5 the committee.

6
7 4. There is created within the Division of Consumer Affairs in
8 the Department of Law and Public Safety, under the State Board of
9 Marriage and Family Therapy Examiners, an Art Therapists
10 Advisory Committee. The committee shall consist of five members
11 who are residents of the State. Except for the members first
12 appointed, the members shall be licensed art therapists under the
13 provisions of this act and shall have been actively engaged in the
14 practice of art therapy in the State for at least five years
15 immediately preceding their appointment.

16 The Governor shall appoint the members with the advice and
17 consent of the Senate. Each member shall be appointed for a term
18 of three years, except that of the members first appointed, two shall
19 serve for a term of three years, two shall serve a term of two years
20 and one shall serve for a term of one year. Each member shall hold
21 office until his successor has been qualified and appointed. Any
22 vacancy in the membership of the committee shall be filled for the
23 unexpired term in the manner provided for in the original
24 appointment. No member of the committee may serve more than
25 two successive terms in addition to any unexpired term to which he
26 has been appointed.

27
28 5. Members of the committee shall be compensated and
29 reimbursed for expenses and provided with office and meeting
30 facilities and personnel required for the proper conduct of the
31 business of the committee.

32
33 6. The committee shall organize within 30 days after the
34 appointment of its members and shall annually elect from its
35 members a chairperson and a vice-chairperson, and may appoint a
36 secretary, who need not be a member of the committee. The
37 committee shall meet at least twice a year and may hold additional
38 meeting as necessary to discharge its duties. A majority of the
39 committee membership shall constitute a quorum.

40
41 7. The committee shall have the following powers and duties:
42 a. Issue and renew licenses to art therapists pursuant to the
43 provisions of this act;
44 b. Suspend, revoke or fail to renew the license of an art
45 therapist pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et
46 seq.);

- 1 c. Maintain a record of every art therapist licensed in this State,
2 their place of business, place of residence, and the date and number
3 of their license;
 - 4 d. Prescribe or change the charges for examinations, licensures,
5 renewal and other services performed pursuant to P.L.1974, c.46
6 (C.45:1-3.1);
 - 7 e. Establish standards for the continuing education of art
8 therapists; and
 - 9 f. Promulgate rules and regulations to carry out matters
10 delegated to the committee by the board concerning any provisions
11 of this act, in conformance with the “Administrative Procedure
12 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).
13
- 14 8. a. No person shall engage in the practice of art therapy
15 unless licensed as a professional art therapist or associate art
16 therapist pursuant to the provisions of this act.
 - 17 b. No person shall use the title “licensed professional art
18 therapist” or “licensed associate art therapist” or the abbreviation
19 “LPAT” or “LAAT” or any other title, designation, words, letters,
20 abbreviations or insignia indicating the practice of art therapy
21 unless licensed pursuant to the provisions of this act.
22
- 23 9. Nothing in this act shall be construed to apply to:
 - 24 a. The activities and services of qualified members of other
25 professions, including physicians, psychologists, psychoanalysts,
26 registered nurses, marriage and family therapists, social workers,
27 professional or rehabilitation counselors or any other professional
28 licensed by the State, when acting within the scope of their
29 profession and doing work of a nature consistent with their training,
30 provided they do not hold themselves out to the public as
31 possessing a license issued pursuant to this act or represent
32 themselves by any professional title regulated by this act.
 - 33 b. The activities of an art therapy nature on the part of persons
34 employed by an accredited or State-approved college or university,
35 or working in a recognized training program, provided that these
36 activities and services constitute a part of a supervised course of
37 study and that those persons are designated by a title such as “art
38 therapy intern” or other title clearly indicating the training status
39 appropriate to the level of training.
40
- 41 10. To be eligible to be licensed as a professional art therapist,
42 an applicant shall fulfill the following requirements:
 - 43 a. Is at least 18 years of age;
 - 44 b. Is of good moral character;
 - 45 c. Holds a master’s degree in art therapy, or a clearly related
46 field with specialization in art therapy, as determined by the
47 committee, from an accredited educational institution that is
48 approved by the committee; or a master’s degree or doctoral degree

1 in a field closely related to art therapy without specialization in art
2 therapy and demonstrates to the committee that he has completed
3 course work content and training substantially equivalent to that
4 required for a master's degree in art therapy from an accredited
5 educational institution that is approved by the committee.

6 (1) In the case of an applicant holding a master's degree in art
7 therapy or a clearly related field with specialization in art therapy,
8 the applicant shall have completed:

9 (a) A minimum of 60 graduate credit hours from any accredited
10 educational institution that is approved by the committee; and

11 (b) Not less than 4,500 hours of supervised experience approved
12 by the committee, a minimum of 3,500 hours of which shall have
13 been completed after the award of the master's degree.

14 (2) In the case of an applicant holding a doctoral degree in a
15 field closely related to art therapy without specialization in art
16 therapy, the applicant shall have completed:

17 (a) A minimum of 90 graduate credit hours in that closely
18 related field;

19 (b) A minimum of 30 graduate credit hours in a post-graduate
20 art therapy program approved by the committee; and

21 (c) Not less than 3,000 hours of supervised experience in art
22 therapy approved by the committee. The committee shall establish
23 criteria for determining the specifications as to what constitutes
24 supervised art therapy experience. An applicant may eliminate
25 1,000 hours of the required supervised art therapy experience by
26 substituting 30 graduate credit hours beyond the master's degree if
27 those graduate credit hours are clearly related to art therapy, as
28 determined by the committee. In no case, however, may the
29 applicant have less than 1,000 hours of supervised professional art
30 therapy experience after the granting of the master's degree.

