



MARRIAGE AND FAMILY THERAPIST SECTION

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

Room 121C, 1400 East Washington Avenue, Madison WI

Contact: Dan Williams (608) 266-2112

March 28, 2016

The following agenda describes the issues that the Section 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 description of the actions of the Section. A quorum of the MPSW Joint Board may be present.

9:00 A.M.

Or immediately following the Joint Examining Board.

AGENDA

CALL TO ORDER – ROLL CALL – OPEN SESSION

- A. **Adoption of the Agenda (1-2)**
- B. **Approval of the Minutes of November 30, 2015 (3-5)**
- C. **Administrative Matters – Discussion and Consideration**
 - 1) Staff Updates
 - 2) Section Member – Term Expiration Date
 - a. Bridget Ellingboe – 7/1/2016 (*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*)
 - 3) Election of Officers **(6-8)**
 - 4) Appointment of Liaisons and Delegation of Authority
 - a. Monitoring Liaison and Department Monitor **(9-10)**
- D. **Legislative and Administrative Rule Matters – Discussion and Consideration (11-13)**
 - 1) Proposals for MPSW 1 Relating to Renewal and Reinstatement
 - 2) Update on Legislation and Pending or Possible Rule-Making Projects
- E. **Proposal to Recognize California’s LMFT License as Substantially Equivalent for Purposes of Recognition for Wisconsin Licensure – Discussion and Consideration (14)**
- F. **MFT Position Statements – Discussion and Consideration (15-19)**
- G. Discussion and Consideration of Items Received After Preparation of the Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Presentation(s) of Petition(s) for Summary Suspension
 - 3) Presentation(s) of Proposed Stipulation(s), Final Decision(s) and Order(s)
 - 4) Presentation of Proposed Final Decision and Order(s)

- 5) Informational Item(s)
- 6) Division of Legal Services and Compliance (DLSC) Matters
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Approval(s) for Psychometric Testing
- 10) Practice Question(s)/Issues
- 11) Legislation/Administrative Rule Matters
- 12) Liaison Report(s)
- 13) Motions
- 14) Speaking Engagement(s), Travel, or Public Relation Request(s)

H. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

I. Deliberation on Order Fixing Costs in the Matter of Disciplinary Proceedings Against Ellen Pederson-Lewis, L.M.F.T. (ORDER0004113)(DHA case number SPS 14-0086)(DLSC case number 13 MFT 003) (20-28)

J. Deliberation on Division of Legal Services and Compliance (DLSC) Matters
 1) Case Closings

K. Application Review

- L. Deliberation of Items Received After Preparation of the Agenda
- 1) Application Issues and/or Reviews
 - 2) Professional Assistance Procedure (PAP) Matters
 - 3) Monitoring Matters
 - 4) Proposed Stipulation(s), Final Decision(s) and Order(s)
 - 5) Administrative Warnings
 - 6) Review of Administrative Warning
 - 7) Order(s) Fixing Cost(s)/Matters Related to Costs
 - 8) Division of Legal Services and Compliance (DLSC) Matters
 - 9) Proposed Final Decisions and Orders
 - 10) Petitions for Summary Suspension
 - 11) Petitions for Re-hearing(s)
 - 12) Education and Examination Matters
 - 13) Credentialing Matters
 - 14) Appearance(s) from Request(s) Received or Renewed
 - 15) Motions

M. Consulting with Legal Counsel

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

ADJOURNMENT

The next scheduled meeting is July 25, 2016.

**MARRIAGE AND FAMILY THERAPY SECTION
MEETING MINUTES
NOVEMBER 30, 2015**

PRESENT: Bridget Ellingboe, Peter Fabian, Alice Hanson-Drew, Linda Pellmann

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

CALL TO ORDER

Alice-Hanson Drew called the meeting to order at 10:01 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: Linda Pellmann moved, seconded by Peter Fabian, to approve the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 26, 2015

MOTION: Peter Fabian moved, seconded by Linda Pellmann, to approve the June 26, 2015 minutes as published. Motion carried unanimously.

