



## VIRTUAL TELECONFERENCE

### MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK JOINT EXAMINING BOARD

Room 121C, 1400 East Washington Avenue, Madison

Contact: Dan Williams (608) 266-2112

March 28, 2016

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**9:00 A.M.**

### AGENDA

#### CALL TO ORDER – ROLL CALL – OPEN SESSION

- A. **Adoption of the Agenda (1-2)**
- B. **Approval of Minutes of February 15, 2016 (3-6)**
- C. **Administrative Matters – Discussion and Consideration**
  - 1) Staff Updates
  - 2) Board Member – Term Expiration Date
    - a. Bridget Ellingboe – 7/1/2020 (*re-appointed, not yet confirmed*)
    - b. Peter Fabian – 7/1/2018
    - c. Alice Hanson-Drew – 7/1/2013
    - d. Linda Pellmann – 7/1/2019 (*re-appointed, not yet confirmed*)
    - e. Allison Gordon – 7/1/2018
    - f. Charles Lindsey – 7/1/2016
    - g. Melissa Gendreau – 7/1/2017 (*appointed, not yet confirmed*)
    - h. PC Public Member – **Vacancy**
    - i. Jennifer Anderson-Meger – 7/1/2017
    - j. Elizabeth Krueger – 7/1/2016
    - k. Kristin Koger – 7/1/2018
    - l. Gregory Winkler – 7/1/2019 (*re-appointed, not yet confirmed*)
    - m. SOC Public Member – **Vacancy**
- D. **Legislative and Administrative Rule Matters – Discussion and Consideration (7-16)**
  - 1) MPSW 3, 5 Relating to Social Work Licenses
  - 2) MPSW 1 Relating to Rules and Exams
  - 3) MPSW 10, 11, 12, 14 Relating to Professional Counseling Licensure
  - 4) MPSW 16, 17, 18 Relating to Marriage and Family Therapy Licensure
  - 5) Update Legislation and Pending or Possible Rulemaking Projects

E. **Section Reports**

F. Discussion and Consideration of Items Received After Preparation of the Agenda:

- 1) Introductions, Announcements, and Recognition
- 2) Presentations of Petition(s) for Summary Suspension
- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 4) Presentation of Final Decision and Order(s)
- 5) Informational Item(s)
- 6) DLSC Matters
- 7) Status of Statute and Administrative Rule Matters
- 8) Education and Examination Matters
- 9) Credentialing Matters
- 10) Practice Questions
- 11) Legislation / Administrative Rule Matters
- 12) Liaison Report(s)
- 13) Speaking Engagement(s), Travel, or Public Relations Request(s)
- 14) Consulting with Legal Counsel

G. Public Comments

**ADJOURNMENT**

The next meeting is April 19, 2016.

**JOINT EXAMINING BOARD MEETING  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING  
AND SOCIAL WORK JOINT EXAMINING BOARD  
MEETING MINUTES  
FEBRUARY 15, 2016**

**PRESENT:** Jennifer Anderson-Meger, Bridget Ellingboe, Peter Fabian, Melissa Gendreau (*via GoToMeeting*), Allison Gordon, Alice Hanson-Drew (*via GoToMeeting*), Elizabeth Krueger, Charles Lindsey (*via GoToMeeting, was excused from the meeting at 12:02 p.m.*), Linda Pellmann, Nicholas Smiar (*via GoToMeeting*), Gregory Winkler

**STAFF:** Dan Williams, Executive Director; Sharon Henes, Administrative Rules Coordinator; Nilajah Hardin, Bureau Assistant; and other DSPS Staff

**CALL TO ORDER**

Linda Pellmann called the meeting to order at 9:02 a.m. A quorum of eleven (11) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Allison Gordon moved, seconded by Jennifer Anderson-Meger, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Alice Hanson-Drew moved, seconded by Elizabeth Krueger, to approve the minutes of November 30, 2015 as published. Motion carried unanimously.

