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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2590

03/20/2025 Authored by Norris, Perryman, Agbaje, Falconer, Reyer and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health professions; establishing licensure for clinical art therapists;
1.3 modifying the membership of the Board of Behavioral Health and Therapy;
1.4 imposing fees and civil penalties; appropriating money; amending Minnesota
1.5 Statutes 2024, sections 148B.51; 245I.04, subdivision 2; proposing coding for new
1.6 law in Minnesota Statutes, chapter 148B.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2024, section 148B.51, is amended to read:

1.9 148B.51 BOARD OF BEHAVIORAL HEALTH AND THERAPY.

1.10 (a) The Board of Behavioral Health and Therapy consists of ~~13~~ 18 members appointed
1.11 by the governor. Five of the members shall be professional counselors licensed or eligible
1.12 for licensure under sections 148B.50 to 148B.593. Five of the members shall be alcohol
1.13 and drug counselors licensed under chapter 148F. Five of the members shall be clinical art
1.14 therapists licensed under sections 148B.80 to 148B.95. Three of the members shall be public
1.15 members as defined in section 214.02. The board shall annually elect from its membership
1.16 a chair and vice-chair. The board shall appoint and employ an executive director who is not
1.17 a member of the board. The employment of the executive director shall be subject to the
1.18 terms described in section 214.04, subdivision 2a. Chapter 214 applies to the Board of
1.19 Behavioral Health and Therapy unless superseded by sections 148B.50 to 148B.593.

1.20 (b) At the time of their appointments, at least three members must reside outside of the
1.21 seven-county metropolitan area.

1.22 (c) At the time of their appointments, at least three members must be members of:

1.23 (1) a community of color; or

2.1 (2) an underrepresented community, defined as a group that is not represented in the  
 2.2 majority with respect to race, ethnicity, national origin, sexual orientation, gender identity,  
 2.3 or physical ability.

2.4 Sec. 2. **[148B.80] DEFINITIONS.**

2.5 Subdivision 1. **Scope.** For purposes of sections 148B.80 to 148B.95, the terms in this  
 2.6 section have the meanings given.

2.7 Subd. 2. **Accredited educational institution.** "Accredited educational institution" means  
 2.8 a university or college accredited by the Commission on Accreditation of Allied Health  
 2.9 Education Programs, another nationally recognized accrediting agency of institutions of  
 2.10 higher education, or an institution and clinical program approved by the American Art  
 2.11 Therapy Association.

2.12 Subd. 3. **Art therapy.** "Art therapy" means an evidenced-based clinical practice that  
 2.13 integrates and applies psychotherapeutic principles, techniques, and methods with specialized  
 2.14 training in art therapy theory, art media, the neurobiological implications of art making, the  
 2.15 creative process, and art-based assessment models to assist an individual, family, or group  
 2.16 to:

2.17 (1) alleviate mental and emotional disorders and psychopathologies;

2.18 (2) improve cognitive and sensory-motor functions;

2.19 (3) increase self-awareness and self-esteem;

2.20 (4) cope with grief and traumatic experiences;

2.21 (5) resolve conflicts and distress; and

2.22 (6) enhance daily functioning in a professional relationship.

2.23 Subd. 4. **Art therapy services.** "Art therapy services" means providing services to  
 2.24 accomplish art therapy goals, which includes using art media, creative techniques, nonverbal  
 2.25 communication, psychotherapy, art-based assessment models, and the creative process in  
 2.26 a therapeutic relationship between a licensed clinical art therapist or a provisional licensed  
 2.27 clinical art therapist and their clients. Art therapy services also includes using evaluation  
 2.28 and assessment to define and implement goals to address developmental, rehabilitative,  
 2.29 habilitative, mental health, preventive, wellness care, or educational needs of the clients.

2.30 Subd. 5. **Board.** "Board" means the Board of Behavioral Health and Therapy established  
 2.31 in section 148B.51.

3.1 Subd. 6. **Certified art therapist.** "Certified art therapist" means a person who holds the  
3.2 registered art therapist with board certification (ATR-BC) credential in good standing with  
3.3 the Art Therapy Credentials Board or a substantially similar successor credentialing  
3.4 organization.