REPORT ON PASS ATTEMPTS/PASS SUCCESS FOR THE AMFTRB EXAM

MOTION: Peter Fabian moved, seconded by Linda Pellmann, to request DSPS staff to create a report of the pass/fail rates for the AMFTRB exam. This report will be presented at the first Section meeting of each year starting in 2017. The Section also requests that the Education and Examinations Liaison to make this report available to the MFT programs in the State. Motion carried unanimously.

MFT APPLICATION FORM 2574

MOTION: Linda Pellmann moved, seconded by Peter Fabian, to request that DSPS staff review credentialing form 2574 and make changes as discussed at today's meeting. Motion carried unanimously.

CLOSED SESSION

MOTION: Peter Fabian moved seconded by Bridget Ellingboe, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Alice Hanson-Drew read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Bridget Ellingboe-yes; Peter Fabian-yes; Alice Hanson-Drew-yes; Linda Pellmann-yes. Motion carried unanimously.

At this time, all external communication contacts will be terminated for purposes of going into Closed Session.

The Section convened into Closed Session at 11:06 a.m.

RECONVENE TO OPEN SESSION

MOTION: Bridget Ellingboe moved, seconded by Linda Pellmann, to reconvene into open session. Motion carried unanimously.

The Section reconvened into Open Session at 11:23 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Peter Fabian moved, seconded by Linda Pellmann, to affirm all motions made in closed session. Motion carried unanimously.

ORDER FIXING COSTS

Ellen Pederson-Lewis, L.M.F.T. (ORDER0004113)(DHA case number SPS-14-0086)(DLSC case number 13 MFT 003)

MOTION: Linda Pellmann moved, seconded by Bridget Ellingboe, to table deliberation of the Order Fixing Costs in the matter of disciplinary proceedings against Ellen Pederson-Lewis, L.M.F.T., (ORDER0004113)(DHA Case No. SPS-14-0086)(DLSC Case # 13 MFT 003), pending response from respondent regarding hardship. Motion carried unanimously.

CASE CLOSINGS

15 MFT 002

MOTION: Bridget Ellingboe moved, seconded by Peter Fabian, to close DLSC case number 15 MFT 002, against P.F., for Prosecutorial Discretion (P2). Motion carried unanimously.

ADJOURNMENT

MOTION: Linda Pellmann moved, seconded by Bridget Ellingboe, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:23 a.m.

DRAFT

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Nilajah Hardin, Bureau Assistant		2) Date When Request Submitted: 03/17/16	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections: Marriage and Family Therapist Section			
4) Meeting Date: 03/28/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters – Discussion and Consideration Election of Officers Appointment of Liaisons and Delegation of Authority	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: The Section shall Elect Officers and have the Chair appoint Liaisons. The Section shall also delegate authority as necessary.			
11) Authorization			
<i>Nilajah D. Hardin</i>		03/17/16	
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.			

March 2015

2015 ELECTION RESULTS	
Section Chair	Alice-Hanson Drew
Vice Chair	Linda Pellmann
Secretary	Peter Fabian

2015 LIAISON APPOINTMENTS	
WAMFT Liaison	Linda Pellmann
DLSC Liaison (including CE, PAP, Monitoring)	Peter Fabian
Credentialing Liaison	Linda Pellmann Peter Fabian
Continuing Education Liaison	Peter Fabian
AMFTRB Liaison	Peter Fabian

2015 SCREENING PANEL APPOINTMENTS	
January - December 2015	Alice Hanson-Drew, Peter Fabian <i>Alternate: Linda Pellmann</i>

Delegation of Authority

MOTION: Peter Fabian moved, seconded by Linda Pellmann, that the Section delegates authority to the Chair to sign documents on behalf of the Section. In order to carry out duties of the Section, the Chair has the ability to delegate this signature authority to the Section's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

MOTION: Linda Pellmann moved, seconded by Peter Fabian, in order to facilitate the completion of assignments between meetings, the Section delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Section, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

MOTION: Linda Pellmann moved, seconded by Peter Fabian, that Section Counsel or another Department attorney is formally authorized to serve as the Section's designee for purposes of Wis. Admin. Code SPS § 1.08(1). Motion carried unanimously

MOTION: Peter Fabian moved, seconded by Linda Pellmann, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Section or Section liaison review. Motion carried unanimously.

