

**JOINT EXAMINING BOARD MEETING
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK JOINT EXAMINING BOARD
MEETING MINUTES
APRIL 10, 2012**

PRESENT: Arlie Albrecht, Eric Alvin, Alice Hanson-Drew, Peter Fabian, Charles Lindsey, Leslie Mirkin, Nicholas Smiar, Barbara Viste-Johnson

EXCUSED: Nancy Clark, Daryl Wood

STAFF: Dan Williams, Executive Director; Colleen Baird, Legal Counsel; Sharon Henes, Paralegal; Kimberly Wood, Bureau Assistant; and other Department Staff

GUESTS: Mark Hale, Department of Health Services – Division of Quality Assurance (DHS-DQA); Kathy Markeland, Wisconsin Association of Family and Children’s Agencies (WAFCA); Marc Herstand, National Association of Social Workers (NASW) WI Chapter; George Kamps; Dan Zimmerman, Department of Health Services – Division of Mental Health and Substance Abuse Services (DHS-DMHSAS); Allison Gordon

CALL TO ORDER

Leslie Mirkin, Chair, called the meeting to order at 9:05 a.m. A quorum of eight (8) members was present.

The Board took a moment to recognize George Kamps, former Social Worker Section and Joint Board member, for his service to the Board/Section. The Board thanked George Kamps for his dedication and acknowledged contributions he provided during his time on the Board.

APPROVAL OF AGENDA

MOTION: Alice Hanson-Drew moved, seconded by Nicholas Smiar, to approve the April 10, 2012 agenda as published. Motion carried unanimously.

APPROVAL OF MPSW JOINT BOARD MEETING MINUTES OF JULY 26, 2011

MOTION: Eric Alvin moved, seconded by Arlie Albrecht, to approve the minutes of July 26, 2011 as published. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2012

CHAIR

NOMINATION: Charles Lindsey nominated Arlie Albrecht for the Office of Chair.
Nomination carried by unanimous vote.

Leslie Mirkin called for other nominations three (3) times.

Arlie Albrecht was elected as Chair.

VICE CHAIR

NOMINATION: Eric Alvin nominated Nicholas Smiar for the Office of Vice Chair.
Nomination carried by unanimous vote.

Leslie Mirkin called for other nominations three (3) times.

Nicholas Smiar was elected as Vice Chair.

SECRETARY

NOMINATION: Charles Lindsey nominated himself for the Office of Secretary.
Nomination carried by unanimous vote.

Leslie Mirkin called for other nominations three (3) times.

Charles Lindsey was elected as Secretary.

2012 ELECTION RESULTS	
Board Chair	Arlie Albrecht
Vice Chair	Nicholas Smiar
Secretary	Charles Lindsey

Arlie Albrecht assumed the Office of Chair immediately following the conclusion of elections.

ADMINISTRATIVE MATTERS

Arlie Albrecht introduced two recently appointed board members, Barbara Viste-Johnson, Social Worker Section, and Peter Fabian, Marriage and Family Therapist Section.

Review of 2012 Meeting Dates

The Board reviewed its 2012 meeting dates. The Board noted concerns regarding its ability to meet quorum requirements.

MOTION: Eric Alvin moved, seconded by Peter Fabian, to move the July 24, 2012 meeting to occur one (1) week earlier. Motion carried unanimously.

9:15 A.M. APPEARANCE: MARK HALE AND DAN ZIMMERMAN, DEPARTMENT OF HEALTH SERVICES (DHS) - DISCUSSION REGARDING MPSW JOINT BOARD BRINGING DHS AUTHORIZED PSYCHOTHERAPISTS – A.K.A.”DAN CROSSMAN/MARK HALE LETTER HOLDERS” (PURSUANT TO S. 457.02 (6) (B) 2, WIS. STATS., AND CHAP. HFS 35, WIS. ADMIN. CODE) UNDER THE REGULATORY AUTHORITY OF THE BOARD

Dan Zimmerman and Mark Hale, DHS, appeared before the Board to address the ongoing issue of how to bring DHS letter holders under the purview of the Joint Board. George Kamps was present at the meeting and was invited to join the Board for discussion of this topic.

The Board received an update regarding the last meeting of the sub-committee. The Board considered its options for pursuing its goal of bringing DHS authorized psychotherapists under its jurisdiction.

MOTION: Eric Alvin moved to table discussion of this topic until the next meeting. Motion failed due to lack of a second.

MOTION: Charles Lindsey moved, seconded by Barbara Viste-Johnson, to utilize the existing mechanisms in place to license the DHS letter holders and to create a sub-committee with a representative from each Section to review applications. Motion failed.

