

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
PROFESSIONAL
ART THERAPY**

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CHAPTER 116
PROFESSIONAL ART THERAPY

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11600 GENERAL PROVISIONS

- 11600.1 This chapter applies to applicants for and holders of a license, as well as other persons authorized under this chapter, to practice professional art therapy or to practice under supervision as a graduate professional art therapist.
- 11600.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title supplement this chapter.
- 11600.3 No person may practice professional art therapy or practice under supervision as a graduate professional art therapist except as authorized in this chapter.
- 11600.4 A license to practice under supervision as a graduate professional art therapist shall be granted for a maximum total period of not more than five (5) years.
- 11600.5 Notwithstanding any provision to the contrary, a person who is practicing professional art therapy or as a graduate professional art therapist on the effective date of this chapter may continue to do so for a period of twelve (12) months from the effective date of the chapter provided that the person seeks and is granted a professional art therapy or graduate professional art therapy license within that time period.

11601 TERMS OF LICENSE

11601.1 Subject to § 11601.2, a license issued pursuant to this chapter shall expire at 11:59 p.m. of December 31 of each even-numbered year.

11601.2 If the Director changes the renewal system pursuant to § 4006.3 of chapter 40 of this title, a license issued pursuant to this chapter shall expire at 11:59 p.m. of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

11602 EDUCATION REQUIREMENTS

11602.1 To qualify for a license issued under this chapter, an applicant shall have completed:

- (a) A master’s or doctoral degree from an accredited college or university in a program in art therapy that was either approved by the American Art Therapy Association (“AATA”) or accredited by Commission on Accreditation of Allied Health Education Programs (“CAAHEP”) at the time the degree was conferred; or
- (b) A master’s or doctoral degree from an accredited college or university in a program that is substantially equivalent to a program in art therapy approved by AATA or accredited by CAAHEP and meets the requirements of § 11602.2.

11602.2 For the purposes of meeting the requirements of § 11602.1(b), the following shall apply:

- (a) A qualifying master’s degree shall consist of at least sixty (60) semester hours, or the equivalent number of quarter or trimester hours converted into semester hours, and include at least seven hundred (700) hours of supervised art therapy practicum or internship, of which at least three hundred and fifty (350) hours shall consist of direct provision of art therapy services to individuals, groups, or families; and
- (b) The Board of Professional Counseling (“Board”) has determined that the content of the education program is substantially equivalent to the content of master’s level art therapy program approved by AATA or the accreditation requirements set by CAAHEP.

11603 SUPERVISED EXPERIENCE REQUIREMENTS

11603.1 In addition to the educational qualification required by § 11602.1, an applicant for a license to practice as a professional art therapist shall furnish proof satisfactory to the Board, as required by § 11603.3, that the

applicant obtained experience in the practice of art therapy that meets the following requirements:

- (a) The applicant accrued at least three thousand (3,000) hours of lawful practice of art therapy completed within a period of at least two (2) years under the supervision of a supervisor meeting the requirements of §§ 11603.2 and 11603.3;
- (b) At least one thousand (1,000) of the hours referred to in paragraph (a) of this subsection included the practice of art therapy in direct contact with clients;
- (c) At least two hundred (200) of the hours referred to in paragraph (a) of this subsection were under immediate supervision and at least one (1) hour of immediate supervision was provided for each fifteen (15) hours of direct contact with clients;
- (d) The supervised practice began after the applicant completed the requirements of a master's degree; and
- (e) The applicant's performance was rated as at least satisfactory by each supervisor.

11603.2 The qualifying supervised practice experience shall be accrued under the supervision of any of the following practitioners:

- (a) An Art Therapy Certified Supervisor ("ATCS") holding a valid and current credential from the Art Therapy Credentials Board, Inc. ("ATCB");
- (b) A Board-Certified Registered Art Therapist ("ATR-BC") with a valid and current credential from the ATCB with two (2) years of independent clinical practice experience;
- (c) A licensed professional art therapist with two (2) years of independent clinical practice experience; or
- (d) A licensed mental health practitioner with two (2) years of independent clinical practice experience, provided, however, that at least fifty percent (50%) of the supervised practice experience is obtained from a supervisor enumerated in paragraph (a), (b), or (c).

11603.3 A practitioner referred to in § 11603.2 who provides supervision pursuant to this section shall provide supervision, training, and monitoring appropriate to the supervisee's level of competence and ability.

