
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE
REGULATION OF THE PROFESSION OF MUSIC THERAPY.

1 WHEREAS, the American Music Therapy Association (AMTA)
2 defines music therapy as the clinical and evidence-based use of
3 music interventions to accomplish individualized goals within a
4 therapeutic relationship by a credentialed professional who has
5 completed an approved music therapy program; and
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7 WHEREAS, research supports music therapy's effectiveness in
8 areas such as physical rehabilitation, pain management, speech
9 and communication development, social skills, cognitive
10 processing and attention to task, behavioral needs, academic
11 goals, treatment motivation, emotional support, and creative
12 expression; and
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14 WHEREAS, music therapy has 60 years of clinical history in
15 the United States (U.S.) and receives national recognition from
16 the federal Department of Aging and General Services
17 Administration, and the state Department of Health (DOH),
18 Department of Human Services, and Department of Education (DOE);
19 and
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21 WHEREAS, professional music therapists hold a bachelor's
22 degree or higher level of study in music therapy from accredited
23 colleges or universities; and
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25 WHEREAS, music therapists obtain the national credential
26 "MT-BC" (Music Therapist-Board Certified) from the Certification
27 Board for Music Therapists (CBMT), an independent, nonprofit
28 corporation fully accredited by the National Commission for
29 Certifying Agencies, upon successful completion of:
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- 31 (1) An AMTA-approved academic and clinical training
32 program; and



1 (2) A written objective national examination;

2
3 and

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5 WHEREAS, after the assessment of the strengths and needs of
6 each client, qualified board certified music therapists provide
7 indicated treatment and participate as members of the
8 interdisciplinary team to support a vast continuum of outcomes;
9 and

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11 WHEREAS, the consumer of music therapy services includes
12 children and adults with medical illnesses, psychiatric
13 disorders, developmental disabilities, speech and hearing
14 impairments, physical disabilities, and neurological
15 impairments, among others; and

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17 WHEREAS, music therapy is considered a related service
18 under the Individuals with Disabilities Education Act (IDEA)
19 when deemed necessary to assist a child in benefiting from the
20 child's special education; and

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22 WHEREAS, the profession of music therapy is separate and
23 distinct from the profession of music education, as music
24 therapists use music to address many of the goals targeted in
25 the Individualized Education Program (IEP) such as the:

- 26
27 (1) Learning of academic concepts;
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29 (2) Increasing cooperation and appropriate social
30 behavior;
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32 (3) Providing avenues for communication;
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34 (4) Increasing self-esteem and self confidence;
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36 (5) Improving motor responses and agility; and
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38 (6) Encouraging exploration and examination of issues that
39 impact the life of the student;

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41 and

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43 WHEREAS, DOH and DOE provide for allied healthcare
44 interventions, early intervention, and special education related

1 services, within a variety of healthcare and education settings
2 but do not specifically include music therapy provided by a
3 board certified music therapist; and
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5 WHEREAS, the children of Hawaii are currently denied access
6 to music therapy services as a part of their Individualized
7 Family Service Plan, IEP, or Individualized Service Plan; and
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9 WHEREAS, without enabling state laws, music therapy is not
10 being included in mandated services, thereby denying Hawaii
11 residents access to this health service that is recognized by
12 the National Institutes Of Health; and
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14 WHEREAS, members of the public have no avenue for recourse
15 or investigation in the event an individual falsely claims to
16 provide music therapy services and this lack of state
17 credentialing of the existing national professional standards
18 and board certification, limits public protection and oversight
19 of this unregulated profession; and
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21 WHEREAS, the Department of Commerce and Consumer Affairs
22 (DCCA) oversees the regulation of licensed professional service
23 providers; and
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25 WHEREAS, the establishment of a licensing program for
26 unregulated professional board certified music therapists in
27 Hawaii under DCCA will provide necessary and proper oversight;
28 and
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30 WHEREAS, under section 26H-6, Hawaii Revised Statutes
31 (HRS), a sunrise analysis by the Auditor must occur prior to
32 initiating regulation of a profession; now, therefore,
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34 BE IT RESOLVED by the House of Representatives of the
35 Twenty-fifth Legislature of the State of Hawaii, Regular Session
36 of 2010, the Senate concurring, that the Auditor is requested to
37 perform an analysis of the proposed regulation of the profession
38 of music therapy, as proposed in House Bill No. 2010; and
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40 BE IT FURTHER RESOLVED that the Auditor consult with AMTA;
41 the Certification Board for Music Therapists; representatives of
42 the credentialed music therapists in Hawaii; and Sounding Joy
43 Music Therapy, Inc., a certified music therapy organization in
44 Honolulu, in developing the sunrise analysis; and



H.C.R. NO. 233

1 BE IT FURTHER RESOLVED that the Auditor is requested to set
2 forth the probable effects of the proposed regulation and to
3 assess whether the proposed regulation is consistent with the
4 policies set forth in section 26H-2, HRS, and whether there are
5 alternative forms of regulation; and
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7 BE IT FURTHER RESOLVED that the Auditor is requested to
8 transmit its findings of the sunrise analysis to the Legislature
9 no later than 20 days prior to the convening of the Regular
10 Session of 2011; and
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12 BE IT FURTHER RESOLVED that certified copies of this
13 Concurrent Resolution be transmitted to the Governor, Director
14 of Commerce and Consumer Affairs, Auditor, Director of Health,
15 Superintendent of Education, Director of Government Relations
16 for the American Music Therapy Association, and the Regulatory
17 Affairs Advisor for the Certification Board for Music
18 Therapists.
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OFFERED BY:

A handwritten signature in black ink, appearing to be "J. A. ...", is written over a horizontal line.

MAR 1 0 2010