MOTION: Peter Fabian moved, seconded by Linda Pellmann, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" document. Motion carried unanimously.

MOTION: Linda Pellmann moved, seconded by Peter Fabian, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters. Motion carried unanimously.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kelley Sankbeil Monitoring Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: January 9, 2016 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: Marriage and Family Therapists Section			
4) Meeting Date: April 19, 2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Delegation of Authority to Monitoring Liaison and Department Monitor	
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 (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Delegated Authority Motion: <i>“_____ moved, seconded by _____ to adopt/reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today’s agenda packet.”</i>			
11)  Authorization January 9, 2016			
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.			

Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
- 8. Grant or deny a request to appear before the Board/Section in closed session.**

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 17 March 2016 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: Marriage and Family Therapy Section			
4) Meeting Date: 28 March 2016	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Proposals for MPSW 1 Relating to Renewal and Reinstatement 2. Update on Pending Legislation and Pending and Possible Rulemaking Projects	
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 (Fill out Board Appearance Request) <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>Sharon Henes</i>		<i>17 March 2016</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	
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NOTE: This is the current language

MPSW 1.08 Credential renewal procedures for all sections of the board.

(1) Each person granted a credential under ch. 457 , Stats., is certified or licensed for the current period only. To renew certification or licensure, a credential holder shall by July 1 of the odd-numbered year following initial certification or licensure and every 2 years thereafter file with the board an application for renewal on a form prescribed by the board, and submit the fee under s. 440.08 (2) , Stats.

(2) A credential holder who fails to renew certification or licensure shall cease and desist from practice and from use of the professional title. Within 5 years following the renewal date, a credential holder may renew the expired credential without examination by filing the required renewal application, the renewal fee, and the late renewal fee under s. 440.08 (3), Stats. A credential holder who fails to renew certification or licensure within 5 years of the renewal date may be reinstated by complying with the requirements for obtaining initial certification or licensure, including educational and examination requirements which apply at the time application is made.

(3) An applicant for reinstatement of certification or licensure following disciplinary action shall meet requirements in sub. (1) and may be required to successfully complete an examination as the board prescribes. An applicant who applies for reinstatement more than 5 years after the date of the order imposing discipline against the applicant may be reinstated by complying with the requirements for obtaining initial certification or licensure, including educational and examination requirements which apply at the time the application for reinstatement is made.

(4) The credential and certificate of biennial certification or licensure shall be displayed in a prominent place by each person while certified or licensed by the board.

(5) Every credential holder shall notify the department, in writing, of a change of name or address within 30 days of the change.

NOTE: This was the proposed language from the MPSW 1 rulemaking project which was removed at the public hearing to be addressed as a separate rule. It is being provided as a starting point.

MPSW 1.085 is created to read:

MPSW 1.085 Credential renewal and reinstatement procedures. (1) RENEWAL BY EXPIRATION DATE. A credential holder shall renew the credential by the expiration date by paying the renewal fee determined by the department under s. 440.03(9)(a), Stats. and attesting to completion of the continuing education required under s. MPSW 19.02.

(2) RENEWAL WITHIN 5 YEARS. If the credential is renewed after the expiration date and within 5 years of the expiration, a credential holder shall renew the credential by paying the renewal fee determined by the department under s. 440.03(9)(a), Stats., attesting to completion of the continuing education required under s. MPSW 19.02. and pay a late renewal fee.