11603.4 An applicant for a professional art therapy license shall demonstrate qualifications required under this section by submitting, along with the application, a signed statement from each supervisor who supervised the applicant during the required period of experience which sets forth the following:

- (a) The location at which and period of time during which the supervision took place;
- (b) The number of hours of the applicant's practice of professional art therapy;
- (c) The number of hours of immediate supervision of the applicant;
- (d) The specific nature of and responsibilities included in the applicant's practice;
- (e) A rating of the applicant's performance;
- (f) The license number and jurisdiction in which the supervisor was licensed during the supervised period, if a license is required in the jurisdiction;
- (g) Evidence that the supervisor meets the requirements of § 11603.2; and
- (h) That the supervisor provided supervision, training, and monitoring appropriate to the supervisee's level of competence and ability.

11603.5 Notwithstanding the requirements of § 11603.2(b), (c), or (d), the Board may approve supervised practice experience despite the supervisor's lack of two (2) years' independent clinical practice experience under the following circumstances:

- (a) The applicant for license accrued or began accruing their supervised practice experience before the effective date of this chapter; or
- (b) The applicant is seeking a license under this chapter by endorsement pursuant to § 11608.

11604 APPLICANTS EDUCATED IN A FOREIGN COUNTRY

11604.1 The Board may grant a license to practice professional art therapy to an applicant who completed an educational program in a college or university

in a foreign country which is not accredited in accordance with § 11602.1(a) if the applicant meets the following requirements:

- (a) The applicant obtained at least a master's degree in professional art therapy from a college or university approved or recognized by the government of that country;
- (b) The applicant's degree meets the requirement of § 11602.2;
- (c) The applicant has accrued at least three thousand (3,000) hours of post-graduate supervised practice experience substantially equivalent to the requirements enumerated in § 11603; and
- (d) The applicant has passed the national examination required under § 11605.

11604.2 The Board may grant a license to practice as a graduate professional art therapist to an applicant who completed an educational program in a college or university in a foreign country which is not accredited in accordance with § 11602.1(a) if the applicant meets the requirements of § 11604.1(a), (b), and (d).

11604.3 An applicant under this section who has established that they have practiced professional art therapy safely and lawfully for at least five (5) years in any country may be deemed to meet the requirements of § 11604(b) and (c).

11604.4 The Board may interview an applicant under this section to determine whether the applicant's education or training meets the requirements of the Act and this chapter.

11604.5 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

11604.6 An applicant under this section shall submit an academic evaluation from a reliable assessment organization approved by the Board to establish that the applicant's education and degree meet the requirements of this section.

11605 NATIONAL EXAMINATION

11605.1 To qualify for a professional art therapy license, an applicant shall, in addition to meeting the requirements of §§ 11602 and 11603, receive a passing score on the Art Therapy Credentials Board Examination ("ATCBE") administered by the ATCB or its successor.

11605.2 To qualify for a graduate professional art therapy license, an applicant shall, in addition to meeting the requirements of § 11602, receive a passing score on the ATCBE administered by the ATCB or its successor.

11606 PRACTICE OF PROFESSIONAL ART THERAPY BY STUDENTS

11606.1 A student whose practice fulfills their education requirements as part of an art therapy practicum or internship completed at an accredited college or university shall only practice professional art therapy in accordance with this section under the general or immediate supervision of a qualified supervisor enumerated under § 11603.2.

11606.2 A student under supervision shall identify himself or herself as a student at all times when engaging in the practice of professional art therapy and shall not engage in the practice of professional art therapy independent of supervision.

11606.3 A supervisor shall be responsible for all supervised practice by a student during the period of supervision and may be subject to disciplinary action for any violation of the Act or this chapter by the student.

11606.4 A student may be subject to disciplinary action for any violation of the Act or this chapter and may be denied a license after graduation.

11607 REQUIREMENTS FOR THE PRACTICE OF A GRADUATE PROFESSIONAL ART THERAPIST

11607.1 A person seeking to accrue supervised practice experience in the District of Columbia, required pursuant to § 11603, may only do so as a graduate professional art therapist licensed under this section.

11607.2 To qualify for a license as a graduate professional art therapist, an applicant shall meet the requirements of §§ 11602 and 11605 or, in the case of an applicant educated in a foreign country, § 11604.1(a), (b), and (d).

11607.3 A graduate professional art therapist may not practice independently or without supervision by a supervisor meeting the requirement of § 11607.4. A graduate professional art therapist shall not commit any act or omission that may give or lead to the impression that they are practicing professional art therapy independently or without supervision.