31 (3) In the case of an applicant holding a master's degree in a
32 field closely related to art therapy without specialization in art
33 therapy, the applicant shall have completed:

34 (a) A minimum of 60 graduate credit hours in that closely
35 related field;

36 (b) A minimum of 30 graduate credit hours in a post-graduate
37 art therapy program approved by the committee; and

38 (c) Not less than 4,500 hours of supervised experience in art
39 therapy approved by the committee, a minimum of 3,500 hours of
40 which shall have been completed after the award of the master's
41 degree. The committee shall establish criteria for determining the
42 specifications as to what constitutes supervised art therapy
43 experience;

44 The completed graduate course work in art therapy from an
45 accredited college or university program that is approved by the
46 committee shall include training in:

47 (1) The art therapy profession;

48 (2) Theory and practice of art therapy;

- 1 (3) Human growth and developmental dynamics in art;
- 2 (4) Application of art therapy with people in different treatment
- 3 settings;
- 4 (5) Art therapy appraisal, diagnosis and assessment;
- 5 (6) Ethical and legal issues of art therapy practice;
- 6 (7) Matters of cultural and social diversity bearing on the
- 7 practice of art therapy;
- 8 (8) Standards of good art therapy practice; and
- 9 (9) Group art therapy; and
- 10 d. Has passed the Art Therapy Credentials Board Examination.

11
12 11. To be eligible to be licensed as an associate art therapist, an
13 applicant shall fulfill the following requirements:

- 14 a. Is at least 18 years of age;
- 15 b. Is of good moral character;
- 16 c. Holds a master's degree in art therapy, or a clearly related
- 17 field with specialization in art therapy, as determined by the
- 18 committee, from any accredited educational institution that is
- 19 approved by the committee; or a master's degree or doctoral degree
- 20 in a closely related field to art therapy without specialization in art
- 21 therapy and demonstrates to the committee that he has completed
- 22 course work content and training substantially equivalent to that
- 23 required for a master's degree in art therapy from an accredited
- 24 educational institution that is approved by the committee.

25 (1) In the case of an applicant holding a master's degree in art
26 therapy or a clearly related field with specialization in art therapy,
27 the applicant shall have completed not less than 60 graduate credit
28 hours in an art therapy program that is approved by the committee.

29 (2) In the case of an applicant holding a doctoral degree in a
30 planned educational program of 90 graduate credit hours in a field
31 closely related to art therapy without specialization in art therapy,
32 the applicant shall have completed not less than 30 graduate credit
33 hours in an art therapy program approved by the committee.

34 (3) In the case of an applicant holding a master's degree in a
35 planned educational program of 60 graduate credit hours in a field
36 closely related to art therapy without specialization in art therapy,
37 the applicant shall have completed not less than 30 graduate credit
38 hours in an art therapy program approved by the committee;

39 The graduate course work in art therapy from an accredited
40 college or university program that is approved by the committee
41 shall include training in:

- 42 (1) The art therapy profession;
- 43 (2) Theory and practice of art therapy;
- 44 (3) Human growth and developmental dynamics in art;
- 45 (4) Application of art therapy with people in different treatment
- 46 settings;
- 47 (5) Art therapy appraisal, diagnosis and assessment;
- 48 (6) Ethical and legal issues of art therapy practice;

1 (7) Matters of cultural and social diversity bearing on the
2 practice of art therapy;

3 (8) Standards of good art therapy practice; and

4 (9) Group art therapy; and

5 d. Has passed the Art Therapy Credentials Board Examination.

6

7 12. a. The committee shall issue a license to any applicant who,
8 in the opinion of the committee, has satisfactorily met all the
9 requirements of this act.

10 b. All licenses shall be issued for a two-year period upon the
11 payment of the prescribed licensure fee, and shall be renewed upon
12 filing of a renewal application, the payment of a licensure fee, and
13 presentation of satisfactory evidence to the committee that in the
14 period since the license was issued or last renewed any continuing
15 education requirements have been completed as specified by the
16 committee.

17

18 13. Upon payment to the board of a fee and the submission of a
19 written application provided by the board, the committee shall issue
20 an art therapy license to any person who holds a valid license issued
21 by another state or possession of the United States or the District of
22 Columbia which has standards substantially equivalent to those of
23 this State, as determined by the committee.

24

25 14. For 360 days after the date procedures are established by the
26 committee for applying for licensure under section 10 of
27 P.L. , c. (C.) (pending before the Legislature as this bill), any
28 person may qualify as a licensed professional art therapist, upon
29 application for licensure and payment of the appropriate fee,
30 provided the applicant furnishes satisfactory evidence to the
31 committee that he has either:

32 a. completed a minimum of 45 graduate credit hours, which
33 includes a master's degree or doctorate from a regionally accredited
34 institution of higher education, in subject matter that is primarily art
35 therapy in content; and has completed not less than five years of
36 experience in the practice of art therapy; or

37 b. completed a minimum of 45 graduate semester hours, which
38 includes a master's degree from a regionally accredited institution
39 of higher education; and has passed the Art Therapy Credentials
40 Board Examination.

41

42 15. a. The committee shall require each licensed professional
43 art therapist or licensed associate art therapist, as a condition of
44 biennial license renewal to complete any continuing education
45 requirements imposed by the board pursuant to this section.

46 b. The board shall:

- 1 (1) Promulgate rules and regulations for implementing
2 continuing education requirements as a condition of license renewal
3 for licenses issued under its jurisdiction;
- 4 (2) Establish standards for continuing education, including the
5 subject matter and content of courses of study, and the number and
6 type of continuing education credits required of a licensee as a
7 condition of biennial license renewal;
- 8 (3) Recognize the American Art Therapy Association and other
9 organizations as providers of continuing education, and accredit
10 educational programs, including, but not limited to, meetings of
11 constituents and components of art therapy associations recognized
12 by the board, examinations, papers, publications, presentations,
13 teaching and research appointments, and shall establish procedures
14 for the issuance of credit upon satisfactory proof of the completion
15 of these programs. In the case of education courses or programs,
16 each hour of instruction shall be equivalent to one credit; and
- 17 (4) Approve only those continuing education programs as are
18 available to all art therapists in this State on a reasonable
19 nondiscriminatory basis.

20

21 16. Any communication between a licensed professional art
22 therapist or licensed associate art therapist and the person receiving
23 the art therapy, while performing art therapy, shall be confidential
24 and its secrecy preserved. This privilege shall not be subject to
25 waiver, except when disclosure is required by State law or when the
26 licensed professional art therapist or licensed associate art therapist
27 is a party defendant to a civil, criminal or disciplinary action arising
28 from that art therapy, in which case the waiver of the privilege
29 accorded by this section shall be limited to that action.