**PUBLIC HEARING ON CLEARINGHOUSE RULE 16-008 RELATING TO MARRIAGE  
AND FAMILY THERAPY APPLICATIONS, EDUCATION, EXAMS AND LICENSURE**

**Review and Respond to Clearinghouse Report and Public Hearing Comments**

**MOTION:** Peter Fabian moved, seconded by Bridget Ellingboe, to reject Clearinghouse comment number(s) 5(1), and to accept all remaining Clearinghouse comments for Clearinghouse Rule 16-008 relating to Marriage and Family Therapy Applications, Education, Exams and Licensure. Motion carried unanimously.

**MOTION:** Peter Fabian moved, seconded by Elizabeth Krueger, to authorize Linda Pellmann to approve the Legislative Report and Draft for Clearinghouse Rule 16-008 relating to Marriage and Family Therapy Applications, Education, Exams and Licensure for submission to the Governor's Office and Legislature. Motion carried unanimously.

**PUBLIC HEARING ON CLEARINGHOUSE RULE 16-009 RELATING TO RULES,  
APPLICATION, EXAM, AND RENEWAL PROCEDURES**

**Review and Respond to Clearinghouse Report and Public Hearing Comments**

**MOTION:** Allison Gordon moved, seconded by Melissa Gendreau, to reject Clearinghouse comment number(s) 5(c), and to accept all remaining Clearinghouse comments for Clearinghouse Rule 16-009 Relating to Licensure, Education and Supervised Practice of Professional Counseling. Motion carried unanimously.

**MOTION:** Elizabeth Krueger moved, seconded by Charles Lindsey, to authorize Allison Gordon to approve the Legislative Report and Draft for Clearinghouse Rule 16-009 Relating to Licensure, Education and Supervised Practice of Professional Counseling for submission to the Governor's Office and Legislature. Motion carried unanimously.

**LEGISLATION AND ADMINISTRATIVE RULE MATTERS**

**Adoption of Clearinghouse Rule 15-017 Relating to Supervised Hours for Marriage and Family Therapists**

**MOTION:** Peter Fabian moved, seconded by Alice Hanson-Drew, to approve the Adoption Order for Clearinghouse Rule 15-017 relating to Supervised Hours for Marriage and Family Therapists. Motion carried unanimously.

**MPSW 5 Relating to Social Worker Examination**

**MOTION:** Nicholas Smiar moved, seconded by Jennifer Anderson-Meger, to direct DSPS Staff to draft a preliminary rule draft of MPSW 5 relating to Social Worker Examination to bring to the next meeting. Motion carried unanimously.

**Update on Legislation and Pending or Possible Rulemaking Projects**

**MOTION:** Gregory Winkler moved, seconded by Elizabeth Krueger, to request DSPS Staff to provide updates as they occur via email to the Board on Senate Bill 568/Assembly Bill 726. Motion carried unanimously.

**MOTION:** Jennifer Anderson-Meger moved, seconded by Nicholas Smiar, to request the Department solicit feedback from the Boards and Sections on any matters pertaining to the structure and function of the Examining Boards prior to considering changes related to those entities. Motion carried unanimously.

**MOTION:** Elizabeth Krueger moved, seconded by Allison Gordon, to delegate Linda Pellmann to meet with the Secretary of the Department regarding the view of the Board on Senate Bill 568/Assembly Bill 726. Motion carried unanimously.

## SUBSTANCE USE DISORDER SPECIALTY AUTHORIZATION AND DHS 35 AND 75

**MOTION:** Allison Gordon moved, seconded by Peter Fabian, to request DSPS Staff to invite Department of Health Services Staff to a future Joint Board meeting to discuss Substance Use Disorder Specialty Authorization relating to DHS 35 and 75. Motion carried unanimously.

### ADMINISTRATIVE MATTERS

#### Election of Officers

##### *Board Chair*

**NOMINATION:** Allison Gordon nominated Gregory Winkler for the Office of Board Chair.

Dan Williams called for nominations three (3) times.

