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**VIRTUAL/TELECONFERENCE  
PROFESSIONAL COUNSELOR SECTION  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND  
SOCIAL WORK EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Brad Wojciechowski (608) 266-2112  
April 19, 2023**

*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.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of November 14, 2022 (5-7)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements, and Recognition**
  - 1) Recognition of Cynthia Brown, Public Member (Resigned: 12/19/2022)
  - 2) Introduction of Tim Strait, Professional Counselor Member (Succeeds: Miller)
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff, and Section Updates
  - 2) 2023 Meeting Dates **(8)**
  - 3) Annual Policy Review **(9-11)**
  - 4) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(12-21)**
  - 5) Section Member – Term Expiration Date
    - a. Scheidegger, Tammy H. – 7/1/2020
    - b. Simon, Andrea L. – 7/1/2023
    - c. Strait, Tim – 7/1/2025
- F. Board Chair Meeting and Options to Address Department Resources – Discussion and Consideration**
  - 1) Review of Letter to Legislature Regarding Agency Resources
- G. Education and Examination Matters – Discussion and Consideration**
  - 1) Education Liaison Request for Board Input on LPC Approved Program Alternative Courses for Concordia University

**H. Legislative and Policy Matters – Discussion and Consideration**

- 1) 2021 Wisconsin Act 121 – Funding for Free and Charitable Clinics and Defining Telehealth
- 2) 2021 Wisconsin Act 222 – Advanced Practice Social Workers and Independent Social Workers Treating Substance Use Disorder as a Specialty

**I. Administrative Rule Matters – Discussion and Consideration**

- 1) Pending or Possible Rulemaking Projects **(22-23)**

**J. Counselors Compact – Discussion and Consideration**

**K. Discussion and Consideration on Items Added After Preparation of Agenda**

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Practice Matters
- 9) Administrative Rule Matters
- 10) Legislative and Policy Matters
- 11) Liaison Reports
- 12) Public Health Emergencies
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

**L. 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.).**

**M. Credentialing Matters**

- 1) **Application Reviews**
  - a. Caroline Weideman – LPC Applicant **(24-343)**

**N. Deliberation on DLSC Matters**

**1) Administrative Warnings**

a. 22 CPC 024 – A.R.C. **(344-345)**

**2) Case Closings**

a. 21 CPC 062 – P.R.G. **(346-354)**

b. 22 CPC 014 – P.F. **(355-360)**

c. 22 CPC 018 – M.A.T. **(361-370)**

**3) Proposed Stipulations and Final Decision and Order**

a. 20 CPC 040 – Jamie R. Reynolds, LPC **(371-377)**

b. 21 CPC 032 – Daniel H. Doden, LPC **(378-385)**

c. 22 CPC 037 – Meghan S. Connors, CPC-IT **(386-392)**

**4) Monitoring Matters (393-394)**

a. Curt Clausen, Licensed Professional Counselor – Requesting Full Licensure **(395-439)**

b. Adalia Jansen, Professional Counselor-in-Training – Requesting Termination of Quarterly Work Reports **(440-459)**

**O. Deliberation of Items Added After Preparation of the Agenda**

1) Education and Examination Matters

2) Credentialing Matters

3) DLSC Matters

4) Monitoring Matters

5) Professional Assistance Procedure (PAP) Matters

6) Petitions for Summary Suspensions

7) Petitions for Designation of Hearing Examiner

8) Proposed Stipulations, Final Decisions and Orders

9) Proposed Interim Orders

10) Administrative Warnings

11) Review of Administrative Warnings

12) Proposed Final Decisions and Orders

13) Matters Relating to Costs/Orders Fixing Costs

14) Case Closings

15) Board Liaison Training

16) Petitions for Assessments and Evaluations

17) Petitions to Vacate Orders

18) Remedial Education Cases

19) Motions

20) Petitions for Re-Hearing

21) Appearances from Requests Received or Renewed

**P. Consulting with Legal Counsel**

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**Q. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate**

**R. Open Session Items Noticed Above Not Completed in the Initial Open Session**

**ADJOURNMENT**

**NEXT MEETING: JULY 18, 2023**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED  
WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or the Meeting Staff at 608-267-7213.