11607.4 Only a person meeting the requirements of § 11603.2 and holding a current and valid license to practice the applicable profession referred to in

§ 11603.2 in the District may provide supervision to a licensed graduate professional art therapist in the District.

- 11607.5 The supervisor of a graduate professional art therapist shall:
- (a) Ensure that the supervisee practices within the scope of their license;
 - (b) Determine the skill level at which the supervisee may practice; and
 - (c) Maintain records of the supervision for at least five (5) years.
- 11607.6 Both the supervisor and the supervisee shall ensure that the client is informed of the supervision and consents to the sharing of clinical information or the recording of the therapy session.

11608 LICENSURE BY ENDORSEMENT

- 11608.1 The Board shall license an applicant as a professional art therapist or a licensed graduate professional art therapist if the applicant:
- (a) Meets the requirements set forth in D.C. Official Code § 3-1205.01 *et seq.*;
 - (b) Holds a license to practice professional art therapy or graduate professional art therapy in another state based on licensing requirements that are substantially equivalent to the requirements of this chapter, as determined by the Board; and
 - (c) Has a licensure history with continuous good standing in all jurisdictions where the applicant holds or has held a license to practice professional art therapy or graduate professional art therapy; provided, that the Board may grant a license to an applicant who does not meet this requirement if the Board determines that the District's public interest is served by so doing.
- 11608.2 Notwithstanding the provisions of § 11608.1(b), the Board may grant a professional art therapy license to an endorsement applicant whose supervised practice experience did not meet the requirement of § 11603.2 if the applicant has practiced professional art therapy independently for at least five (5) years in any jurisdiction.

11609 CONTINUING EDUCATION REQUIREMENTS

- 11609.1 This section applies to applicants for the renewal, reactivation, or reinstatement of a license but does not apply to applicants seeking to renew the license for the first time after the initial grant of the license.
- 11609.2 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with § 11610.
- 11609.3 To qualify for the renewal of a license, an applicant shall have completed forty (40) hours of approved continuing education meeting the requirements below during the two-year (2) period before the license expires:
- (a) At least six (6) hours shall be in ethics;
 - (b) At least two (2) hours shall be LGBTQ continuing education; and
 - (c) At least ten percent (10%) of the total required hours shall be in subjects determined by the Director as public health priorities of the District, which shall be published every five (5) years or as deemed necessary.
- 11609.4 To qualify for the reinstatement of a license, an applicant shall have completed twenty (20) hours of approved continuing education for each year that the license has expired, provided that any period of less than one (1) year shall be rounded up to one (1) year, subject to the following:
- (a) An applicant who establishes that they possessed and maintained, during the period of District license expiration, a license to practice professional art therapy in good standing in another jurisdiction shall be deemed to have met the requirement of this subsection; and
 - (b) The exemption for first renewal after initial licensure pursuant to § 11609.1 does not apply to an applicant under this subsection.
- 11609.5 To qualify for the reactivation of a license, an applicant in inactive status within the meaning of § 511 of the Act (D.C. Official Code § 3-1205.11) shall meet one (1) of the following requirements:
- (a) The applicant has held a license in good standing and practiced professional art therapy pursuant to that license in another state or jurisdiction;
 - (b) The applicant holds a current credential as ATR-BC issued by the ATCB; or

- (c) The applicant has completed, no more than twenty-four (24) months before the date of the reactivation application, forty (40) hours of approved continuing education which include six (6) hours of ethics.

11609.6 The Board may, as it deems appropriate, conduct an audit of active licensees to determine compliance with the continuing education requirements.

11609.7 Upon notification by the Board that a licensee has been selected for an audit, the licensee shall submit proof of their compliance with the continuing education requirements pursuant to § 11609.3 within thirty (30) days after receipt of the notice.

11609.8 A licensee who fails to provide proof of continuing education compliance during an audit may be subject to another audit in the subsequent renewal.

11610 APPROVAL OF CONTINUING EDUCATION

11610.1 The Board may, at its discretion, approve a continuing education program or activity that:

- (a) Contributes to the growth of an applicant in professional competence in the practice of professional art therapy;
- (b) Is current in its subject matter; and
- (c) Meets the other requirements of this section.

11610.2 The Board may approve the following type of continuing education program, if the program meets the requirements of §§ 11610.1 and 11610.4:

- (a) A graduate course given at an accredited college or university;
- (b) A seminar or workshop, whether a part of a conference or offered individually;
- (c) In-service training; and
- (d) A formally organized self-directed learning activity such as distance learning or home self-paced study activity.