30

31 17. Supervision of art therapy students shall be provided by an
32 Art Therapy Certified Supervisor (ATCS) credentialed by the Art
33 Therapy Credentials Board or approved by the committee. No
34 licensed associate art therapist shall practice art therapy without
35 supervision by a licensed professional art therapist or a supervisor
36 acceptable to the committee. The plan for supervision of the
37 licensed associate art therapist shall be approved by the committee
38 prior to any actual performance of art therapy by the licensed
39 associate art therapist.

40

41 18. This act shall take effect on the 180th day following
42 enactment.

43

44

45

STATEMENT

46

47 This bill provides for the licensure of art therapists and
48 establishes an Art Therapists Advisory Committee under the State

1 Board of Marriage and Family Therapy Examiners in the Division
2 of Consumer Affairs in the Department of Law and Public Safety.
3 The committee is to consist of five members who are residents of
4 the State, who have been actively engaged in the practice of art
5 therapy in the State for at least five years immediately preceding
6 their appointment.

7 To be eligible for licensure as a professional art therapist, an
8 applicant must be at least 18 years of age and be of good moral
9 character. In addition, the applicant must hold a master's degree or
10 a doctoral degree from any accredited educational institution that is
11 approved by the committee. In the case of an applicant holding a
12 master's degree in art therapy or a clearly related field with
13 specialization in art therapy, the applicant shall have completed: a
14 minimum of 60 graduate credit hours in any art therapy program
15 approved by the committee; and not less than 4,500 hours in art
16 therapy under the supervision of a licensed professional art therapist
17 or a supervisor acceptable to the committee. In the case of an
18 applicant holding a doctoral degree in a field closely related to art
19 therapy without specialization in art therapy, the applicant shall
20 have completed: a minimum of 90 graduate credit hours in that
21 closely related field; a minimum of 30 graduate credit hours in a
22 post-graduate art therapy program approved by the committee; and
23 not less than 3,000 hours, of supervised experience approved by the
24 committee. In the case of an applicant holding a master's degree in
25 a field closely related to art therapy without specialization in art
26 therapy, the applicant shall have completed: a minimum of 60
27 graduate credit hours in that closely related field; a minimum of 30
28 graduate credit hours in a post-graduate art therapy program
29 approved by the committee; and not less than 4,500 hours of
30 supervised experience in art therapy approved by the committee.

31 To be eligible for licensure as an associate art therapist, an
32 applicant must be at least 18 years of age and be of good moral
33 character. In addition, the applicant must hold a master's degree or
34 a doctoral degree from any accredited educational institution that is
35 approved by the committee. In the case of an applicant holding a
36 master's degree in art therapy or clearly related field with
37 specialization in art therapy, the applicant shall have completed: not
38 less than 60 graduate credit hours in an art therapy program
39 approved by the committee. In the case of an applicant holding a
40 doctoral degree or master's degree in a field closely related to art
41 therapy without specialization in art therapy, the applicant shall
42 have completed: not less than 30 graduate credit hours in a post-
43 graduate art therapy program approved by the committee.

44 The graduate course work in art therapy that is to be approved by
45 the committee shall include training in: the art therapy profession;
46 theory and practice of art therapy; human growth and
47 developmental dynamics in art; application of art therapy with
48 people in different treatment settings; art therapy appraisal,

1 diagnosis and assessment; ethical and legal issues of art therapy
2 practice; matters of cultural and social diversity bearing on the
3 practice of art therapy; and group art therapy.

4 Additionally, each applicant is required to pass the Art Therapy
5 Credentials Board Examination.

6 “Art therapy” is defined in the bill as the integrated use of
7 psychotherapeutic principles with art media and the creative process
8 to assist individuals, families or groups in increasing awareness of
9 self and others; coping with symptoms, stress, and traumatic
10 experiences; enhancing cognitive abilities; and identifying and
11 assessing clients’ needs in order to implement therapeutic
12 intervention to meet developmental, behavioral, mental, and
13 emotional needs.

14 The bill provides that no person shall engage in the practice of
15 art therapy unless licensed as a professional art therapist or licensed
16 associate art therapist. Additionally, the bill provides that no
17 person shall use the title “licensed professional art therapist” or
18 “licensed associate art therapist” or the abbreviation “LPAT” or
19 “LAAT” or any other title, designation, words, letters, abbreviations
20 or insignia indicating the practice of art therapy unless licensed
21 pursuant to the provisions of this bill.

22 For a period of 360 days after the date procedures are established
23 by the committee for applying for licensure as an art therapist, any
24 person may qualify as a licensed art therapist, upon application for
25 licensure and payment of the appropriate fee, provided the applicant
26 furnishes satisfactory evidence to the committee that he has:
27 completed a minimum of 45 graduate credit hours, which includes a
28 master’s degree or doctorate from a regionally accredited institution
29 of higher education, in subject matter that is primarily art theory in
30 content and has completed not less than five years of experience in
31 the practice of art therapy; or completed a minimum of 45 graduate
32 semester hours, which includes a master’s degree from a regionally
33 accredited institution of higher education and has passed the Art
34 Therapy Credentials Board Examination.

35 Professional art therapist licenses and associate art therapist
36 licenses shall be issued for a two-year period upon the payment of
37 the prescribed licensure fee, and shall be renewed upon filing of a
38 renewal application, the payment of a licensure fee, and
39 presentation of satisfactory evidence to the committee that in the
40 period since the license was issued or last renewed any continuing
41 education requirements have been completed as specified by the
42 committee.

43 The bill provides that the Art Therapists Advisory Committee
44 shall establish standards for continuing art therapy education,
45 including the subject matter and content of courses of study and the
46 selection of instructors, and approve programs offering continuing
47 education credits.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2020

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 4, 2015

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2020.

As amended, this bill provides for the licensure of art therapists and establishes an Art Therapists Advisory Committee under the State Board of Marriage and Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety. The committee is to consist of five members who are residents of the State, who have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment.