**VIRTUAL/TELECONFERENCE  
PROFESSIONAL COUNSELOR SECTION  
MEETING MINUTES  
NOVEMBER 14, 2022**

**PRESENT:** Cynthia Brown, Tammy Scheidegger, Andrea Simon

**STAFF:** Brad Wojciechowski, Executive Director; Jameson Whitney, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other DSPS Staff

**CALL TO ORDER**

Cynthia Brown, Chairperson, called the meeting to order at 11:32 a.m. A quorum was confirmed with three (3) members present.

**ADOPTION OF AGENDA**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JULY 19, 2022**

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to approve the Minutes of July 19, 2022 as published. Motion carried unanimously.

**EDUCATION AND EXAMINATION MATTERS**

**Education Liaison Request for Board Input on LPC Approved Program Alternative Courses for Concordia University**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to table the matter of approval of alternate courses for Concordia University for use in their LPC approved program. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, 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 investigation 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.). Cynthia Brown, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Cynthia Brown-yes; Tammy Scheidegger-yes; and Andrea Simon-yes. Motion carried unanimously.

The Section convened into Closed Session at 12:41 p.m.

## CREDENTIALING MATTERS

### Application Reviews

#### *Sterlon White – PCTL Renewal Applicant*

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to issue an intent to deny, and a three-option letter, for the PCTL Renewal application of Sterlon White. **Reason for Denial:** 457.13 Renewal is at the Section discretion, failure to meet the educational requirements of MPSW 14. Motion carried unanimously.

#### *Nicole Cook – LPC-IT Applicant*

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to refer the LPC-IT application of Nicole Cook back to the Credentialing Liaison for further analysis in light of the new information submitted. Motion carried unanimously.

### DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

#### Administrative Warnings

##### *21 CPC 011 – A.J.L.*

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to issue an Administrative Warning in the matter of A.J.L., DLSC Case Number 21 CPC 011. Motion carried unanimously.

#### Case Closings

##### *21 CPC 061 – P.M.C.*

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to close DLSC Case Number 21 CPC 061, against P.M.C., for No Violation. Motion carried unanimously.

### RECONVENE TO OPEN SESSION

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 12:58 p.m.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)*

## **ADJOURNMENT**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:59 p.m.

DRAFT

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

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Katlin Schwartz, Bureau Assistant		2) Date when request submitted: 12/14/2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Professional Counselor Section			
4) Meeting Date: 1/30/2023	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? 2023 Meeting Dates	
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 <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed:  The Board will review and potentially make a motion to approve the follow 2023 meeting dates:  a. Monday, January 30, 2023 – Virtual b. Wednesday, April 19, 2023 – Virtual c. Tuesday, July 18, 2023 – DSPS d. Tuesday, October 17, 2023 - Virtual			
11) <b>Authorization</b>			
<i>Katlin Schwartz</i>		<i>12/14/2022</i>	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 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  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Katlin Schwartz, Bureau Assistant on behalf of Division of Policy Development Executive Directors		<b>2) Date when request submitted:</b> 12/14/2022 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> All Boards			
<b>4) Meeting Date: First Meeting of 2023</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Annual Policy Review	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if applicable:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> <li>1. <b>In-Person Meeting Policy:</b> Depending on the frequency of Board meetings, a Board may be allowed a certain number of in-person meetings.                         <ul style="list-style-type: none"> <li>• 4-5 Meetings per year = 1 in-person opportunity</li> <li>• 6-8 Meetings per year = 2 in-person opportunities</li> <li>• 12 Meetings per year = 4 in-person opportunities</li> </ul> </li> <li>2. <b>Attendance/Quorum:</b> Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law.</li> <li>3. <b>Walking Quorum:</b> Board/Section/Council members must not collectively discuss the body's business outside of a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law.</li> <li>4. <b>Mandatory Training:</b> All Board Members must complete their annual Public Records and Ethics Trainings, if not complete, the training will be done at the next meeting.</li> <li>5. <b>Agenda Deadlines:</b> Please communicate agenda topics to your Executive Director before the agenda submission deadline which is at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting)</li> <li>6. <b>Travel Voucher and Per Diem Submissions:</b> Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. (Attachments: Per Diem Example, Travel Voucher Example)</li> <li>7. <b>Lodging Accommodations/Hotel Cancellation Policy:</b> Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the scheduled start time.                         <ul style="list-style-type: none"> <li>• If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate.</li> </ul> </li> <li>8. <b>Inclement Weather Policy:</b> In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executive remotely.</li> </ol>			
<b>11) Authorization</b>			
Katlin Schwartz		12/14/2022	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
<b>Directions for including supporting documents:</b> <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

