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**VIRTUAL/TELECONFERENCE  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND  
SOCIAL WORK EXAMINING BOARD**

**Virtual, 4822 Madison Yards Way, Madison  
Contact: Brad Wojciechowski (608) 266-2112  
April 16, 2024**

*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 description of the actions of the Board.*

**AGENDA**

**11:30 A.M.**

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

- A. Adoption of Agenda (1-2)**
- B. Approval of Minutes of January 29, 2024 (3-6)**
- C. Reminders: Scheduling Concerns
- D. Introductions, Announcements, and Recognitions**
  - 1) Introduction of Ann E. Glavan, Public Member (Succeeds: Brown)
- E. 11:30 a.m. Preliminary Public Hearing on Scope Statement 018-24: MPSW 4, 12, 16, and 20 relating to supervision requirements. (7-9)**
- F. 11:30 a.m. Public Hearing: Clearinghouse Rule 24-012 MPSW 1 to 20, relating to telehealth comprehensive review. (10-45)**
  - 1) Review Public Hearing comments and Clearinghouse Report
- G. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff and Board Updates
  - 2) Board Member – Term Expiration Date
    - a. Adell, Cynthia C. – 7/1/2027
    - b. Erickson, Terrance C. – 7/1/2025
    - c. Hansen, Shawna R. – 7/1/2026
    - d. Glavan, Ann E. – 7/1/2027
    - e. Lee Yang, Sheng B. – 7/1/2027
    - f. Luster, Marietta S. – 7/1/2025
    - g. Marsh, Lindsey E. – 7/1/2024
    - h. Raef, Nick – 7/1/2025
    - i. Scheidegger, Tammy H. – 7/1/2024
    - j. Simon, Andrea L. – 7/1/2027
    - k. Strait, Tim – 7/1/2025
    - l. Stumbras, Patrick J. – 7/1/2025
    - m. Webster, Christopher J. – 7/1/2027

H. Legislative and Policy Matters – Discussion and Consideration

I. **Administrative Rule Matters – Discussion and Consideration (46-70)**

- 1) Scope Statement: MPSW 1 to 20, relating to Counseling Compact. (47-51)
- 2) Drafting: MPSW 3, relating to supervised practice. (52-64)
- 3) Drafting: MPSW 19, relating to continuing education. (65-68)
- 4) Pending or Possible Rulemaking Projects (69-70)

J. **2024 MPSW Examining Board Goals**

K. **Section Reports – Discussion and Consideration**

L. Discussion and Consideration of Items Added After Preparation of Agenda

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing 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) Motions
- 17) Petitions
- 18) Appearances from Requests Received or Renewed
- 19) Speaking Engagements, Travel, or Public Relation Requests, and Reports

M. **Public Comments**

**ADJOURNMENT**

**NEXT MEETING: JULY 16, 2024**

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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 reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND  
SOCIAL WORK EXAMINING BOARD  
MEETING MINUTES  
JANUARY 29, 2024**

**PRESENT:** Terrance Erickson (*arrived at 11:33 a.m.*), Shawna Hansen, Sheng Lee Yang, Marietta Luster, Lindsey Marsh, Nick Raef, Tammy Scheidegger, Andrea Simon, Tim Strait, Patrick Stumbras, Christopher Webster

**EXCUSED:** Cynthia Adell

**STAFF:** Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Tracy Drinkwater, Board Administration Specialist; and other DSPS Staff

**CALL TO ORDER**

Sheng Lee Yang, Chairperson, called the meeting to order at 11:32 a.m. A quorum was confirmed with ten (10) members present.

**ADOPTION OF AGENDA**

**MOTION:** Tim Strait moved, seconded by Marietta Luster, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 17, 2023**

*(Erickson arrived at 11:33 am)*

**MOTION:** Terrance Erickson moved, seconded by Patrick Stumbras, to approve the Minutes of October 17, 2023, as published. Motion carried unanimously.

**Preliminary Public Hearing: Scope Statement 102-23 revising MPSW 3, relating to supervised practice**

**MOTION:** Terrance Erickson moved, seconded by Tim Strait, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 102-23: MPSW 3, relating to supervised practice. Additionally, after consideration of all public comments and feedback, the Board approves SS 102-23 for implementation. Motion carried unanimously.

**Preliminary Public Hearing: Scope Statement 103-23 revising MPSW 19, relating to continuing education**

**MOTION:** Terrance Erickson moved, seconded by Andrea Simon, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 103-23: MPSW 19, relating to continuing education. Additionally, after consideration of all public comments and

feedback, the Board approves SS 103-23 for implementation. Motion carried unanimously.

**Election of Officers**

***Chairperson***

**NOMINATION:** Sheng Lee Yang nominated Patrick Stumbras for the Office of Chairperson. Patrick Stumbras accepted the nomination.