To be eligible for licensure as a professional art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. In the case of an applicant holding a master's degree in art therapy or a clearly related field with specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in any art therapy program approved by the committee; and not less than 4,500 hours in art therapy under the supervision of a licensed professional art therapist or a supervisor acceptable to the committee. In the case of an applicant holding a doctoral degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: a minimum of 90 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 3,000 hours, of supervised experience approved by the committee. In the case of an applicant holding a master's degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: a minimum of 60 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 4,500 hours of supervised experience in art therapy approved by the committee.

To be eligible for licensure as an associate art therapist, an applicant must be at least 18 years of age and be of good moral

character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. In the case of an applicant holding a master's degree in art therapy or clearly related field with specialization in art therapy, the applicant shall have completed: not less than 60 graduate credit hours in an art therapy program approved by the committee. In the case of an applicant holding a doctoral degree or master's degree in a field closely related to art therapy without specialization in art therapy, the applicant shall have completed: not less than 30 graduate credit hours in a post-graduate art therapy program approved by the committee.

The graduate course work in art therapy that is to be approved by the committee shall include training in: the art therapy profession; theory and practice of art therapy; human growth and developmental dynamics in art; application of art therapy with people in different treatment settings; art therapy appraisal, diagnosis and assessment; ethical and legal issues of art therapy practice; matters of cultural and social diversity bearing on the practice of art therapy; and group art therapy.

Additionally, each applicant is required to pass the Art Therapy Credentials Board Examination.

"Art therapy" is defined in the bill as the integrated use of psychotherapeutic principles with art media and the creative process to assist individuals, families or groups in increasing awareness of self and others; coping with symptoms, stress, and traumatic experiences; enhancing cognitive abilities; and identifying and assessing clients' needs in order to implement therapeutic intervention to meet developmental, behavioral, mental, and emotional needs.

The bill provides that no person shall engage in the practice of art therapy unless licensed as a professional art therapist or licensed associate art therapist. Additionally, the bill provides that no person shall use the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the provisions of this bill.

For a period of 360 days after the date procedures are established by the committee for applying for licensure as an art therapist, any person may qualify as a licensed art therapist, upon application for licensure and payment of the appropriate fee, provided the applicant furnishes satisfactory evidence to the committee that he has: completed a minimum of 45 graduate credit hours, which includes a master's degree or doctorate from a regionally accredited institution of higher education, in subject matter that is primarily art theory in content and has completed not less than five years of experience in the practice of art therapy; or completed a minimum of 45 graduate semester hours, which includes a master's degree from a regionally

accredited institution of higher education and has passed the Art Therapy Credentials Board Examination.

Professional art therapist licenses and associate art therapist licenses shall be issued for a two-year period upon the payment of the prescribed licensure fee, and shall be renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.

The bill provides that the Art Therapists Advisory Committee shall establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and approve programs offering continuing education credits.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that occupational therapists, when acting within the scope of their profession, are not required to be licensed as art therapists, provided they do not hold themselves out as licensed art therapists. The amendments also clarify that the members of the committee are not to be compensated, but only reimbursed, for expenses.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2020 STATE OF NEW JERSEY 216th LEGISLATURE

DATED: DECEMBER 11, 2015

SUMMARY

- Synopsis:** “Art Therapist Licensing Act.”
- Type of Impact:** Fees paid by licensees; Licensure and program costs.
- Agencies Affected:** Department of Law and Public Safety; Division of Consumer Affairs.

Office of Legislative Services Estimate

| Fiscal Impact | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> |
|--------------------------|---|----------------------|----------------------|
| State Expenditure | Indeterminate Increase – See comments below | | |
| State Revenue | Indeterminate Increase – See comments below | | |

- Senate Bill No. 2020 (1R) will result in an indeterminate increase in State expenditures and State revenue by establishing a system of licensure for professional art therapists and associate art therapists.
- Professional art therapist licenses and associate art therapist licenses are to be issued for a two-year period upon the payment of the licensure fee prescribed by Art Therapists Advisory Committee. These licenses may be renewed upon filing of a renewal application, payment of the licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.
- The bill prohibits any person from engaging in the practice of art therapy, unless licensed as a professional art therapist or an associate art therapist in the State.

BILL DESCRIPTION

Senate Bill No. 2020 (1R) of 2014 provides for the licensure of art therapists and establishes an Art Therapists Advisory Committee (the committee) under the State Board of Marriage and

Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety.

The committee is to consist of five members who are residents of the State and except for the members first appointed, are licensed art therapists and have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment.

To be eligible for licensure as a professional art therapist or an associate art therapist, an applicant must be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from any accredited educational institution that is approved by the committee. The bill provides additional educational criteria to qualify for the licensure and each applicant is required to pass the Art Therapy Credentials Board Examination.

The bill provides that no person shall engage in the practice of art therapy unless licensed as a professional art therapist or an associate art therapist. Additionally, the bill provides that no person shall use the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the provisions of this bill.

Professional art therapist licenses and associate art therapist licenses are to be issued for a two-year period upon the payment of the prescribed licensure fee, and renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed, any continuing education requirements have been completed as specified by the committee.

The bill provides that the Art Therapists Advisory Committee is to establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and approve programs offering continuing education credits.

The "Art Therapist Licensing Act" does not apply to the activities and services of qualified members of other State-licensed professions, when acting within the scope of their profession and doing work of a nature consistent with their training, provided they do not hold themselves out to the public as possessing a license issued pursuant to this bill or represent themselves by any professional title regulated by the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) concludes that the bill will cause an indeterminate increase in State revenues and State expenditures. The administrative and other recurring licensure costs would be supported by the charge for examination of licensure, as prescribed by the Art Therapist Advisory Committee.

The New Jersey Art Therapy Association (NJATA) provided information to OLS that in 2015 the American Art Therapy Association (AATA) had 392 members residing in New Jersey. In addition there are currently 1,172 AATA members residing in New York and 475 AATA

members residing in Pennsylvania, of which an unknown percentage may choose to become licensed in New Jersey. It is unknown how many of these members may be qualified members of other professions licensed by the State and would not be required to become licensed under this bill.

