**Section 1316.60 Dishonorable, Unethical, or Unprofessional Conduct**

The Division may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action based upon its findings of dishonorable, unethical, or unprofessional conduct pursuant to Section 95(a)(8) of the Act, which includes, but is not limited to, the following acts or practices:

a) Engaging in conduct likely to deceive, defraud, or harm the public, or demonstrating a willful disregard for the health, welfare, or safety of a client. Actual injury need not be established.

b) A departure from or failure to conform to the standards of practice as set forth in the Act or this Part. Actual injury need not be stablished.

c) Engaging in behavior that violates professional boundaries (including, but not limited to, signing wills or other documents not related to client health care).

d) Engaging in sexual conduct with a client or conduct that may reasonably be interpreted by a client as sexual, or behavior that is sexually harassing to a client, including any verbal behavior that is sexually harassing.

e) Demonstrating actual or potential inability to practice with reasonable skill, safety, or judgment by reason of illness, use of alcohol, drugs, chemicals, or any other material or as a result of any mental or physical condition.

f) Misrepresenting educational background, training, credential, or competence.

g) Committing any other act or omission that breaches the music therapist's responsibility to a client according to accepted standards of practice.

h) Practicing, condoning, facilitating, collaborating with, or engaging in discrimination based on age, culture, disability, ethnicity, race, religion, sex, gender, gender identity, sexual orientation, marital status/partnership, language preference, socioeconomic status, or any basis prescribed by law.

i) Revealing facts, data, or information relating to a client, except as allowed under Section 90 of the Act or under the Mental Health and Developmental Disabilities Confidentiality Act or any other federal or State law.

j) Failing to take appropriate steps to protect the privacy of a client and avoid unnecessary disclosures of confidential information. The right to privacy belongs to clients and may be waived. A written waiver shall be signed by the client and the information revealed shall be in accordance with the terms of the waiver.

k) Submission of fraudulent claims for services to any person or entity including, but not limited to, health insurance companies or health service plans or third party payors.

l) Any violation of the Code of Ethics adopted by the American Music Therapy Association, 10125 Colesville Road #136, Silver Springs, Maryland 20901, effective February 1, 2019, with not later amendments or editions, which is hereby incorporated by reference (https://www.musictherapy.org/about/ethics/).