Gregory Winkler was elected as Chair by unanimous consent.

##### *Vice Chair*

**NOMINATION:** Peter Fabian nominated Allison Gordon for the Office of Vice Chair.

Dan Williams called for nominations three (3) times.

Allison Gordon was elected as Vice Chair by unanimous consent.

##### *Secretary*

**NOMINATION:** Peter Fabian nominated Bridget Ellingboe for the Office of Secretary.

Dan Williams called for nominations three (3) times.

Bridget Ellingboe was elected as Secretary by unanimous consent.

<b>2016 OFFICER ELECTION RESULTS</b>	
<b>Board Chair</b>	Gregory Winkler
<b>Vice Chair</b>	Allison Gordon
<b>Secretary</b>	Bridget Ellingboe

#### Liaison Appointments

<b>2016 LIAISON APPOINTMENTS</b>	
<b>Specialty Liaison</b>	Peter Fabian

**MOTION:** Elizabeth Krueger moved, seconded by Charles Lindsey, to affirm the Chair's appointment of liaisons for 2016. Motion carried unanimously.

**Delegation Motions**

***Delegated Authority for Urgent Matters***

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority to the Chair to appoint liaisons to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

***Document Signature Delegation***

**MOTION:** Bridget Ellingboe moved, seconded by Jennifer Anderson-Meger, the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

***Specialty Liaison***

**MOTION:** Elizabeth Krueger moved, seconded by Allison Gordon, the Specialty Liaison is delegated by the Board to address all issues pertaining to a Specialty designation. Motion carried unanimously.

*Charles Lindsey was excused from the meeting at 12:02 p.m.*

**ADJOURNMENT**

**MOTION:** Alice Hanson-Drew moved, seconded by Gregory Winkler, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:07 p.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Sharon Henes Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>17 March 2016</b>  Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  <b>Marriage and Family Therapy, Professional Counselors and Social Work Examining Board</b>			
4) Meeting Date:  <b>28 March 2016</b>	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Legislation and Rule Matters – Discussion and Consideration</b> <b>1. MPSW 3, 5 Relating to Social Work Licenses</b> <b>2. MPSW 1 Relating to Rules and Exams</b> <b>3. MPSW 10, 11, 12, 14 Relating to Professional Counseling Licensure</b> <b>4. MPSW 16, 17, 18 Relating to Marriage and Family Therapy Licensure</b> <b>5. Update on Pending Legislation and Pending and Possible Rulemaking Projects</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i><b>Sharon Henes</b></i>		<i><b>17 March 2016</b></i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**STATE OF WISCONSIN  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL  
COUNSELING AND SOCIAL WORK EXAMINING BOARD**

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**IN THE MATTER OF RULEMAKING** :  
**PROCEEDINGS BEFORE THE** : **REPORT TO THE LEGISLATURE**  
**MARRIAGE & FAMILY THERAPY,** : **CR 14-057**  
**PROFESSIONAL COUNSELING AND** :  
**SOCIAL WORK EXAMINING BOARD** :

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS:**

None

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA is attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

This rule removes two requirements which are not in statute for licensure as a clinical social worker. The legislature removed the requirement that the supervised clinical social work practice be completed in no less than 2 years when it inserted the 3,000 hour requirement. This rule removes the requirement which remained in the administrative code after the statutory change. The other requirement is deleting the requirement that the 1,000 hours of face-to-face client contact include “DSM diagnosis and treatment of individuals”. The statute requires only that the experience hours be in clinical social worker practice. The requirement that the supervised experience must include Diagnostic and Statistical manual (DSM) diagnosis and treatment of individuals is not in the statutes and creates a higher burden on the applicant than the statutory requirements.