Absent information on the likely number of persons that would seek and obtain licensure as required by the bill, OLS is unable to quantify revenues and expenditures that would result.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Senior Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2020

STATE OF NEW JERSEY

DATED: DECEMBER 10, 2015

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2020 (1R).

This bill provides for the licensure of art therapists, and establishes an Art Therapists Advisory Committee under the State Board of Marriage and Family Therapy Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety. The committee is to consist of five members who: are residents of the State, have been actively engaged in the practice of art therapy in the State for at least five years immediately preceding their appointment, and, except for members first appointed to the committee, are licensed art therapists under the provisions of the bill.

To be eligible for licensure as a *professional art therapist*, the bill requires an applicant to be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from an accredited educational institution approved by the committee. In the case of an applicant holding a master's degree in art therapy or a clearly related field with specialization in art therapy, the applicant must have completed: a minimum of 60 graduate credit hours in any art therapy program approved by the committee; and not less than 4,500 hours in art therapy under the supervision of a licensed professional art therapist or a supervisor acceptable to the committee. In the case of an applicant holding a doctoral degree in a field closely related to art therapy without specialization in art therapy, the applicant must have completed: a minimum of 90 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 3,000 hours, of supervised experience approved by the committee. In the case of an applicant holding a master's degree in a field closely related to art therapy without specialization in art therapy, the applicant must have completed: a minimum of 60 graduate credit hours in that closely related field; a minimum of 30 graduate credit hours in a post-graduate art therapy program approved by the committee; and not less than 4,500 hours of supervised experience in art therapy approved by the committee.

To be eligible for licensure as an *associate art therapist*, the bill requires an applicant to be at least 18 years of age and be of good moral character. In addition, the applicant must hold a master's degree or a doctoral degree from an accredited educational institution approved by the committee. In the case of an applicant holding a master's degree in art therapy or clearly related field with specialization in art therapy, the applicant must have completed: not less than 60 graduate credit hours in an art therapy program approved by the committee. In the case of an applicant holding a doctoral degree or master's degree in a field closely related to art therapy without specialization in art therapy, the applicant must have completed: not less than 30 graduate credit hours in a post-graduate art therapy program approved by the committee.

The bill requires the graduate course work in art therapy that is to be approved by the committee to include training in: the art therapy profession; theory and practice of art therapy; human growth and developmental dynamics in art; application of art therapy with people in different treatment settings; art therapy appraisal, diagnosis and assessment; ethical and legal issues of art therapy practice; matters of cultural and social diversity bearing on the practice of art therapy; and group art therapy.

Additionally, the bill requires each applicant for licensure to pass the Art Therapy Credentials Board Examination.

"Art therapy" is defined in the bill as the integrated use of psychotherapeutic principles with art media and the creative process to assist individuals, families or groups in increasing awareness of self and others; coping with symptoms, stress, and traumatic experiences; enhancing cognitive abilities; and identifying and assessing clients' needs to implement therapeutic intervention to meet developmental, behavioral, mental, and emotional needs.

The bill prohibits persons from engaging in the practice of art therapy unless licensed as a professional art therapist or licensed associate art therapist. Additionally, the bill prohibits persons from using the title "licensed professional art therapist" or "licensed associate art therapist" or the abbreviation "LPAT" or "LAAT" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of art therapy unless licensed pursuant to the bill.

For a period of 360 days after the date procedures are established by the committee for applying for licensure as an art therapist, the bill provides that any person may qualify as a licensed professional art therapist, upon application for licensure and payment of the appropriate fee, provided the applicant furnishes satisfactory evidence to the committee that he has: completed a minimum of 45 graduate credit hours, which includes a master's degree or doctorate from a regionally accredited institution of higher education, in subject matter that is primarily art theory in content and has completed not less than

five years of experience in the practice of art therapy; or completed a minimum of 45 graduate semester hours, which includes a master's degree from a regionally accredited institution of higher education and has passed the Art Therapy Credentials Board Examination.

The bill provides for professional art therapist licenses and associate art therapist licenses to be issued for a two-year period upon the payment of the prescribed licensure fee. The bill provides for these licenses to be renewed upon filing of a renewal application, the payment of a licensure fee, and presentation of satisfactory evidence to the committee that in the period since the license was issued or last renewed any continuing education requirements have been completed as specified by the committee.

The bill requires the committee to establish standards for continuing art therapy education, including the subject matter and content of courses of study and the selection of instructors, and to approve programs offering continuing education credits.

The bill takes effect on the 180th day following enactment.

As reported, this bill is identical to Assembly Bill No. 1783 (2R), as reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) notes that the bill's licensing requirements for art therapists are intended to be financially self-supporting; however, the amounts needed to administer the licensing requirements in the first few years following enactment may necessitate the spending of certain additional State funds prior to licensure revenues being collected to offset initial costs. The administrative and other recurring costs related to the bill are expected to be supported by the charge for examination of licensure, as prescribed by current law.

The New Jersey Art Therapy Association provided information to the OLS that in 2015 the American Art Therapy Association (AATA) had 392 members residing in New Jersey. In addition, there are currently 1,172 AATA members residing in New York and 475 AATA members residing in Pennsylvania of which a percentage may choose to become licensed in New Jersey. It is not currently known how many of these members will ultimately seek licensure or how many may already be qualified members of other professions licensed by New Jersey and, therefore, will not be required to become licensed art therapists under the provisions of this bill.

Search

[Home](#) [Newsroom](#) [Media](#) [Administration](#) [NJ's Priorities](#) [Contact Us](#)

[Press Releases](#) [Public Addresses](#) [Executive Orders](#) [Press Kit](#) [Reports](#)

[Home](#) > [Newsroom](#) > [Press Releases](#) > [2015](#) > [Governor Christie Takes Action On Pending Legislation](#)

Governor Christie Takes Action On Pending Legislation

Monday, January 11, 2016 Tags: [Bill Action](#)



Stay Connected
with Social Media

Stay Connected
with Email Alerts

LIKE THIS PAGE? SHARE IT WITH YOUR FRIENDS.