(3) RENEWAL AFTER 5 YEARS. This subsection does not apply to credential holders who have unmet disciplinary requirements or whose credentials have been surrendered or revoked. A credential holder who has failed to renew a credential within 5 years after the renewal date holds an expired credential and may not reapply for the credential using the initial application process. A credential may be renewed after 5 years by complying with all of the following:

(a) Payment of the renewal fee determined by the department under s. 440.03(9)(a) and the late renewal fee.

(b) Evidence of one of the following:

1. An active credential in good standing in another state.

2. Completion of 60 hours of approved continuing education, including 8 hours of professional ethics and boundaries, within the preceding 2 years.

(4) REINSTATEMENT. A credential holder who has unmet disciplinary requirements and failed to renew the credential within 5 years or whose credential has been surrendered or revoked may apply to have the credential reinstated in accordance with all of the following:

(a) Evidence of completion of the requirements in sub. (3) if the credential has not been active within the last 5 years.

(b) Evidence of completion of disciplinary requirements, if applicable.

(c) Evidence of rehabilitation or change in circumstances, warranting reinstatement of the credential.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dan Williams		2) Date When Request Submitted: Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: MPSW Joint Board – Marriage and Family Therapist Section			
4) Meeting Date: March 28, 2016	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Proposal to recognize California’s LMFT license as substantially equivalent for purposes of recognition for Wisconsin licensure – Discussion and Consideration	
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? If yes, who is appearing? <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed:			
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 Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.			

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

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4) Meeting Date: March 28, 2016	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Review the position statements on the web site – Discussion and Consideration	
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? If yes, who is appearing? <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
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STATE OF WISCONSIN

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Governor Scott Walker Secretary Dave Ross

Positions Statements Related to Marriage and Family Therapists Issued by the Joint Board of Marriage & Family Therapy, Professional Counseling and Social Work

HOW DOES A LMFT LICENSE COMPARE TO OTHER MENTAL HEALTH LICENSURES OFFERED IN WISCONSIN?

LMFT is a specialized licensure in marriage and family therapy that requires training and experience with families and couples. See s. 457.01, Stats for definitions of each of the types of licensure.

HOW MANY HOURS OF SUPERVISED EXPERIENCE DO APPLICANTS NEED?

The minimum requirements are: 3000 hours of marriage and family therapy practice in no less than 2 years, including at least 1000 hours of face to face client contact with 1 hour of MFT supervision for every 10 hours of client contact. This is outlined in Ch MPSW 16.03, Wis Admin Code.

WHO CAN SUPERVISE APPLICANTS FOR LICENSURE?

A person who meets one of the following requirements as stipulated by Ch MPSW 16.05, Wis Admin Code:

- (1) A LMFT who holds a doctorate degree in Marriage and Family Therapy.
- (2) A LMFT who has engaged in the equivalent of 5 years full-time MFT practice.
- (3) A psychiatrist or psychologist licensed in Wisconsin.
- (4) An AAMFT approved supervisor.
- (5) A person who is **approved in advance** by the MFT Section.

All requests for approval of supervisors are considered by the board on a case-by-case basis. Approval *must* be requested and received *before* starting supervision.

ARE LMFTS REQUIRED TO CARRY MALPRACTICE INSURANCE?

Yes. Clinical social workers, MFT's, and professional counselors are required to have professional liability insurance. Exceptions exist for licensees employed in federal, state or local

governmental agencies who only work for those agencies. These requirements are outlined in s. 457.24, Stat. and s. MPSW 1.10, Wis. Admin code.

WHAT REPORTING OBLIGATIONS DO I HAVE?

- If you have reasonable cause to suspect that a child you have seen in the course of your professional duties has been abused or neglected, you have an obligation to report it. (See section 48.981 of the Statutes for details.)
- If you have reasonable cause to suspect that a client you have seen in the course of your professional duties is a victim of sexual contact by a therapist, you must ask the client if s/he wants you to report it. (See section 940.22 of the Statutes for details.)
- Any organization or individual that employs a social worker, marriage and family therapist, or professional counselor must report to the examining board any adverse or disciplinary action that terminates, suspends or restricts the credential-holder's employment. Per s. MPSW 20.02(19), Wis. Admin code any violation of s. 457, Stat. is considered unprofessional conduct. Reporting requirements of supervisors and agencies are outlined in s. 457.25, Stat.
- While you are not obligated to report unprofessional conduct by another person, you are encouraged to report it by a grant of civil immunity: “any person who in good faith ... provides the department or any examining board ... with advice or information on a matter relating to the regulation of a person holding a credential is immune from civil liability”. (See section 440.042(2) of the Statutes for details.)