3.5 Subd. 7. **Clinical art therapy.** "Clinical art therapy" means the application of art therapy  
3.6 services and clinical decision-making skills in the evaluation, assessment, diagnosis,  
3.7 prevention, treatment, and amelioration of mental, developmental, behavioral, and emotional  
3.8 disorders and conditions in children, adolescents, and adults. Clinical art therapy also includes  
3.9 the utilization of appropriate knowledge and specialized training in art therapy to inform  
3.10 and determine the appropriate course of action within the clinician's scope of art therapy  
3.11 practice while tailored to the context of each specific clinical setting.

3.12 Subd. 8. **Licensed clinical art therapist.** "Licensed clinical art therapist" means a person  
3.13 who is licensed by the board and meets the requirements of section 148B.84.

3.14 Subd. 9. **Privileged communication.** "Privileged communication" means any information,  
3.15 including but not limited to client records, artwork, verbal or artistic expressions, assessment  
3.16 results, or assessment interpretations developed during a professional relationship between  
3.17 a clinical art therapist and a client.

3.18 Subd. 10. **Provisional licensed clinical art therapist.** "Provisional licensed clinical art  
3.19 therapist" means a person who has been issued a provisional license by the board and meets  
3.20 the requirements under section 148B.85.

3.21 Subd. 11. **Student.** "Student" means a person who is enrolled in an art therapy academic  
3.22 program at an accredited educational institution or who is engaged in the practice of art  
3.23 therapy in a supervised practicum or internship as part of an approved course of professional  
3.24 education in art therapy.

3.25 Subd. 12. **Supervised experience.** "Supervised experience" means the regular oversight  
3.26 of the functions and activities of a graduate art therapy student, either as part of an internship  
3.27 or practicum experience by a qualified art therapy supervisor as defined in section 148B.89,  
3.28 subdivision 2.

3.29 Subd. 13. **Supervision.** "Supervision" means a formalized professional relationship  
3.30 between a qualified art therapy supervisor, as defined in section 148B.89, and supervisee  
3.31 in which the qualified art therapy supervisor directs, guides, monitors, instructs, and evaluates  
3.32 the supervisee's professional art therapy practice while promoting the development of the  
3.33 supervisee's knowledge, skills, and abilities to provide professional art therapy services in  
3.34 an ethical and competent manner.

4.1 Sec. 3. [148B.81] DUTIES OF THE BOARD; ART THERAPY.

4.2 The board shall exercise the following duties:

4.3 (1) adopt rules necessary to implement sections 148B.80 to 148B.95;

4.4 (2) prescribe licensure application forms and issue licenses to individuals who are  
4.5 qualified under sections 148B.80 to 148B.95;

4.6 (3) establish and implement procedures designed to assure that licensed clinical art  
4.7 therapists comply with the provisions of sections 148B.80 to 148B.95;

4.8 (4) establish and implement requirements and procedures for renewal of clinical art  
4.9 therapist licenses and provisional clinical art therapist licenses in accordance with the  
4.10 provisions of sections 148B.80 to 148B.95; and

4.11 (5) establish and implement continuing education requirements for licensed clinical art  
4.12 therapists in accordance with section 148B.88.

4.13 Sec. 4. [148B.82] SCOPE OF PRACTICE.

4.14 The practice of clinical art therapy includes:

4.15 (1) implementing art therapy services, including evaluation, assessment, diagnosis,  
4.16 treatment planning, intervention, and referral;

4.17 (2) developing an individualized art therapy treatment plan to address the cognitive,  
4.18 developmental, behavioral, and emotional disorders of a client;

4.19 (3) systematically evaluating and comparing the individual's response to the individualized  
4.20 art therapy treatment plan and suggesting modifications, as appropriate;

4.21 (4) using therapeutic interventions to facilitate alternative modes of receptive and  
4.22 expressive communication therapeutic interventions that can circumvent the limitations of  
4.23 verbal articulation;

4.24 (5) using treatment interventions that include psychotherapy or counseling integrated  
4.25 with art therapy theory, the creative process, or art media to facilitate human development  
4.26 and to identify and remediate mental, emotional, or behavioral disorders and associated  
4.27 distress that interferes with daily functioning;

4.28 (6) using art media, the creative process, and the resulting artwork to assist clients in  
4.29 coping with and reducing psychiatric symptoms and posttraumatic stress; enhancing  
4.30 neurological, cognitive, and verbal abilities; and promoting appropriate skills development;

4.31 (7) crisis intervention; and

5.1 (8) art-based treatments that effectively respond to multicultural and diverse populations.