[f](#) [t](#) [e](#) ...

Trenton, NJ – Governor Chris Christie today took action on legislation, including a bill aimed at helping inmates who were victims of domestic violence and a second bill designed to help non-violent drug offenders reclaim their lives by streamlining the process for expungement of their criminal records.

The Governor suggested minor changes to strengthen Senate Bill No. 995, which seeks to help domestic violence victims who have been convicted of crimes against their abusers by establishing a community reentry program to assist victim-offenders assimilate into society upon release from custody and prevent further victimization.

Governor Christie conditionally vetoed the bill, proposing that the program be established solely in the Department of Corrections.

“The goal of this bill is commendable and I sincerely support its objective,” Governor Christie said. “Domestic violence is tragic, and victims deserve support and counseling. However, the bill conflates the statutory and regulatory responsibilities of the Department of Corrections and the State Parole Board, combining the agencies’ separate residential program functions. Accordingly, I suggest minor amendments, in accordance with the intent of the legislation to establish this program within the Department of Corrections, consistent with its existing reintegration programming and tailored to the specific needs of this limited inmate population.”

The bill as written also called for an automatic early release program for this specific subset of inmates upon successful completion of the reentry program, an element of the bill that Governor Christie does not support.

“I cannot support the creation of early release programs because they would begin to chisel away at the long-standing function of the State Parole Board,” Governor Christie said. “For decades, the State Parole Board has faithfully fulfilled its charge to carefully review and consider the underlying facts and circumstances of each applicant for parole. While I continue to encourage the Legislature to explore reforms that will create efficiencies in State government, I remain grounded in my belief that the review of parole applications is best accomplished through the reasoned, compassionate, experienced and individualized judgment of the State Parole Board and not through an automatic process based upon one factor.”

Governor Christie similarly took action to strengthen the Assembly Committee Substitute for Assembly Bills Nos. 206, 471, 1663, 2879, 3060 and 3108, and urged quick approval from the Legislature.

The bill proposes to allow those who have successfully completed the Drug Court program to expunge the related criminal charges, and it further aims to make the expungement process more efficient.

Seeking to balance the needs of non-violent ex-offenders with public safety, Governor Christie conditionally vetoed the bill, retaining the current waiting period for expungements for indictable offenses, currently 10 years, or five years if a court determines that expungement is in the public’s interest.

“While I support breaking down barriers to employment and education for non-violent ex-offenders, I cannot endorse a bill that compromises public safety,” Governor Christie said. “As written, this bill would cut in half the presumptive waiting period to expunge indictable offenses, often felonies, from ten years to five years, and eliminate an important safeguard which allows a judge to consider whether granting an expungement is in the public’s interest. The current public interest exception to the presumptive waiting period is an effective and efficient way to help ex-offenders combat the collateral consequences of their offense, while also ensuring that public safety is not compromised.”

Governor Christie further suggested retaining the five-year waiting period for disorderly persons offenses, while adopting the bill's provision to lower this waiting period to three years, if a court determines that expungement is in the public interest.

The Governor also took the following action on other pending legislation:

BILL SIGNINGS:

S-475/A-3223 (Madden, Sweeney/Mosquera, Webber, Moriarty, Mukherji, Garcia, Munoz, Lampitt) - Requires certain information regarding Down syndrome be provided to certain parents and families

S-650 (Doherty, Beach/DiMaio, Andrzejczak, Peterson, DeAngelo) - Designates State Route 173 between Clinton and Phillipsburg as "173rd Airborne Brigade Highway"

S-835/A-1972 (Bateman/Garcia, Danielson) - Enhances penalties for false incrimination and making fictitious reports

S-939/A-2913 (Bateman, A.R. Bucco/Caride, Dancer, A.M. Bucco) - Designates Black Swallowtail butterfly as State Butterfly

S-1940/A-2893 (Oroho, Van Drew/Burzichelli, Space) - Exempts board of education and local government payments to entities under BPU jurisdiction from certain certification requirements

S-2145/A-631 (Van Drew, Madden/Moriarty, Burzichelli, Tucker, DeAngelo, Danielson, Mukherji) - Authorizes hiring preference for veterans in non-civil service jurisdictions

S-2301/A-3522 (Greenstein, Stack/Stender, Mukherji, Lagana, Diegnan) - Regulates pharmacy benefits managers and requires certain disclosures concerning multiple source generic drug pricing

S-2432/A-4720 (Madden/Moriarty, Mosquera) - Requires notification of member or retiree of State-administered retirement system under certain circumstances when member or retiree requests change in beneficiary for group life insurance

S-2453/A-3805 (Weinberg, Allen/Burzichelli, Singleton) - Requires earlier mandatory polling hours for school elections; requires discretionary additional polling hours be consistent with current primary and general elections

S-2523/A-3917 (Gill, Greenstein, Benson/DeAngelo, Johnson) - Permits municipalities and municipal parking authorities to create Senior Citizen Priority Parking Program

SCS for S-2586, 2587, A-3217, and 3218 (Stack, Cunningham, Mukherji, Pintor Marin, Garcia) - Requires certain sanitary and protective procedures for used mattresses

SCS for S-2668/A-4270 (Beach, Madden/Lampitt, Vainieri Huttle, Benson, Spencer, Wimberly, Mosquera) - Establishes "MVP Emergency Alert System" for missing persons with mental, intellectual, or developmental disabilities

SS for S-2770/AS for A-3956 (Sweeney, Addiego/Lampitt, Greenwald, Vainieri Huttle, Benson, Mazzeo) - Authorizes establishment of Achieving a Better Life Experience accounts for persons with certain disabilities

S-2940/A-4531 (Singer, Sweeney/Spencer, Benson, Casagrande, Muoio) - Creates new criminal offenses concerning endangering another person; repeals N.J.S.2C:12-2 and N.J.S.2C:24-7

S-2961/A-4188 (Codey, Vitale/Garcia, Lagana, Taliaferro, Vainieri Huttle, Danielsens, Holley, Benson, Jimenez) - Clarifies that Alzheimer's disease and related disorders may be listed as secondary cause of death on death certificate when appropriate