HOW WILL THE VENDORSHIP ACT 28 LAW AFFECT MY PRACTICE?

The bill addresses the issue of providing services outside of a DHS clinic. It does *not* alter the licensure requirements for providing AODA services.

The law imposes a new requirement for providers to notify their clients of the procedures to resolve a grievance regarding the provision of services. DHS has offered some guidance on forms and policies regarding these changes, click [here](#) to access this information.

The billing aspect of vendorship is not the direct responsibility of the Board to regulate or enforce; therefore, it is suggested that for further information about the law you contact your professional membership organization.

CAN LICENSEES TREAT AODA CLIENTS?

Licensed mental health professionals (social workers, marriage and family therapists, and professional counselors) are allowed to treat alcohol or substance abuse, however Stat. 457.02(5m) disallows them from treating alcohol or substance dependency or abuse as a specialty unless the individual is a certified substance abuse counselor, clinical supervisor, or

prevention specialist under s. 440.88, or unless the individual satisfies educational and supervised training requirements established in rules promulgated by the examining board.

WHICH EXAM DOES THE STATE BOARD REQUIRE FOR LICENSURE? THIS SHOULD GO UNDER EDUCATION (FAQS FOR SECTION?)

The Association of Marital and Family Therapy Regulatory Boards (AMFTRB) developed and owns the exam which Wisconsin and a majority of other states require for licensure. The applicant is also required to successfully complete the examination of the Wisconsin Statutes and rules.

There are three scheduled National Examination in Marital and Family Therapy testing windows each year. You can locate the dates at <http://www.amftrb.org/examdate.cfm>

Additional information about examinations can be found in Ch [MPSW 18](#), Wis Admin Code and s. [457.10\(4\)](#), Stats.

ARE THERE EXAMINATION STUDY MATERIALS OR WORKSHOPS AVAILABLE? THIS SHOULD BE REMOVED OR MOVED TO EDUCATION.

Exam Prep materials, classes, and workshops are available from private agencies and training institutions. However, neither the Department nor the Board is in a position to endorse any particular training provider.

CAN I GET A LICENSE IF I'VE BEEN CONVICTED OF A CRIME?

There is no simple answer to this question.

All professions are subject to the state law (sections 111.321, 111.322 and 111.335, Stats.) that prohibits discrimination against applicants based on conviction records unless convictions are substantially related to the practice of the profession. The phrase “substantially related” is interpreted broadly in order to protect the public, especially in health service professions where licensees interact with vulnerable populations, so convictions that involved harm to others or that suggest an impaired ability to perform licensed duties will probably be considered to be substantially related to the practice of the profession.

It is common for a board to ask the applicant to appear in person, to explain the circumstances of his or her conviction record and to discuss the person's development since the offense(s). Once it evaluates all the information submitted by the applicant, including any in-person interview, the board then has wide discretion to grant or deny the application. This is why it's very difficult to provide a simple answer to this question. Being denied for a license would not prevent a person from applying again later.

An additional consideration is that, even though an applicant may be granted a license, certain employment opportunities may be unavailable to persons with criminal records. For example, under the “caregiver law”, some convictions require post-conviction DHS Rehabilitation Review prior to working in a DHS licensed facility.

DOES THE VENDORSHIP, ACT 28 LAW CHANGE THE REQUIREMENTS FOR AODA LICENSING REQUIREMENTS FOR MENTAL HEALTH THERAPISTS?

No. The bill addresses the issue of providing services outside of a DHS clinic. It does not alter the licensure requirements for providing AODA services.