## Timeline of a Meeting

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**8 business days prior to the meeting:** All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

**7 business days prior to the meeting:** The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

**5 business days prior to the meeting:** The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

**4 business days prior to the meeting:** Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

### Agenda Item Examples:

- Approval of the Agenda and Minutes (from the last meeting)
- Open Session Items
  - Public Hearings (on Admin Rules)
  - Administrative Matters
  - Legislation and Policy Matters
  - Administrative Rules Matters
  - Credentialing Matters
  - Education and Exam Issues
  - Public Agenda Requests
  - Current Issues Affecting the Profession
  - Public Comments
- Closed Session items
  - Deliberations on Proposed Disciplinary Actions
    - Stipulations
    - Administrative Warnings
    - Case Closings
    - Monitoring Matters
    - Professional Assistance Procedure (PAP) Issues
  - Proposed Final Decisions and Orders
  - Orders Fixing Costs/Matters Relating to Costs
  - Credentialing Matters
  - Education and Exam Issues

**Thursday of the Week Prior to the Meeting:** Agendas are published for public notice on the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

**1 business day after the Meeting:** "Action" lists are distributed by staff detailing board actions on closed session business.

**5 business days after the Meeting:** "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

# Department of Safety and Professional Services

## PER DIEM REPORT

**INSTRUCTIONS:** Claimant records board-related activities by entering the date of an activity, the duration of time spent in that activity, the relevant purpose code (see purpose code descriptions below), where the activity is conducted, and the type of activity performed. Only one (1) \$25.00 per diem payment can be issued on any given calendar day.

**Purpose Codes:**

- A. Official meetings including video/teleconference calls** (automatic day of per diem): i.e., board, committee, board training or screening panels; **Hearings**, i.e., Senate Confirmation, legislative, disciplinary or informal settlement conferences; **Examinations and Test Development Sessions**, i.e., test administration, test review or analysis events, national testing events, tour of test facilities, etc.)
- B. Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

NAME OF EXAMINING BOARD OR COUNCIL <b>EXAMPLE EXAMINING BOARD</b>			BOARD OR COUNCIL MEMBER'S NAME <b>MARY SUNSHINE</b>	
Activity Date MM/DD/YY	Duration of Activity Hours/Minutes	Purpose Code A or B	Where Performed City/Location (Home, Work, DSPS)	Activity Describe Activity Performed (see purpose codes)
12/2/20	2 hrs	B	Pleasant Prairie/Home	Review of screening panel materials
12/3/20	2 hr / 30 mins	B	Pleasant Prairie/Home	Review of screening panel materials
12/10/20	1 hr	A	Pleasant Prairie/Home	Screening Panel Meeting - Teleconference
12/12/20	1 hr / 30 mins	B	Pleasant Prairie/Home	Case consultation
12/13/20	1 hr	B	Pleasant Prairie/Home	Liaison: Application Review
12/16/20	6 hrs	A	Madison/DSPS	Board Member Training
				<p><b>The 5-hour rule applies to "B" code activities. Add the 'B' codes within the calendar month and then divide by five (5) hours to calculate your per diem payment. In this case the total is seven (7) hours which equals one (1) day of per diem.</b></p> <p><b>Each 'A' code is an automatic day of per diem regardless of time spent in that activity. Ms. Sunshine is eligible for two (2) additional days of payment.</b></p> <p><b>Department staff completes the fields titled "Total Days Claimed".</b></p>
<b>CLAIMANT'S CERTIFICATION</b>			Comments:	
The undersigned certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.				
<i>Mary Sunshine</i> Claimant's Signature		1/4/2021 Date		
			Supervisor	Date