S-2978/A-4194 (Van Drew, Oroho/Burzichelli, Spencer, Rumana, Webber, Benson) - Authorizes mobile electronic waste destruction units to operate without DEP permit

S-3004/A-4685 (Cunningham, Van Drew/Andrzejczak, Johnson, Muoio, Wimberly) - Permits municipality with UEZ to participate in Downtown Business Improvements Zone Loan Fund

S-3076/A-4621 (Weinberg, Bateman/Johnson, Caride) - Increases maximum legal fee to represent victims from \$1,000 to \$3,000

S-3110/A-4617 (Scutari/Johnson, Webber) - Permits certain health clubs to offer swimming lessons and otherwise remain exempt from first aid personnel and lifeguarding requirements

S-3117/A-4781 (Gordon, Bateman, Sweeney, T. Kean/Vainieri Huttle, Eustace, Gusciora, Lampitt, Angelini, Moriarty) - Prohibits Division of Developmental Disabilities from compelling transfers of individuals with developmental disabilities from out-of-State to in-State facilities unless certain exceptions apply

S-3220/A-4790 (Sweeney, O'Toole, Vitale/Greenwald, Conaway, Vainieri Huttle, Handlin, Garcia) - Establishes a process to integrate certain health data and other data from publicly supported programs for population health research

S-3232/A-4834 (Sarlo, Oroho/Lagana, Burzichelli, Schaer, DeAngelo, Phoebus) - Allows businesses due to receive grant under Business Employment Incentive Program to receive tax credit instead of grant

S-3270/A-4705 (Gill, Bateman/Schaer, Coughlin, Lagana, S. Kean, Ciattarelli) - "Certificates of Insurance Act;" governs use of certificates of insurance; provides DOBI with enforcement authority

SJR-81/AJR-122 (Barnes/Vainieri Huttle, Schaer, Lampitt) - Condemns Boycott, Divestment, and Sanctions movement against Israel

A-308/S-2203 (Russo, Rumana/O'Toole, Smith) - Prohibits escrow agent evaluation services from charging escrow agents fees

A-1098/S-671 (Vainieri Huttle, Eustace, Diegnan, Giblin/Pou, Sarlo, Weinberg) - Requires DHS and DMVA to conduct or contract for follow-up studies of former residents transitioning to community from their facilities

A-1355/S-2963 (Stender, Lampitt, Holley, Moriarty/T. Kean, Vitale) - Requires DOH to provide information about crib safety on its Internet website

A-1783/S-2020 (McKeon, Rible, Sumter, Moriarty/Vitale, Cunningham) - "Art Therapist Licensing Act"

A-2023/S-2675 (Greenwald, Benson/Cruz-Perez) - Revises definition of "responsible charge" as it pertains to licensed professional engineers and licensed architects

A-2229 (Wisniewski, Diegnan) - Concerns contracts for asphalt work under the "Local Public Contracts Law"

A-2301/S-1481 (Andrzejczak/Van Drew) - Designates certain interchanges of Garden State Parkway in honor of Melvin M. Loftus and Christopher Meyer

A-3052/S-1090 (Mazzeo, Pinkin, Mukherji, Wimberly/A.R. Bucco, Whelan) - Concerns property taxes due and owing on real property damaged or destroyed during, or as the result of, a natural disaster when a state of emergency is declared by the Governor

A-3246/S-3069 (Dancer, Burzichelli, Vainieri Huttle/Oroho, Sarlo) - Requires timeframe of standardbred mare residing in New Jersey breeding farm be inclusive of foaling instead of between foal's conception and birth

A-3293/S-2146 (Mazzeo, Andrzejczak, Pinkin, Webber, Simon, Mukherji/Van Drew, Doherty) - Allows military personnel and veterans to present certain identifying documents in lieu of municipal beach tags to gain admission to certain beaches

A-3331/S-3111 (Benson, Rodriguez-Gregg, Coughlin/Gill, Beach) - Requires health benefits coverage for synchronization of prescribed medications under certain circumstances

A-3390/S-2309 (Coughlin, Pinkin, Webber, Diegnan/Vitale) - Permits transmittal of certain land use documents via email

A-3395/S-2294 (Wisniewski/Sacco) - Allows insurer to obtain certificates of ownership or salvage certificates of title for motor vehicles under certain circumstances

A-3499/S-2256 (Andrzejczak, Mazzeo, Johnson, Pinkin, DeAngelo/Van Drew) - Requires DMVA to encourage and facilitate returning service members' registration with VA

A-3507/S-2677 (Eustace, Webber, Munoz, Schepisi, Rumana/Gordon, Sarlo) - Amends law concerning county and municipal stream cleaning activities

A-3749/S-2568 (Lampitt, Mazzeo, Andrzejczak, Mukherji, Pinkin/Beach, Allen) - Establishes program to provide assistance to qualified veterans in in-patient and out-patient treatment programs to travel to medical counseling in State

A-3849/SCS for S-2466 (DeAngelo, Eustace, Mazzeo, Pintor Marin, Benson/Turner, Singer) - Requires BPU to provide links to pricing information to customers from electric and gas public utilities, and third-party electric power and gas suppliers

A-3950/S-2832 (Prieto, Jimenez, Quijano/Greenstein, Turner) - Permits correctional facilities to utilize body imaging scanning equipment

A-4079/S-2819 (Eustace, Andrzejczak, Taliaferro, Benson, Dancer/Van Drew, Beach) - Directs Department of Agriculture to publish on its website "New Jersey Gleaning Week" and "Farmers Against Hunger Day" page

A-4094/S-2884 (Conaway, Singleton, Wimberly, Lampitt, Benson/Whelan, Madden) - Permits administration of epinephrine auto-injector device by persons who complete approved educational program

A-4438/S-3202 (Mukherji, Burzichelli/Scutari, Madden) - Raises maximum workers' compensation fees for evaluating physicians

A-4518/S-3010 (Schaer, Eustace, Benson, Pintor Marin/Sarlo) - Modifies and clarifies provisions of certain economic incentive programs