MOTION: Peter Fabian moved, seconded by Nicholas Smiar, to call the question. Motion carried unanimously.

MOTION: Peter Fabian moved, seconded by Eric Alvin, to accept the recommendation from the sub-committee as listed on page 14 of the agenda packet, under “Solution”, to include all the points listed therein with the following amendments:

- Develop legislation as opposed to legislative rules.
- Change the first bullet point to reflect ‘regulation by the Sections of the MPSW Joint Board’.
- Change the last point so that expiration occurs two (2) years after the legislation is enacted.

Motion carried. Opposed: Two (2)

The Board expressed its appreciation to the members of the sub-committee charged with development of a recommendation to address the issue of DHS authorized psychotherapists.

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to formally request that the Secretary request that this be drafted as legislation by the Legislative Reference Bureau and to authorize Arlie Albrecht to act as a liaison on this legislation. Motion carried unanimously.

The Board will continue to discuss this agenda item at its next meeting.

STATUS OF REIMBURSEMENT FROM MEDICAID OF QUALIFIED TREATMENT TRAINEES

Mark Hale and Dan Zimmerman, DHS, remained at the meeting to participate in the Board's discussion of this topic. Dan Williams directed the Board's attention to page 15 of its meeting materials, and reviewed a written update from Sarah Coyle, DHS Medicaid Policy Analyst, regarding the status of reimbursement from Medicaid of qualified treatment trainees.

MOTION: Eric Alvin moved, seconded by Leslie Mirkin, to authorize Arlie Albrecht to send a letter to Brett Davis, DHS – Administrator of the Division of Health Care Access and Accountability, with a copy to Secretary Dennis Smith of DHS, inquiring of the status relating to reimbursement of QTTs. Motion carried unanimously.

SUPERVISORY GUIDELINES AND DISPARITY OF SUPERVISOR REGULATIONS ACROSS OF THE 3 PROFESSIONS OF THE MPSW JOINT BOARD

1) Consideration and Review of Supervisory Forms

The Board invited George Kamps to review his edits to the revised supervisory forms and to participate in discussion. Following review of these documents the Board took the following action.

MOTION: Leslie Mirkin moved, seconded by Nicholas Smiar, to approve the supervisory forms and implementation by each Section forthwith. Motion carried. Opposed – One (1)

DISCUSSION AND REVIEW OF MPSW JOINT BOARD GOALS FOR 2011 AND CONSIDERATION OF 2012 GOALS

The Board reviewed its current goals and considered its goals for 2012. The Board discussed the possible reconstitution of the Joint Board Goals Committee at a future date.

MOTION: Leslie Mirkin moved, seconded by Eric Alvin, to include the equalization of Joint Board fees as a 2012 goal. Motion carried unanimously.

MOTION: Eric Alvin moved, seconded by Alice Hanson-Drew, to continue the current Board goals in 2012 with the addition of the goal for fee equalization. Motion carried unanimously.

1) **Department of Health Services (DHS) Mental Health Provider Status Letter holders – Discussion of What Action Should be Taken by the MPSW Joint Board in Terms of Recognizing Unlicensed DHS-Recognized Mental Health Providers**

The Board noted this goal and agreed that this topic was adequately addressed earlier in the meeting.

2) **Create Supervisory Guidelines and Address Disparity of the Supervisor Regulations Across the 3 Professions of the MPSW Joint Board**

The Board acknowledged this goal and again agreed that this topic was adequately addressed earlier in the meeting.

3) **Amendment of Wis. Stat. 457.02, Regarding Repeal of Provisions Which Restrict Board License Holders from Providing Treatment of Substance Abuse and Substance Use Disorders**

The Board noted that this goal has been placed on hold. Sharon Henes addressed this Joint Board goal as it relates to legislation pursued by the Department via Senate Bill 453, relating to: the authority and responsibility of the Department of Safety and Professional Services, requirements for obtaining certain licenses or other credentials from the Department of Safety and Professional Services, weighing a product that contains opium or another controlled substance, and granting rule-making authority. She informed the Board that this legislation originally included a provision for repeal of § 457.02(5), Wis. Stats. However, this legislation only called for repeal of title protection issues and did not address the ability of Joint Board licensees to provide treatment of substance abuse and substance abuse disorders and was therefore removed from 2011 SB 453.

The Board briefly discussed this goal as it relates to federally proposed changes to scopes of practice for Substance Abuse Counselors based on level of education and proposed by the Substance Abuse and Mental Health Services Administration (SAMHSA).