EMPL ID: 100012345-0

**To be completed by Department staff:** TOTAL DAYS CLAIMED: 3 @ \$25.00 = 75.00



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

**AGENDA REQUEST FORM**

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3) Name of Board, Committee, Council, Sections: Professional Counselor Section			
4) Meeting Date: 1/30/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters <ul style="list-style-type: none"> <li>• Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities</li> </ul>	
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 <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <ol style="list-style-type: none"> <li>1) The Board, Council or Section should conduct Election Officers: Chairperson, Vice Chairperson &amp; Secretary</li> <li>2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate</li> <li>3) The Board should review and then consider its existing delegated authorities including any modification of these delegations and any proposals for additional delegations.             <ol style="list-style-type: none"> <li>a. Credentialing Delegations</li> <li>b. Monitoring Delegations</li> <li>c. Pre-Screening Delegations</li> </ol> </li> </ol>			
11) <span style="float: right;">Authorization</span> Katlin Schwartz <span style="float: right;">12/14/2022</span>			
Signature of person making this request			Date
Supervisor (Only required for post agenda deadline items)			Date
Executive Director signature (Indicates approval for post agenda deadline items)			Date
Directions for including supporting documents: <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

## PROFESSIONAL COUNSELOR SECTION

### 2022 Elections and Liaison Appointments

ELECTION RESULTS	
<b>Chairperson</b>	Cynthia Brown
<b>Vice Chairperson</b>	Andrea Simon
<b>Secretary</b>	Tammy Scheidegger

### Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
<b>Credentialing Liaisons</b>	Tammy Scheidegger, Andrea Simon
<b>Education and Examination Liaison</b>	Tammy Scheidegger <i>Alternate: Andrea Simon</i>
<b>Monitoring</b>	Cynthia Brown <i>Alternate: Tammy Scheidegger</i>
<b>Professional Assistance Procedure (PAP) Liaison</b>	Cynthia Brown <i>Alternate: Andrea Simon</i>
<b>Legislative Liaison(s)</b>	Tammy Scheidegger
<b>Travel Authorization Liaison(s)</b>	Tammy Scheidegger
<b>Website Liaison</b>	Cynthia Brown
<b>Screening Panel</b>	Tammy Scheidegger, Cynthia Brown <i>Alternate: Andrea Simon</i>

### Delegation of Authorities

#### *Document Signature Delegations*

**MOTION:** Tammy Scheidegger moved, seconded by Cynthia Brown, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to sign documents on behalf of the Section in order to carry out its duties. Motion carried unanimously.

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

#### *Delegated Authority for Urgent Matters*

**MOTION:** Andrea Simon moved, seconded by Cynthia Brown, that in order to facilitate the completion of urgent matters between meetings, the Section delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

#### *Delegation to Chief Legal Counsel Due to Loss of Quorum*

**MOTION:** Tammy Scheidegger moved, seconded by Cynthia Brown, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

#### *Monitoring Delegations*

##### **Delegation of Authorities for Monitoring**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the July 19, 2022 agenda materials on pages 14-15. Motion carried unanimously.

##### **Delegation of Authorities for Legal Counsel to Sign Monitoring Orders**

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Section meetings on behalf of the Section Chairperson. Motion carried unanimously.

#### *Credentialing Authority Delegations*

**Delegation of Authority to Credentialing Liaison (Generic)**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

**Delegation of Authority to DSPS When Credentialing Criteria is Met**

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Section or Section liaison review. Motion carried unanimously.

**Delegation of Authority for Predetermination Reviews**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

**Delegation of Authority for Conviction Reviews**

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of Professional Counseling. Motion carried unanimously.

**Delegation to DSPS When Applicant's History Has Been Previously Reviewed**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous Professional Counseling credential and there is no new conviction record. Motion carried unanimously.

**Delegated Authority for Application Denial Reviews**

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to delegate authority to the Department's Attorney Supervisors to serve as the Section's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

**Delegation of Authority for Reciprocity Reviews**

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to delegate authority to the Department Attorneys to review and approve reciprocity



applications in which the out of state license requirements are substantially equivalent to the Section's requirements. Motion carried unanimously.