AJR-57/SJR-42 (Space/Oroho) - Designates April of each year as "Sarcoidosis Awareness Month"

AJR-93/SJR-73 (Eustace, Andrzejczak, Taliaferro, Benson/Van Drew, Beach) - Designates third week of September as "New Jersey Gleaning Week"

AJR-94/SJR-74 (Eustace, Andrzejczak, Taliaferro, Benson/Van Drew, Beach) - Designates Wednesday of third week of September as "Farmers Against Hunger Day"

AJR-100/SJR-70 (Andrzejczak, Tucker, DeAngelo, Mazzeo/Van Drew, Whelan) - Designates first week in August of each year as "Coast Guard Week" and honors Cape May as U.S. Coast Guard's enlisted accession point and recruit training center

BILLS VETOED:

S-264/A-1347 (Greenstein, Cunningham/Stender, Egan, O'Donnell, Wimberly) – **ABSOLUTE** - "Thomas P. Canzanella Twenty First Century First Responders Protection Act"; concerns workers compensation for public safety workers

S-374/A-3403 (Scutari, Beck/Rible, DeAngelo, Mukherji) - **ABSOLUTE** - Concerns attorney fees for workers' compensation awards

SCS for S-779, 1952/ACS for A-2474 (Weinberg, Sarlo, Lesniak/Johnson, Garcia, Vainieri Huttie, Lagana, Mukherji, Moriarty) - **ABSOLUTE** - "Garden State Film and Digital Media Jobs Act" expands existing film and digital media production tax credit programs

S-995/A-1677 (Weinberg, Allen/Johnson, Vainieri Huttie, Lampitt, Mosquera) – **CONDITIONAL** - Establishes in DOC, supervised community reintegration program for certain victims of domestic abuse

S-1346/A-3837 (Rice/Coughlin, Garcia, Rodriguez-Gregg, Pintor Marin, Jasey) - **CONDITIONAL** - Concerns the recording of mortgages

S-2260/A-688 (Scutari, Cardinale/Schaer) - **CONDITIONAL** - Modifies certain fees charged by, and requirements imposed on, check casher licensees

S-2524/A-4067 (Gill, Allen/Lagana, Singleton, Moriarty) - **CONDITIONAL** - The "Municipal Volunteer Property Tax Reduction Act"; permits certain municipal property owners to perform volunteer services in return for property tax vouchers

S-2577/ACS for A-4139 (Stack, Schaer/Mazzeo, Andrzejczak, Mukherji, Quijano) - **CONDITIONAL** - Establishes temporary mortgage relief programs for certain owners of real property impacted by "Superstorm Sandy"

S-2867/A-4248 (Ruiz, Pou/Jasey, Sumter, Vainieri Huttie, Green, Holley, Wimberly) - **ABSOLUTE** - Permits municipal land banking in conjunction with online property database development

S-3024/A-4463 (Scutari/Giblin, Diegnan, Jimenez, Caputo, Vainieri Huttie) – **CONDITIONAL** - Revises laws concerning real estate licensees

S-3282/A-4850 (Rice, Cunningham/Wimberly, Mainor, Johnson) - **CONDITIONAL** - Expands Police Training Commission membership to include representative from Northern New Jersey and South Jersey Chapters of National Organization of Black Law Enforcement Executives

ACS for A-206, 471, 1663, 2879, 3060, and 3108/S-2663 (Green, Spencer, Gusciora, Johnson, McKeon, Giblin, Wimberly, Mainor, Quijano/Turner, Lesniak, Pou) - **CONDITIONAL** - Shortens waiting periods for expungement of criminal and other records and information; makes various changes to other expungement procedures and requirements

A-3257/S-2125 (Andrzejczak, Mazzeo, Burzichelli/Van Drew) - **CONDITIONAL** - Provides that determination by county agriculture development board or State Agriculture Development Committee as to what qualifies as farm-based recreational activity in pinelands protection area is binding on Pinelands Commission

A-4103/S-2840 (Mazzeo, Andrzejczak, Giblin/Allen, Whelan) - **ABSOLUTE** - Creates workforce training program for former casino workers

A-4233/S-2435 (Jasey, McKeon, Vainieri Huttie, Mukherji, Lampitt/Codey, Vitale) - **ABSOLUTE** - Provides Medicaid coverage for advance care planning

A-4275/S2831 (Prieto, Eustace, Lagana, Greewald, Quijano, Daniels, Mukherji/Sweeney, Turner, Sarlo) – **CONDITIONAL** - "New Jersey Secure Choice Savings Program Act"; establishes retirement savings program for certain workers

A-4326/S-2942 (Schaer, Lagana, Eustace, Prieto/Gordon, Barnes) - **ABSOLUTE** - Reforms annual State revenue estimating and reporting, and executive State budget presentation and revenue certification processes

A-4386/S-3042 (Coughlin, Pinkin/Vitale, Singer) - **CONDITIONAL** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots; provides for study of impact of changes

A-4638/S-3118 (Vainieri Huttie, Singleton, Holley, Mosquera, Tucker, Benson/Sweeney, Madden) - **ABSOLUTE** - Requires DCPP to implement policies and procedures to ensure caseworker safety; "Leah's Law"

A-4703/S-3172 (Spencer, Tucker, Pintor Marin, Egan, Muoio, Gusciora/Rice, Smith) - **ABSOLUTE** - Increases tax credit cap by \$165 million for certain qualified residential projects under Economic Redevelopment and Growth Grant program and restricts increase to certain projects

###

Press Contact:

Brian Murray
609-777-2600



[Contact Us](#) | [Privacy Notice](#) | [Legal Statement & Disclaimers](#) | [Accessibility Statement](#) | 

Statewide: [NJ Home](#) | [Services A to Z](#) | [Departments/Agencies](#) | [FAQs](#)
Office of the Governor: [Home](#) | [Newsroom](#) | [Media](#) | [Administration](#) | [NJ's Priorities](#) | [Contact Us](#)

Copyright © State of New Jersey, 1996-2017
Office of the Governor
PO Box 001
Trenton, NJ 08625
609-292-6000