5.2 **Sec. 5. [148B.83] UNAUTHORIZED PRACTICE; TITLE PROTECTION.**

5.3 Subdivision 1. **Unlicensed practice prohibited.** Effective July 1, 2025, no person shall  
 5.4 practice clinical art therapy unless the person is licensed as a clinical art therapist or as a  
 5.5 provisional licensed clinical art therapist pursuant to sections 148B.80 to 148B.95, except  
 5.6 as otherwise provided.

5.7 Subd. 2. **Protected titles.** No person shall use the title "clinical art therapist," "licensed  
 5.8 clinical art therapist," "licensed art therapist," or "provisional licensed art therapist" or the  
 5.9 abbreviations "LCAT" or "LCAT-P" or any words, letters, abbreviations, or insignia  
 5.10 indicating or implying the person is licensed by the state as a clinical art therapist or is  
 5.11 eligible for licensure as a clinical art therapist unless the person is licensed in accordance  
 5.12 with sections 148B.80 to 148B.95.

5.13 Subd. 3. **Sanctions.** Any person who violates a provision of this section is guilty of a  
 5.14 misdemeanor and is subject to sanctions or actions according to section 214.11.

5.15 Subd. 4. **Exceptions.** Nothing in this section prevents:

5.16 (1) the practice of art therapy by students or interns or individuals preparing for the  
 5.17 practice of art therapy under qualified supervision of a professional who is recognized and  
 5.18 approved by the board in an educational institution or agency as part of an accredited  
 5.19 educational institution in graduate art therapy, provided such students, interns, or individuals  
 5.20 are designated by titles such as "student," "trainee," "intern," or other titles clearly indicating  
 5.21 their training status; or

5.22 (2) qualified individuals from doing work within the standards, scope, and ethics of their  
 5.23 respective professions and callings provided the individuals do not hold themselves out to  
 5.24 the public by any title, initials, or description of services as being a licensed clinical art  
 5.25 therapist or a provisional licensed clinical art therapist.

5.26 **Sec. 6. [148B.84] REQUIREMENTS FOR LICENSURE.**

5.27 Subdivision 1. **General requirements.** To be licensed as a clinical art therapist, an  
 5.28 applicant must submit an application on a form prescribed by the board and provide evidence  
 5.29 to the board that the applicant:

5.30 (1) is at least 18 years of age;

5.31 (2) is of good moral character;

6.1 (3) received a master's or doctoral degree in art therapy that includes at least 700 hours  
6.2 of supervised internship experience from an accredited educational institution at the time  
6.3 of graduation;

6.4 (4) received a master's or doctoral degree or higher in a related field, including but not  
6.5 limited to psychology, counseling, social work, or creative arts therapies, from an accredited  
6.6 educational institution and:

6.7 (i) completed a minimum of 30 graduate credit hours in the following subject areas:  
6.8 theory and practice of art therapy, art therapy media and techniques, history of art therapy,  
6.9 human growth and development, dynamics in art, application of art therapy with people in  
6.10 different treatment settings, art therapy appraisal, diagnosis and assessment, group art  
6.11 therapy, ethical and legal issues of art therapy practice, matters of cultural and social diversity  
6.12 affecting the practice of art therapy, and standards of good art therapy practice; and

6.13 (ii) completed at least 700 hours of supervised internship experience;

6.14 (5) has demonstrated competence in clinical art therapy by passing the Board Certification  
6.15 Examination administered by the Art Therapy Credentials Board;

6.16 (6) completed 4,000 hours of supervised, post-master's degree professional experience  
6.17 in the delivery of clinical art therapy; and

6.18 (7) submitted all applicable fees as required under section 148B.95.

6.19 Subd. 2. **Transition period.** (a) Until July 1, 2027, the board may waive the requirements  
6.20 of subdivision 1, clauses (3), (4), and (6), and issue a clinical art therapist license to an  
6.21 applicant who provides satisfactory evidence to the board that the applicant:

6.22 (1) holds a credential in good standing as a certified art therapist; and

6.23 (2) has at least five years of full-time experience in the practice of clinical art therapy.