#### ***Pre-Screening Delegation to Open Cases***

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

#### ***Pre-Screening Delegation to Close Cases***

**MOTION:** Andrea Simon moved, seconded by Cynthia Brown, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

#### ***Voluntary Surrenders***

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

#### ***Education and Examination Liaison(s) Delegation***

**MOTION:** Tammy Scheidegger moved, seconded by Andrea Simon, to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously.

#### ***Authorization for DSPS to Provide Section Member Contact Information to National Regulatory Related Bodies***

**MOTION:** Andrea Simon moved, seconded by Cynthia Brown, to authorize the Department staff to provide national regulatory related bodies with all section member contact information that the Department retains on file. Motion carried unanimously.

***Optional Renewal Notice Insert Delegation***

**MOTION:** Andrea Simon moved, seconded by Cynthia Brown, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Section's or Section designee's request. Motion carried unanimously.

***Legislative Liaison Delegation***

**MOTION:** Andrea Simon moved, seconded by Tammy Scheidegger, to delegate authority to the Legislative Liaisons to speak on behalf of the Section regarding legislative matters. Motion carried unanimously.

***Travel Authorization Liaison Delegation***

**MOTION:** Andrea Simon moved, seconded by Cynthia Brown, to delegate authority to the Travel Authorization Liaison to approve any section member travel to and/or participation in events germane to the section, and to designate representatives from the Section to speak and/or act on the Section's behalf at such events. Motion carried unanimously.

***Website Liaison***

**MOTION:** Tammy Scheidegger moved, seconded by Cynthia Brown, to authorize to the Website Liaison(s) to act on behalf of the Section in working with Department staff to identify and execute website updates. Motion carried unanimously.

## **Roles and Authorities Delegated for Monitoring**

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

### **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/disciplinary/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/disciplinary/remedial 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 a maximum of one extension, if warranted and requested in writing by Respondent, to complete a Board/Section ordered evaluation or exam.~~
5. 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 written authorization from the Liaison to sign on their behalf.
6. Grant or deny a request to appear before the Board/Section in closed session.
7. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
8. *(Except Pharmacy and Medical)* Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

9. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
  - a. Initial: 49 screens (including 1 hair test, if required by original order)
  - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
  - c. 2<sup>nd</sup> Reduction: 28 screens plus 1 hair test
  - d. 3<sup>rd</sup> Reduction: 14 screens plus 1 hair test
10. (*Dentistry only*) Ability to approve or deny all requests from a respondent.

~~11. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.~~

### **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 education 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 education 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 of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. Grant or deny approval when Respondent proposes treatment providers [, mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.
6. Grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.

### **Authorities Delegated to Board Legal Counsel**

Board Legal Counsel may take the following actions on behalf of the Board/Section:

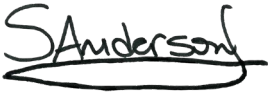
1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.

Updated 12/13/2021

2022 Roles & Authorities

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

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: 4/6/2023	
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: Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board			
4) Meeting Date: April 19, 2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Pending or Possible Rulemaking Projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? (If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff) <input type="checkbox"/> Yes <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:  Attachments:  <ul style="list-style-type: none"> <li>• PC Section Rule Projects chart</li> </ul>			
11) <span style="float: right;">Authorization</span>			
		4/6/2023	
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.			

**Professional Counselor Section of the MPSW Examining Board  
Rule Projects (updated 4/6/2023)**

<b>Clearinghouse Rule Number</b>	<b>Scope #</b>	<b>Scope Expiration</b>	<b>Code Chapter Affected</b>	<b>Relating clause</b>	<b>Synopsis</b>	<b>Current Stage</b>	<b>Next Step</b>
	064-22	01/25/2025	MPSW 1 to 20	Telehealth Comprehensive Review	The Board requested to do a comprehensive review of all their chapters while implementing 2021 WI Act 121.	Drafting Rule	EIA Comment Period and submission to Clearinghouse