

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0519.02 Brita Darling x2241

HOUSE BILL 22-1399

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HOUSE SPONSORSHIP

Ortiz and Boesenecker, Esgar

SENATE SPONSORSHIP

Ginal,

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House Committees  
Health & Insurance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING CONSUMER PROTECTION RELATING TO MUSIC THERAPY  
102 SERVICES.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill makes it a deceptive trade practice under the "Colorado Consumer Protection Act" if a person claims to be a "board-certified music therapist" or "music therapist", uses the title "music therapist", uses the abbreviation "MT-BC", or in any other way indicates or implies that the person is a music therapist unless the person holds an active music therapist board-certified credential administered by the Certification

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

Board for Music Therapists.

Any person who unlawfully claims to be a music therapist commits a class 2 misdemeanor.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** Music therapy is the  
3 clinical, evidence-based use of music interventions to accomplish  
4 individualized goals for people of all ages and ability levels within a  
5 therapeutic relationship with a credentialed professional who has  
6 completed an approved music therapy program. The general assembly  
7 hereby finds and declares that the use of the title "music therapist" affects  
8 consumers in choosing services and that the use of the title "music  
9 therapist" should be regulated for the purpose of protecting consumers.

10           **SECTION 2.** In Colorado Revised Statutes, 6-1-707, **add** (1)(f)  
11 as follows:

12           **6-1-707. Use of title or degree - deceptive trade practice.** (1) A  
13 person engages in a deceptive trade practice when, in the course of the  
14 person's business, vocation, or occupation, the person:

15           (f) (I) (A) CLAIMS EITHER ORALLY OR IN WRITING TO BE A  
16 "BOARD-CERTIFIED MUSIC THERAPIST" OR "MUSIC THERAPIST" OR USES  
17 THE ABBREVIATION "MT-BC" OR ANY OTHER WORDS, LETTERS,  
18 ABBREVIATIONS, OR INSIGNIA INDICATING OR IMPLYING THAT THE PERSON  
19 IS A MUSIC THERAPIST UNLESS THE PERSON HOLDS AN ACTIVE MUSIC  
20 THERAPIST BOARD-CERTIFIED CREDENTIAL ADMINISTERED BY THE  
21 CERTIFICATION BOARD FOR MUSIC THERAPISTS.

22           (B) NOTHING IN THIS SUBSECTION (1)(f) PROHIBITS A PERSON FROM  
23 PERFORMING WORK, INCLUDING THE USE OF MUSIC, INCIDENTAL TO THE  
24 PERSON'S PROFESSION OR OCCUPATION, IF THAT PERSON DOES NOT

1 REPRESENT THAT THE PERSON IS A MUSIC THERAPIST.

2 (II) A PERSON WHO USES ANY OF THE TITLES, WORDS, LETTERS,  
3 ABBREVIATIONS, OR INSIGNIA SPECIFIED IN SUBSECTION (1)(f)(I)(A) OF  
4 THIS SECTION SHALL MAKE AVAILABLE FOR IMMEDIATE INSPECTION BY  
5 ANY CONSUMER OR AGENT OF THE STATE THE PERSON'S BOARD-CERTIFIED  
6 CREDENTIAL ADMINISTERED BY THE CERTIFICATION BOARD FOR MUSIC  
7 THERAPISTS.

8 **SECTION 3.** In Colorado Revised Statutes, **amend** 6-1-114 as  
9 follows:

10 **6-1-114. Criminal penalties.** Any person who promotes a  
11 pyramid promotional scheme in this state commits a class 1 misdemeanor,  
12 as defined in section 18-1.3-501. Any person who violates article 230 of  
13 title 12 or section 6-1-701, **6-1-707 (1)(f)**, or 6-1-717 commits a class 2  
14 misdemeanor.

15 **SECTION 4. Act subject to petition - effective date -**  
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
17 the expiration of the ninety-day period after final adjournment of the  
18 general assembly; except that, if a referendum petition is filed pursuant  
19 to section 1 (3) of article V of the state constitution against this act or an  
20 item, section, or part of this act within such period, then the act, item,  
21 section, or part will not take effect unless approved by the people at the  
22 general election to be held in November 2022 and, in such case, will take  
23 effect on the date of the official declaration of the vote thereon by the  
24 governor.

25 (2) This act applies to conduct occurring on or after the applicable  
26 effective date of this act.