6.24 Sec. 7. **[148B.85] PROVISIONAL LICENSE.**

6.25 Subdivision 1. **Requirements.** (a) The board may issue a provisional license to practice  
6.26 clinical art therapy if the applicant submits an application on a form prescribed by the board  
6.27 and submits to the board:

6.28 (1) satisfactory evidence that the applicant meets the requirements of section 148B.84,  
6.29 subdivision 1, clauses (1) to (4); and

6.30 (2) the applicable fees required under section 148B.95.

7.1 (b) An applicant seeking a provisional license under this section must submit with the  
 7.2 application a plan for supervised clinical experience that meets the requirements described  
 7.3 in section 148B.89. Upon any change in the supervision plan, a provisional licensee shall  
 7.4 submit to the board a revised plan for supervised clinical practice that continues to meet the  
 7.5 requirements of section 148B.89.

7.6 (c) A provisional licensed clinical art therapist practicing under this section:

7.7 (1) must use the title "Provisional Licensed Clinical Art Therapist" or the abbreviation  
 7.8 "LCAT-P" in professional activities; and

7.9 (2) is subject to all statutes and rules to the same extent as an individual who is licensed  
 7.10 under section 148B.84, except the individual is not subject to the continuing education  
 7.11 requirements of section 148B.88.

7.12 Subd. 2. **Renewal of provisional license.** (a) A provisional licensed clinical art therapist  
 7.13 practicing with a provisional license must renew the provisional license annually in  
 7.14 accordance with section 148B.87, with the exception of the submitting attestation of  
 7.15 completing continuing education requirements.

7.16 (b) A provisional license is automatically terminated if not renewed as required under  
 7.17 this subdivision or upon the granting or denial by the board of the applicant's application  
 7.18 for licensure as a clinical art therapist.

7.19 (c) A provisional license must not be renewed more than five times.

7.20 **Sec. 8. [148B.86] LICENSURE BY RECIPROCITY.**

7.21 The board shall issue a clinical art therapist license to an individual who holds a current  
 7.22 license as a clinical art therapist or its equivalent from another jurisdiction if the board  
 7.23 determines that the standards for licensure in the other jurisdiction are at least equivalent  
 7.24 to or exceed the requirements of section 148B.84.

7.25 **Sec. 9. [148B.87] LICENSE RENEWAL.**

7.26 Subdivision 1. **Renewal.** A licensee must annually renew a license issued by the board  
 7.27 by submitting a complete renewal application, paying the required renewal fee under section  
 7.28 148B.95, and attesting to the completion of the continuing education requirements under  
 7.29 section 148B.88.

8.1 Subd. 2. **Notice of renewal.** The board shall send a licensee a renewal notice. The board  
 8.2 shall send the notice to the licensee's last known address on record with the board. The  
 8.3 board may send the notice electronically.

8.4 Subd. 3. **Receipt of renewal.** A licensee must send the renewal application to the board  
 8.5 so that the application is postmarked or electronic renewal is completed on or before the  
 8.6 expiration date of the current license.

8.7 Subd. 4. **Late fee.** A licensee must pay a late fee in accordance with section 148B.95 if  
 8.8 the licensee's renewal application is postmarked or received by the board after the expiration  
 8.9 date of the license, but is postmarked or received by the board within 30 days after the  
 8.10 license expiration date.

8.11 Subd. 5. **Failure to renew.** If the licensee fails to submit the renewal application, the  
 8.12 required continuing education information, or the renewal and late renewal fees within 30  
 8.13 days after the license expiration date, the licensee's license expires and the licensee's right  
 8.14 to practice terminates.

8.15 Sec. 10. **[148B.88] CONTINUING EDUCATION.**

8.16 Licensees must complete 40 hours of board-approved continuing education every two  
 8.17 years. Of the 40 hours, at least 20 hours must involve content related to the practice of art  
 8.18 therapy and at least:

8.19 (1) three hours must involve ethical and professional studies education including but  
 8.20 not limited to professional ethics, legal issues, and interprofessional cooperation; and

8.21 (2) three hours must involve cultural responsiveness by increasing knowledge,  
 8.22 understanding, self-awareness, and practice skills to serve clients from diverse  
 8.23 socioeconomic, social, and cultural backgrounds. Topics include but are not limited to:

8.24 (i) understanding culture, culture's functions, and strengths that exist in varied cultures;

8.25 (ii) understanding clients' cultures and differences among and between cultural groups;

8.26 (iii) understanding the nature of intersectionality, social diversity, and oppression; and

8.27 (iv) understanding cultural humility.