11610.3 The Board may approve the following type of activity if it meets the requirements of § 11610.1:

- (a) Serving as a speaker at a conference, seminar, workshop, or in-service training;
- (b) Publishing an article in a peer-reviewed professional journal;
- (c) Publishing or editing a book or a chapter in a book;
- (d) Publishing a book review in a professional journal or bulletin;
- (e) Developing and teaching a new graduate or undergraduate course, seminar, or workshop;
- (f) Having a work of art accepted and displayed in a juried art exhibition; or
- (g) Participating in individualized learning through the immediate supervision of a professional counselor, psychologist, psychiatrist, or independent clinical social worker licensed in a jurisdiction of the United States.

11610.4 In addition to meeting the requirements of § 11610.1, a continuing education program enumerated in § 11610.2 shall be developed and taught or presented by qualified individuals.

11610.5 A program offered, sponsored, or approved by the following organizations shall be deemed approved by the Board provided that it meets the requirement of § 11610.4:

- (a) A national mental or behavioral health professional organization such as AATA, the American Counseling Association, the American Mental Health Counselors Association, the American Association for Marriage and Family Therapy, the National Association of Social Workers, the American Psychological Association, the Association for Addiction Professionals, the American School Counselor Association, the Association for Play and Art Therapy, or the American Psychiatric Association;
- (b) A national association of state mental or behavioral health regulatory boards such as the American Association of State Counseling Boards, the Association of Social Work Boards, the Association of Marriage and Family Therapy Regulatory Boards, or the Association of State and Provincial Psychology Boards;
- (c) A state mental or behavioral health licensing or regulatory board or entity;

- (d) A local or state chapter or organization of a national mental or behavioral health professional association, such as the District of Columbia Psychological Association; or
 - (e) A national mental or behavioral health certification organization, such as, ATCB, the National Board for Certified Counselors, or the Commission on Rehabilitation Counselor Certification.
- 11610.6 Sufficient proof of completion of approvable continuing education programs listed in § 11610.2 shall provide clear, verifiable details of the following:
- (a) The identity of the program offeror, sponsor, and instructor;
 - (b) The date and time of the program presentation or completion;
 - (c) The amount of time of the presentation or completion of an activity listed in § 11610.3(e) or (f); and
 - (d) The identity of the person completing or attending the program.
- 11610.7 Sufficient proof of approvable continuing education activity listed in §11610.3 shall include:
- (a) For service as a speaker, official confirmation and description of the session presented;
 - (b) For publication pursuant to § 11610.3(b), (c), or (d), evidence of publication detail such as date and issue number, along with an attestation from the author stating the number of credits claimed;
 - (c) For an activity under § 11610.3(e) or (f), objective evidence of the activity from the entity or organization involved; or
 - (d) For individualized learning pursuant to § 11610.3(g), attestation from both the supervisor and the supervisee that includes sufficient details of the subject, scope, objective, length of time, and manner of supervision.
- 11610.8 The Board may review and approve a continuing education program or activity sponsored or offered by any other entity or organization not listed in § 11610.5 if the sponsor or offeror submits sufficient detailed information about the proposed program or activity with sufficient time available for the Board's review.

11610.9 The Board may grant continuing education credit for the following voluntary leadership positions:

- (a) Officer of a state or national professional art therapy organization;
- (c) Member of a state professional art therapy regulatory board or a national ethics disciplinary review committee rendering credentials;
- (d) Active member of a professional art therapy committee producing a substantial written product;
- (e) Chair of a major professional art therapy conference or convention;
or
- (f) Other leadership position with justifiable professional learning experience.

11611 CONTINUING EDUCATION CREDITS

11611.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.

11611.2 Continuing education credit may be granted for a program or activity occurring or completed during the licensure term for which the credit is sought.

11611.3 The Board may grant ten (10) hours of continuing education credit for each semester credit hour of a graduate course completed in accordance with § 11610.2(a). The maximum credits that may be granted under this subsection shall not exceed twenty (20) hours per licensure term.

11611.4 The Board may grant a maximum of fifteen (15) continuing education hours per licensure term to an applicant who attends in-service training identified in § 11610.2(c).