This rule also brings the code in compliance with Wisconsin 2013 Act 114 which created a provision that a credentialing board may not require a person to complete the postsecondary education before the person is eligible to take an exam. The current rule allows an applicant to take the exam for social worker or advanced practice social worker prior to graduation provided the school confirms the applicant is in good standing and is within 6 months of graduation. The current rule is not in conformity with 2013 Act 114 by requiring the school to indicate the person is in good standing and limiting the ability of the applicant to decide when to take the test. Therefore, this rule removes the requirement for the school to confirm the applicant is in good standing and the requirement that the student must be within 6 months of graduation.

**V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD’S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

**The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board held a public hearing on October 28, 2014. The following people either testified at the hearing, or submitted written comments:**

Cindy Adell representing National Association of Social Workers, Wis. Chapter  
Rosemarie Carbino  
Pam Cass  
Edward Cohen  
Gabriela Dieguez  
Cornelia Gordon-Hempe  
Marc Herstand representing National Association of Social Workers, Wis. Chapter  
John Macek  
Maria Elena Perez  
Jerrold Rousseau  
Barbara Teske-Young  
Michael Wallace  
Angela Willits  
Nick Yackovich representing UW School of Social Work  
Paul Zenisek

**The Board summarizes the comments received either by hearing testimony or by written submission as follows:**

Ms. Adell, Ms. Cass, Mr. Cohen, Ms. Dieguez, Mr. Herstand, Mr. Macek and Mr. Wallace opposed the elimination of “includes DSM diagnosis and treatment” from the rule. The rule change would allow a person to become a licensed clinical social worker without any supervised clinical training in DSM diagnosis or psychotherapeutic treatment. It is essential for LCSW’s to possess DSM diagnosis and treatment experience. To deny the educational experience of DSM and psychotherapy for clinical social workers poses ethical risk for clients, clinicians and community. A critical component of licensed clinical social work practice is having solid diagnostic skills. The failure to demand DSM diagnosis or psychotherapy treatment skills puts patients at danger. DSM is an essential part of any comprehensive assessment process as it is considered the gold standard in mental health. Allowing individuals to practice without having the necessary training puts a burden on the consumer of mental health services because they won’t know if the provider has been properly trained in the utilization of the DSM.

Ms. Gordon-Hemp, Jerrold Rousseau and Paul Zenisek opposed the rule. Their comments opposed the elimination of the 1000 hour requirement and the elimination of “includes DSM diagnosis and treatment”. The standards are weakened by not requiring a defined period of supervised pre-licensure clinical practice including face-to-face client

contact with clients including DSM diagnosis and treatment. Ms. Gordon-Hemp served as the Social Worker Section chair when the Section developed the current administrative rules that amplified the legislation.

Ms. Carbino, Ms. Perez, Ms. Teske-Young, Ms. Willits and Mr. Yackovich oppose the elimination of the 1000 hour requirement. The education provided is far short of the amount of training needed to practice as a competent social worker and the 1000 hours of face-to-face practice is necessary. A minimum number of training hours ensures some exposure to the very important component of diagnosis and psychotherapeutic treatment. Eliminating the training component of the license would be concerning for all individuals seeking services. The 1000 hours of supervised direct practice provides advanced skills to practice competently.

**The Board explains modifications to its rule-making proposal prompted by public comments as follows:**

The Board did not make any modifications to the rule-making proposals prompted by public comments. The Board is not eliminating the requirement for 1000 hours of face-to-face client contact as that is required by statutes. The Board recognizes the importance of training in DSM diagnosis and treatment for licensed clinical social workers, however, the statutes do not required that training to be included in the 1000 hours of face-to-face client contact. The supervised training is to be in clinical social work as defined by statutes which a component is psychotherapy.