8.28 Sec. 11. **[148B.89] SUPERVISED EXPERIENCE.**

8.29 Subdivision 1. **Supervision requirements.** (a) To qualify as a licensed clinical art  
 8.30 therapist, an applicant must complete 4,000 hours of post-master's degree supervised work  
 8.31 or volunteer experience in the delivery of clinical art therapy services in the diagnosis and

9.1 treatment of mental illnesses and disorders in both children and adults. The supervised  
9.2 experience must meet the requirements in paragraphs (b) to (f).

9.3 (b) The first 2,000 hours of supervised experience must involve clinical practice of art  
9.4 therapy with supervision by a qualified art therapy supervisor approved by the board in  
9.5 accordance with subdivision 2. The second 2,000 hours of supervision may be provided by  
9.6 either a qualified art therapy supervisor or a qualified licensed mental health professional  
9.7 as determined by the board.

9.8 (c) An individual must obtain supervision hours at the rate of two hours of supervision  
9.9 per 40 hours of professional experience. Supervision must be evenly distributed over the  
9.10 course of the supervised professional experience. At least 75 percent of the required  
9.11 supervision hours must be received in person or through real-time, two-way interactive  
9.12 audio and visual communication. The board must allow an applicant to satisfy this supervision  
9.13 requirement with all required hours of supervision received through real-time, two-way  
9.14 interactive audio and visual communication. The remaining 25 percent of the required hours  
9.15 may be received by telephone or by audio or audiovisual electronic device. At least 50  
9.16 percent of the required hours of supervision must be received on an individual basis. The  
9.17 remaining 50 percent of the required hours may be received in a group setting.

9.18 (d) The supervised experience must be in clinical practice and must include at least 1,800  
9.19 hours of clinical client contact.

9.20 (e) An individual must complete qualifying supervised experience in no fewer than 24  
9.21 consecutive months and no more than 72 consecutive months.

9.22 (f) A doctoral internship may be applied toward the required postgraduate supervised  
9.23 experience.

9.24 Subd. 2. **Qualified art therapy supervisors.** (a) The following individuals are eligible  
9.25 for approval by the board as a qualified art therapy supervisor: an art therapy certified  
9.26 supervisor (ATCS), a licensed clinical art therapist (LCAT), a licensed marriage and family  
9.27 therapist who is a certified art therapist, a licensed professional clinical counselor who is a  
9.28 certified art therapist, and a certified art therapist (ATR-BC).

9.29 (b) To be approved by the board as a qualified art therapy supervisor, an individual must  
9.30 submit an application on a form prescribed by the board with the following:

9.31 (1) a letter of recommendation from a licensed clinical art therapist or a certified art  
9.32 therapist attesting to the individual's competence to provide art therapy supervision;

10.1 (2) evidence of completion of at least two years of postlicensure professional experience;  
 10.2 and

10.3 (3) evidence of the successful completion of a graduate level course in clinical supervision  
 10.4 of at least three semester credit hours, or credit equivalent from an accredited college or  
 10.5 university, or a minimum of 45 continuing education credits involving courses or training  
 10.6 in clinical supervision and art therapy supervision. At least six credits must be in clinical  
 10.7 art therapy supervision.

10.8 (c) Notwithstanding paragraph (a), the board may approve an applicant as a qualified  
 10.9 art therapy supervisor if the applicant demonstrates competence in supervising individuals  
 10.10 practicing clinical art therapy by providing documentation satisfactory to the board that the  
 10.11 applicant has:

10.12 (1) provided supervision for persons providing clinical art therapy during a period of at  
 10.13 least 36 consecutive months as part of a master's degree program in art therapy approved  
 10.14 by the American Art Therapy Association; or

10.15 (2) completed at least 500 hours of experience as a clinical or academic qualified art  
 10.16 therapy supervisor under paragraph (a).

10.17 (d) Paragraph (c) expires July 1, 2030.