LEGISLATION/ADMINISTRATIVE RULE MATTERS

Sharon Henes, Paralegal, provided an update to the Board regarding the status of the following legislative and administrative rule matters:

- **Senate Bill 453, relating to: the authority and responsibility of the Department of Safety and Professional Services, requirements for obtaining certain licenses or other credentials from the Department of Safety and Professional Services, weighing a product that contains opium or another controlled substance, and granting rule-making authority.** SB 453 passed and has become 2011 Wisconsin Act 146, enactment of this legislation includes repeal of § 457.025(5), Wis. Stats. and removes the requirement that the appropriate section of the examining board provide written notification of the substance of the report received by the Department. The Department pursued repeal of the duplicitous requirement as the Division of Enforcement already sends such notification.
- **Senate Bill 450, relating to: collecting workforce survey information from health care providers.** SB 450 Failed.
- **Senate Bill 280, relating to: complementary and alternative health services and providing a penalty.** SB 280 Failed.
- **Senate Bill 357, relating to: applying a service member's military education, training, or other experience for purposes of satisfying certain requirements for a professional credential.** SB 357 passed and has become 2011 Wisconsin Act 120 and will become effective June 1, 2012. Sharon Henes indicated that this legislation affects all of the Boards under the purview of the Department. Colleen Baird indicated that further research will be needed to determine the need for rule writing in response to this legislation.
- **Senate Bill 464, relating to: prohibiting fingerprinting in connection with professional credentials issued by the Department of Safety and Professional Services or an examining board or affiliated credentialing board, except as provided in the statutes, and requiring the exercise of rule-making authority.** SB 464 passed and has become 2011 Wisconsin Act 255.
- **MPSW 10, 11, 14 relating to: Minimum degree requirements.** The Professional Counselor Section has formed a task force to identify changes to the Section's rules relating to an increase of the minimum education requirements for licensure. The task force held its first meeting on March 16, 2012. The next task force meeting will occur on May 4, 2012.

REPORT OF MARRIAGE & FAMILY THERAPY SECTION

Arlie Albrecht informed the Board that the Section is scheduled to meet following the conclusion of the Joint Board meeting. He indicated that the Section met in January and that new Section member, Peter Fabian was present. At the January meeting the Section designated Chairperson Albrecht to draft and send a letter of appreciation to former Section member, Ann Marie Starr. Arlie Albrecht noted that the Section still has one professional member vacancy. He added that he has been informed of several individuals that have applied for appointment to this professional member vacancy.

REPORT OF PROFESSIONAL COUNSELOR SECTION

Charles Lindsey reported that the Professional Counselor Section was not able to achieve quorum for the meeting scheduled to occur on April 9, 2012 but the available Section members did meet to review applications for licensure. He indicated that the Section's next meeting will occur in July 2012. Charles Lindsey noted that the Section has formed a task force to review the current professional counselor educational requirements and to formulate how to move forward in terms of increasing the educational requirements for obtaining licensure. Chairperson Lindsey informed the Board that Wisconsin currently has the lowest degree hour requirement in the country.

REPORT OF SOCIAL WORKER SECTION

Eric Alvin reported to the Board regarding the work of the Social Worker Section. He noted that the Section is scheduled to meet on April 11, 2012. The Section is working on changes resulting from adoption of MPSW 3.13, Wis. Admin. Code, relating to the Social Work Training Certificate (SWTC), has recently reviewed its Practice FAQ pages, is working to identify 2012 goals and is working to preserve its institutional knowledge. Eric Alvin informed the Board that Mary Jo Walsh has resigned, George Kamps has been replaced by Barbara Viste-Johnson, and that Daryl Wood's resignation will be effective upon the conclusion of the Section's May 2012 meeting. Eric Alvin recognized Barbara Viste-Johnson as the Section's new LCSW member. Ms. Viste-Johnson was welcomed by the Board.

Arlie Albrecht expressed appreciation of George Kamps for his undying loyalty to the professions and for his constant willingness to volunteer his time and energy.

EQUALIZATION OF THE JOINT BOARD PROFESSIONAL LICENSING FEES

Noted.

**REVIEW OF CORRESPONDENCE OR INQUIRIES RECEIVED BY
LEGAL COUNSEL**

Eric Alvin inquired of Colleen Baird as to the applicability of the circuit court decision, which was included in the Section's agenda materials, in terms of relevance to the work of the other Sections of the Joint Board. Colleen Baird indicated that she will transmit this decision to the members of the Joint Board via e-mail.

OTHER BOARD BUSINESS

The Board discussed the possibility of receiving and reviewing certain statistical data on an annual basis. The Board requested discussion of this topic on its next agenda and considered the type of information it would like to review. Dan Williams will attempt to have a report for the next Joint meeting.

ADJOURNMENT

MOTION: Leslie Mirkin moved, seconded by Barbara Viste-Johnson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:45 p.m.