In this rule, the Board is merely conforming their rule to the statutory requirements.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:**

None

STATE OF WISCONSIN  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL  
COUNSELING AND SOCIAL WORK EXAMINING BOARD

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IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : MARRIAGE AND FAMILY THERAPY,  
MARRIAGE AND FAMILY THERAPY, : PROFESSIONAL COUNSELING AND  
PROFESSIONAL COUNSELING AND : SOCIAL WORK EXAMINING BOARD  
SOCIAL WORK EXAMINING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 14-057)

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PROPOSED ORDER

An order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board to amend MPSW 3.09 (3) and (3m) and MPSW 5.01 (2) and (3) relating to social worker credentials.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** ss. 440.071 and 457.08

**Statutory authority:** ss. 15.08(5)(b), 457.03(1) and 457.03(3)

**Explanation of agency authority:**

Each board shall promulgate rules for its own guidance and the guidance of the profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular profession.

The Board shall promulgate rules establishing the minimum standards for supervised clinical training that must be completed for licensure as a clinical social worker and establish appropriate educational, training, experience, examination and continuing education requirements for each level of social worker credentials.

**Related statute or rule:** s. 440.071

**Plain language analysis:**

Section 1 removes the two requirements which are not in statute for licensure as a clinical social worker. The legislature removed the requirement that the supervised clinical social work practice be completed in no less than 2 years when it inserted the 3,000 hour requirement. This rule removes the requirement which remained in the administrative code after the statutory change. The other requirement is deleting the requirement that the 1,000 hours of face-to-face

client contact include “DSM diagnosis and treatment of individuals”. The statute requires only that the 3,000 hours experience be in clinical social work practice. The requirement that the supervised experience must include Diagnostic and Statistical Manual (DSM) diagnosis and treatment of individuals is not in the statutes and creates a higher burden on the applicant than the statutory requirements.

Section 2 brings the rule in compliance with Wisconsin 2013 Act 114 which created a provision that a credentialing board may not require a person to complete the postsecondary education before the person is eligible to take an exam. The current rule allows an applicant to take the exam for social worker or advanced practice social worker prior to graduation provided the school confirms the applicant is in good standing and is within 6 months within graduation. The current rules go beyond the statutes by requiring the school to indicate the person is in good standing and limiting the ability of the applicant to decide when to take the test. This rule removes the requirement for the school to confirm the applicant is in good standing and the requirement that the student must be within 6 months of graduation.

**Summary of, and comparison with, existing or proposed federal regulation:** None

**Comparison with rules in adjacent states:**

**Illinois:** Illinois does not require completion of education prior to taking the exam. Illinois does not require the supervised clinical hours to be completed in a specified time frame. An applicant is required to obtain 3,000 hours of supervised professional experience in clinical social work practice but does not specifically require “DSM treatment and diagnosis”.

**Iowa:** Iowa does not require completion of education prior to taking the exam. An applicant is required to have 2 years full time practice or 4,000 hours over a minimum of 2 years and maximum 6 years period of performing psychosocial assessment, diagnosis and treatment. At least one component of the diagnostic practice must include working knowledge of DSM.

**Michigan:** Michigan does not require completion of education prior to taking the exam. Michigan requires at least 4,000 hours in not less than 2 years. An applicant is required to obtain hours in clinical social work practice but does not specifically require “DSM treatment and diagnosis”.

**Minnesota:** Minnesota does not require the completion of education prior to taking the exam. Minnesota does not require the supervised clinical hours to be completed in a specified time frame. An application is required to have 200 hours of supervision during not less than 4,000 hours and not more than 8,000 hours of supervised clinical social work practice, which must include both diagnosis and treatment.

**Summary of factual data and analytical methodologies:**

The methodology was removing portions of the rule which are inconsistent with statutes.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

This rule was posted for economic comments for 14 days and none were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis is attached.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

**Agency contact person:**

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-2377; email at Sharon.Henes@wisconsin.gov.

