

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 298 (Delegate Kelly, *et al.*)
Health and Government Operations

Finance

Health Insurance - Licensed Clinical Professional Art Therapists -
Reimbursement

This bill specifies that, if an insurance policy, contract, or certificate issued by an insurer or nonprofit health service plan provides for reimbursement of a service that is within the lawful scope of practice of a licensed clinical professional art therapist, the insured or any other covered person is entitled to reimbursement for the service.

Fiscal Summary

State Effect: Any change in State activities does not materially affect State finances.

Local Effect: None.

Small Business Effect: Meaningful for licensed clinical professional art therapists who may receive insurance reimbursement for covered services under the bill.

Analysis

Current Law: If an insurance policy, contract, or certificate awarded by an insurer or a nonprofit health service plan provides for reimbursement of a service that is within the lawful scope of practice of a licensed clinical professional counselor, licensed clinical marriage and family therapist, or licensed clinical alcohol and drug counselor, the insured or any other covered person is entitled to reimbursement for the service. Thus, any required coverage and reimbursement relate to a particular service rather than the type of provider offering the service.

Reimbursement for these services is not required unless an insurance policy, contract, or certificate expressly provides for such reimbursement. The provisions of law that govern the certification and regulation of these licensees may not be construed to entitle the insured to reimbursement of these services.

An individual may not practice, attempt to practice, or offer to practice clinical professional art therapy in the State unless licensed by the board, with some exceptions. “Art therapy” is the integrated use of psychotherapeutic principles, 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. “Practice clinical professional art therapy” means to engage professionally and for compensation in art therapy and appraisal activities by providing services involving the application of art therapy principles and methods in the diagnosis, prevention, treatment, and amelioration of psychological problems and emotional or mental conditions of individuals or groups.

Background: The State Board of Professional Counselors and Therapists, among other regulatory duties, now licenses the practice of professional art therapy, as well as clinical and graduate professional counseling, marriage and family therapy, and behavior analysis. In fiscal 2016, the board regulated 133 licensed clinical professional art therapists.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene; Maryland Insurance Administration; Department of Legislative Services

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