



NY Licensed Creative Arts Therapists Eligible to be Directors of Mental Health Community Services

Directors of mental health community services in NY state can be NY state-licensed physicians, psychologists, master or clinical social workers, registered nurses (with master's degree in psychiatric mental health nursing), or hold a master's degree in rehabilitation counseling, psychology, social work, public health administration, public administration, hospital administration, human services administration, business administration or other equivalent degrees plus meet other requirements. (See 14 CRR-NY, Section 102.6. Qualifications.) **This means that directors of mental health community services positions are open to art therapists and creative arts therapists who meet the qualifications.**

New York state regulations for the PROS mental health program use the term, "licensed practitioner of the healing arts." New York Codes, Rules and Regulations (NYCRR), TITLE 14, Part 512 "establishes certification standards for personalized recovery-oriented services (PROS) programs. The purpose of PROS programs is to assist individuals in recovering from the disabling effects of mental illness."

Creative arts therapists (CATs) are deemed, under this Part 512 regulation, to be "Professional Staff," which means members of the "clinical staff who are qualified to provide supervision and direct service related to the care or treatment of persons with a designated mental illness diagnosis." "Clinical staff means all staff members . . . who provide services directly to individuals admitted to PROS programs." This means that NY regulations state that creative arts therapists can treat PROS patients directly and can also supervise others who provide services to those patients. Typically, direct service providers are allowed to bill under their own names either for services their supervisees provide or that they provide themselves. As always, billing rules must be followed and it is wise to check with entities you may bill as to whether they accept your direct billing or not.

Two categories of creative arts therapists (CATs) are "Professional Staff." They must be either:

- 1) currently licensed as a creative arts therapist by the New York State Education Department; or
- 2) have a master's degree in a mental health field from a program approved by the New York State Education Department, and registration or certification by the American Art Therapy Association, American Dance Therapy Association, National Association of Music Therapy or American Association for Music Therapy.

Counselors and Others: Various types of therapists and counselors are already included with creative arts therapists as "Professional Staff," under Section 512.4(z). If an art therapist or other type of creative art therapist happens to hold a license for any of the other listed professions, that person will, likewise, be treated as "Professional Staff" for the purpose of being able to provide services directly to patients. Professionals included under this section must be currently NY licensed/credentialed.

Federal and state laws set staffing requirements for hospitals and other healthcare facilities. Some of these positions (especially at and above the Director level) are designed to be filled by doctoral-level healthcare professionals, such as physicians, who have a broad scope of practice and are able to diagnose, treat and prescribe medications for various disorders. In mental health facilities, upper management may have to be psychiatrists or psychologists. The term, "licensed practitioner of the healing arts" refers generally to that category of professionals who can diagnose and prescribe medications, both in federal and state laws and regulations. For these types of jobs, master-level individuals would not be substituted, where doing so would violate the law.