10.18 **Sec. 12. [148B.90] REFUSAL TO GRANT LICENSE; SUSPENSION OR**  
 10.19 **REVOCAION OF LICENSE.**

10.20 Subdivision 1. **Ground for action.** The board may refuse to grant a license to, or may  
 10.21 suspend, revoke, condition, limit, qualify, or restrict the license of, any individual who the  
 10.22 board, after a hearing under the contested case provisions of chapter 14, determines:

10.23 (1) is incompetent to practice clinical art therapy, or is found to engage in the practice  
 10.24 of clinical art therapy in a manner harmful or dangerous to a client or to the public;

10.25 (2) is convicted by a court of competent jurisdiction of a crime that the board determines  
 10.26 is of a nature to render the convicted person unfit to practice clinical art therapy;

10.27 (3) has engaged in unprofessional conduct that fails to conform to minimum standards  
 10.28 of acceptable and prevailing practice necessary for the protection of the public;

10.29 (4) has obtained or attempted to obtain a license or license renewal by bribery or  
 10.30 fraudulent representation;

10.31 (5) has knowingly made a false statement on a form required by the board for licensing  
 10.32 or license renewal; or

- 11.1 (6) has failed to obtain continuing education credits required by the board.
- 11.2 (b) If grounds for disciplinary action exist under paragraph (a), the board may take one  
11.3 or more of the following actions:
- 11.4 (1) refuse to grant or renew a license;
- 11.5 (2) revoke a license;
- 11.6 (3) suspend a license;
- 11.7 (4) impose limitations or conditions on a licensee's practice of clinical art therapy,  
11.8 including but not limited to limiting the scope of practice to designated competencies,  
11.9 imposing retraining or rehabilitation requirements, requiring the licensee to practice under  
11.10 supervision, or conditioning continued practice on the demonstration of knowledge or skill  
11.11 by appropriate examination or other review of skill and competence;
- 11.12 (5) censure or reprimand the licensee;
- 11.13 (6) refuse to permit an applicant to take the licensure examination or refuse to release  
11.14 an applicant's examination grade if the board finds that it is in the public interest; or
- 11.15 (7) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount  
11.16 of the civil penalty to be fixed so as to deprive the applicant or licensee of any economic  
11.17 advantage gained by reason of the violation charged, to discourage similar violations, or to  
11.18 reimburse the board for the cost of the investigation and proceeding, including but not  
11.19 limited to fees paid for services provided by the Office of Administrative Hearings, legal  
11.20 and investigative services provided by the Office of the Attorney General, court reporters,  
11.21 witnesses, reproduction of records, board members' per diem compensation, board staff  
11.22 time, and travel costs and expenses incurred by board staff and board members.
- 11.23 (c) In lieu of or in addition to paragraph (b), the board may require, as a condition of  
11.24 continued licensure, termination of suspension, reinstatement of license, examination, or  
11.25 release of examination grades, that the applicant or licensee:
- 11.26 (1) submit to a quality review, as specified by the board, of the applicant's or licensee's  
11.27 ability, skills, or quality of work; and
- 11.28 (2) complete, to the satisfaction of the board, educational courses specified by the board.
- 11.29 (d) The board may also refer a licensee, if appropriate, to the health professionals services  
11.30 program described in sections 214.31 to 214.37.

12.1 Subd. 2. Restoring a license. For reasons the board considers sufficient and upon a vote  
12.2 of five of its members, the board may restore a license, reduce a period of suspension, or  
12.3 withdraw a reprimand.

12.4 Sec. 13. [148B.91] COMPLAINTS; INVESTIGATION.

12.5 Clinical art therapists licensed under sections 148B.80 to 148B.95 are subject to section  
12.6 148B.371.

12.7 Sec. 14. [148B.92] DUTY TO MAINTAIN CURRENT INFORMATION.

12.8 All individuals licensed as clinical art therapists, all individuals with provisional licenses,  
12.9 and all applicants for licensure must notify the board within 30 days of the occurrence of  
12.10 any of the following:

12.11 (1) a change of name, address, place of employment, and home or business telephone  
12.12 number; and

12.13 (2) a change in any other application information.