11611.5 The Board may grant continuing education credits for a program identified in 11610.3(a) in accordance with the following provisions:

- (a) A speaker or presenter may be granted credit for both preparation and presentation time;
- (b) The maximum credit that may be granted for all such activities may not exceed ten (10) hours for each licensure term; and

- (c) A speaker or presenter who has previously received credit for a presentation may not receive credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject.
- 11611.6 The Board may grant continuing education credit under § 11610.3(b), (c), or (d) only if the applicant proves to the satisfaction of the Board that the work has been published or accepted for publication during the period for which the credit is claimed. The maximum credit that may be granted for these activities is eighteen (18) hours.
- 11611.7 The Board may grant a maximum of eight (8) continuing education hours per licensure term for an activity approved pursuant to § 11610.3(e).
- 11611.8 The Board may grant a maximum of ten (10) continuing education hours per licensure term for an activity approved pursuant to § 11610.3(f) provided further that only one (1) such show or exhibit may be approved for continuing education credit for each licensure term.
- 11611.9 The Board may grant a maximum of ten (10) continuing education hours per licensure term for activities approved pursuant to § 11610.3(g).
- 11611.10 The Board may grant a maximum of ten (10) continuing education hours per licensure term for an activity approved pursuant to § 11610.9; provided, that the maximum of ten (10) continuing education hours per licensure term may be granted only if the service in the voluntary leadership position lasted at least one (1) year.

11612 STANDARDS OF CONDUCT

- 11612.1 A practitioner of professional art therapy shall comply with the then-current standards of ethical and professional conduct as set out in the Code of Ethics, Conduct, and Disciplinary Procedures of the ATCB and the Ethical Principles for Art Therapists, adopted by the AATA.
- 11612.2 A practitioner shall provide in an initial meeting with a client an informed consent form, to be signed by both parties, which shall notify the client of their rights and the risks involved during the therapy.
- 11612.3 The following documentation shall be maintained for each session between a practitioner and the client:
- (a) The name of each person or persons present;
 - (b) The date of the session;

- (c) The times the session began and ended;
- (d) The issues presented (including assessment and history as appropriate);
- (e) The risks presented; and
- (f) The risks assessed.

11612.4 A practitioner shall comply with D.C. Official Code § 7-1201.01 *et seq.* and maintain the privacy and confidentiality of a client and a client's records, including session documentation and all verbal or artistic expression occurring within the client-therapist relationship. A practitioner shall not disclose confidential information without the explicit written consent of the client, or the client's parent or guardian as applicable, unless mandated by law or a court order.

11613 PRACTICE OF PROFESSIONAL ART THERAPY BY TELEHEALTH

11613.1 A practitioner may engage in the practice of professional art therapy by telehealth in accordance with this section if the practitioner can maintain an effective standard of care in the same way as if the practitioner and the client were together in the same physical location.

11613.2 A practitioner seeking to provide professional art therapy by telehealth to a client located in the District must have a current, valid license issued pursuant to this chapter.

11613.3 Before providing art therapy through telehealth, the practitioner shall establish competence in the use of telehealth that conforms to the prevailing standard of practice and professional knowledge.

11613.4 A practitioner engaging in the practice of professional art therapy by telehealth shall determine that the client is sufficiently informed in the use of technology and has adequate access to the technology used.

11613.5 A practitioner who engages in the continued practice of professional art therapy by telehealth shall maintain competence in the use of telehealth through continuing education, consultation, or other procedures designed to address changes in technology used in telehealth.

11699 DEFINITIONS

11699.1 When used in these regulations, the following terms shall have the following meanings ascribed:

General supervision - supervision in which the supervisor is available to the person supervised, either in person or by a communications device.

Home self-paced study - independent study that is not evaluated by a formal process documenting a minimum mastery of materials and the completion of which is not formally verified.

Immediate supervision - supervision in which the supervisor is present in real-time either physically or virtually (by means of telecommunications technology) with the person supervised and either discussing or observing the person's practice.

LGBTQ continuing education - continuing education focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, or queer, or question their sexual orientation or gender identity or expression and meeting the requirements of § 510(b)(5) of the Act (D.C. Official Code § 3-1205.10(b)(5)).

Licensed mental health practitioner - a person authorized to practice, on an independent basis, professional counseling, marriage and family therapy, psychology, social work, or psychiatry in a state or jurisdiction in the United States.

Practitioner - any person authorized to practice professional art therapy pursuant to this chapter, whether pursuant to a professional art therapy or graduate professional therapy license or in accordance with other authorization as enumerated in this chapter.

Telehealth - the provision of client care, treatment, or services while the practitioner is physically in one location and the client is in another location, with or without an intervening healthcare provider, through the use of information and communication technology, subject to the existing standards of care and conduct.