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Sharon.Henes@wisconsin.gov. Comments must be received on or before the public hearing to be held on October 28, 2014 to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. MPSW 3.09(3) and (3m) are amended to read:

MPSW 3.09(3) Except as provided in sub. (3m), an affidavit that the applicant, after receiving a master's or doctoral degree and after receiving certification as an advanced practice social worker or an independent social worker, has completed at least 3,000 hours of clinical social work practice ~~in no less than 2 years~~, including at least 1,000 hours of face-to-face client contact ~~and including DSM diagnosis and treatment of individuals~~, under the supervision of a supervisor approved by the social worker section. Pre-licensed supervised practice shall meet the criteria under s. MPSW 4.01.

(3m) An applicant who after receiving a master's or doctoral degree in social work and completing any portion of the applicant's 3,000 hours of supervised clinical social work practice outside of Wisconsin ~~in no less than 2 years~~ may be given credit for those hours provided they

included at least 1,000 hours of face-to-face client contact, or a proportionate number thereof, and also included DSM diagnosis and treatment of individuals, completed under the supervision of a supervisor acceptable to the social worker section.

SECTION 2. MPSW 5.01(2) and (3) are amended to read:

(2) An applicant for certification as a social worker shall successfully complete the examination consisting of the Wisconsin statutes and rules examination and an examination approved by the section. Both parts of the examination may be taken prior to completion of the required degree, ~~upon confirmation from the applicant's school that he or she is a student in good standing and is within 6 months of graduation.~~

(3) An applicant for certification as an advanced practice social worker shall successfully complete the examination consisting of the Wisconsin statutes and rules examination and an examination approved by the section. Both parts of the examination may be taken prior to completion of the required degree, ~~upon confirmation from the applicant's school that he or she is a student in good standing and is within 6 months of graduation.~~

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)  
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This Proposed Order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board is approved for submission to the Governor and Legislature.

Dated 12/23/14

  
Board Chair  
Marriage and Family Therapy, Professional  
Counseling and, Social Work Examining Board

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

MPSW 3, 5

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3. Subject

Social Worker Credentials

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165(1)(g)

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect    Increase Existing Revenues    Increase Costs  
 Indeterminate    Decrease Existing Revenues    Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy    Specific Businesses/Sectors  
 Local Government Units    Public Utility Rate Payers  
 Small Businesses **(if checked, complete Attachment A)**

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

The policy problem is to correct rules which place a burden on the applicants by going beyond statutory requirements. The legislature removed the 2 year requirement when it inserted the 3,000 hour requirement for supervised clinical social work. The current rule also requires the 1,000 hours of face-to-face client contact to include DSM diagnosis and treatment of individuals which is a requirement that is not in the statutes. Therefore, these two requirements put a higher burden on the applicants than the statutory requirements. In addition, current rules are not in conformity with 2013 Act 114 by requiring the exam may be taken prior to completion of the required degree only upon confirmation from the applicant's school that the applicant is in good standing and is within 6 months of graduation, thus limiting the ability of the applicant to decide when to take the test.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The rule was posted for economic impact comments and none were received.

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11. Identify the local governmental units that participated in the development of this EIA.

None. This rule does not affect local governmental units.

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

There is no economic or fiscal impact.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit to implementing the rule is to bring the current rules in conformity with the statutes and reduce the burden on the applicant.

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14. Long Range Implications of Implementing the Rule

The long range implication is the rule will conform to the statute.

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15. Compare With Approaches Being Used by Federal Government

None

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois and Minnesota do not require the clinical hours to be completed in a specific timeframe; Iowa requires 2 years of

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

full time practice or 4,000 hours between a 2 and 6 year period; and Michigan requires at least 4,000 in not less than 2 years. Illinois and Michigan do not specifically require DSM treatment and diagnosis; Iowa requires at least one component of the diagnostic practice must include a working knowledge of DSM; and Minnesota requires both diagnosis and treatment. Our neighboring states do not require the completion of education prior to taking the exam.

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17. Contact Name

Sharon Henes

18. Contact Phone Number

(608) 261-2377

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This document can be made available in alternate formats to individuals with disabilities upon request.