12.14 Sec. 15. [148B.93] NONTRANSFERABILITY OF LICENSES.

12.15 A clinical art therapist license or a provisional clinical art therapist license is not  
12.16 transferable.

12.17 Sec. 16. [148B.94] PRIVILEGED COMMUNICATION; EXCEPTIONS.

12.18 A person licensed under sections 148B.80 to 148B.95 and employees and professional  
12.19 associates of the licensed person cannot be required to disclose any privileged communication  
12.20 that the person, employee, or associate may have acquired in rendering clinical art therapy  
12.21 services, unless:

12.22 (1) disclosure is required by other state laws;

12.23 (2) failure to disclose the information presents a clear and present danger to the health  
12.24 or safety of an individual;

12.25 (3) the person, employee, or associate is a party defendant to a civil, criminal, or  
12.26 disciplinary action arising from the therapy, in which case a waiver of the privilege accorded  
12.27 by this section is limited to that action;

13.1 (4) the patient is a defendant in a criminal proceeding and the use of the privilege would  
 13.2 violate the defendant's right to a compulsory process or the right to present testimony and  
 13.3 witnesses on that person's behalf; and

13.4 (5) a patient agrees to a waiver of the privilege accorded by this section, and in  
 13.5 circumstances where more than one person in a family is receiving therapy, each family  
 13.6 member agrees to the waiver. Absent a waiver from each family member, a licensed clinical  
 13.7 art therapist or a provisional licensed clinical art therapist must not disclose information  
 13.8 received by a family member.

13.9 **Sec. 17. [148B.95] FEES.**

13.10 Subdivision 1. **Fees.** All individuals licensed as clinical art therapists, all individuals  
 13.11 with provisional licenses, and all applicants for licensure shall pay fees as follows:

13.12 (1) initial licensure and application fee for provisional licensed clinical art therapist,  
 13.13 \$100;

13.14 (2) initial licensure and application fee for licensed clinical art therapist, \$250;

13.15 (3) annual renewal of provisional licensure fee, \$50;

13.16 (4) annual renewal of clinical art therapist licensure fee, \$200;

13.17 (5) late fee, \$100 per month or portion thereof;

13.18 (6) sponsor application for approval of a continuing education course fee, \$60;

13.19 (7) duplicate certificate fee, \$25; and

13.20 (8) certificate of good standing or license verification, \$25.

13.21 Subd. 2. **Proration of fees.** If a licensee's initial license term is less than 12 months, the  
 13.22 board may prorate the initial license fee. All licensees must pay the full fee upon license  
 13.23 renewal.

13.24 Subd. 3. **Nonrefundable fees.** All fees are nonrefundable.

13.25 Subd. 4. **Deposit of fees.** Fees collected by the board under this section shall be deposited  
 13.26 in the state government special revenue fund.

13.27 Sec. 18. Minnesota Statutes 2024, section 245I.04, subdivision 2, is amended to read:

13.28 **Subd. 2. Mental health professional qualifications.** The following individuals may  
 13.29 provide services to a client as a mental health professional:

14.1 (1) a registered nurse who is licensed under sections 148.171 to 148.285 and is certified  
 14.2 as a: (i) clinical nurse specialist in child or adolescent, family, or adult psychiatric and  
 14.3 mental health nursing by a national certification organization; or (ii) nurse practitioner in  
 14.4 adult or family psychiatric and mental health nursing by a national nurse certification  
 14.5 organization;

14.6 (2) a licensed independent clinical social worker as defined in section 148E.050,  
 14.7 subdivision 5;

14.8 (3) a psychologist licensed by the Board of Psychology under sections 148.88 to 148.98;

14.9 (4) a physician licensed under chapter 147 if the physician is: (i) certified by the American  
 14.10 Board of Psychiatry and Neurology; (ii) certified by the American Osteopathic Board of  
 14.11 Neurology and Psychiatry; or (iii) eligible for board certification in psychiatry;

14.12 (5) a marriage and family therapist licensed under sections 148B.29 to 148B.392; ~~or~~

14.13 (6) a licensed professional clinical counselor licensed under section 148B.5301; or

14.14 (7) a licensed clinical art therapist licensed under sections 148B.80 to 148B.95.

14.15 Sec. 19. **APPROPRIATION.**

14.16 \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the state  
 14.17 government special revenue fund to the Board of Behavioral Health and Therapy for the  
 14.18 implementation of Minnesota Statutes, sections 148B.80 to 148B.95.