Brad Wojciechowski, Executive Director, called for nominations three (3) times.

Patrick Stumbras was elected as Chairperson by unanimous voice vote.

***Vice Chairperson***

**NOMINATION:** Andrea Simon nominated Tim Strait for the Office of Vice Chairperson. Tim Strait accepted the nomination.

Brad Wojciechowski, Executive Director, called for nominations three (3) times.

Tim Strait was elected as Vice Chairperson by unanimous voice vote.

***Secretary***

**NOMINATION:** Sheng Lee Yang nominated Marietta Luster for the Office of Secretary. Marietta Luster accepted the nomination.

Brad Wojciechowski, Executive Director, called for nominations three (3) times.

Marietta Luster was elected as Secretary by unanimous voice vote.

<b>2024 ELECTION RESULTS</b>	
<b>Chairperson</b>	Patrick Stumbras
<b>Vice Chairperson</b>	Tim Strait
<b>Secretary</b>	Marietta Luster

**Appointment of Liaisons and Alternates**

<b>LIAISON APPOINTMENTS</b>	
<b>Substance Abuse Disorder Specialty Liaison</b>	Tammy Scheidegger <i>Alternate: Andrea Simon</i>

## **Delegation of Authorities**

### **Review and Approval of 2023 Delegations**

**MOTION:** Terrance Erickson moved, seconded by Sheng Lee Yang, to reaffirm all delegation motions from 2023 as reflected in the agenda materials. Motion carried unanimously.

### ***Document Signature Delegations***

**MOTION:** Tim Strait moved, seconded by Sheng Lee Yang, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board 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 Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

## **LEGISLATIVE AND POLICY MATTERS**

### **2023 Wisconsin Assembly Bill 541 and 2023 Wisconsin Senate Bill 515**

**MOTION:** Lindsey Marsh moved, seconded by Terrance Erickson, to designate the Chairperson to work with DSPS staff on matters related to 2023 Wisconsin Assembly Bill 541 and 2023 Wisconsin Senate Bill 515. Motion carried unanimously.

## **ADMINISTRATIVE RULES MATTERS**

### **Adoption Order: MPSW 1, relating to APSW and ISW substance use disorder specialty.**

**MOTION:** Terrance Erickson moved, seconded by Marietta Luster, to approve the Adoption Order for Clearinghouse Rule 23-034 MPSW 1, relating to APSW and ISW substance use disorder specialty. Motion carried unanimously.

### **Scope Statement: MPSW 4, 12, 16, and 20, relating to supervision requirements.**

**MOTION:** Sheng Lee Yang moved, seconded by Tammy Scheidegger, to approve the Scope Statement revising MPSW 4, 12, 16, and 20, relating to supervision requirement, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

**Possible rulemaking project: MPSW 1 to 20, relating to Counseling Compact**

**MOTION:** Tammy Scheidegger moved, seconded by Tim Strait, to request DSPS staff to draft a Scope Statement revising MPSW 1 to 20, relating to Counseling Compact. Motion carried unanimously.

**ADJOURNMENT**

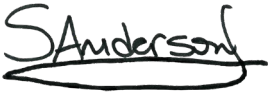
**MOTION:** Terrance Erickson moved, seconded by Andrea Simon, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:50 p.m.

DRAFT

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Sofia Anderson, Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 04/03/2024 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> Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board			
<b>4) Meeting Date:</b> April 16, 2024	<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> 11:30 A.M. Preliminary Public Hearing for Scope Statement 018-24: MPSW 4, 12, 16, and 20 relating to supervision requirements.	
<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> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> The Board will hold a Preliminary Public Hearing on these scopes as directed by the Joint Committee for Review of Administrative Rules (JCRAR) pursuant to s. 227.136 (1), Stats.			
<b>11) Authorization</b> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">   <hr/>                 Signature of person making this request             </div> <div style="text-align: center;">                 04/03/2024  <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;"> <hr/>                 Supervisor (if required)             </div> <div style="width: 35%;"> <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 70%;"> <hr/>                 Executive Director signature (indicates approval to add post agenda deadline item to agenda)             </div> <div style="width: 25%;"> <hr/>                 Date             </div> </div>			
<b>Directions for including supporting documents:</b> 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.			

# STATEMENT OF SCOPE

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

Rule No.: MPSW 4, 12, 16, and 20

Relating to: Supervised practice

Rule Type: Permanent

### 1. Finding/nature of emergency:

N/A.

### 2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule will be to revise the relevant sections of the MPSW code that refer to supervised practice and approving completion of hours to social workers, professional counselors, and marriage and family therapists who are under supervision.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board will review chapters MPSW 4, 12, 16, and 20 to consider an update of the current requirements for supervised practice and approving completion of hours for social workers, professional counselors, and marriage and family therapists who are under supervision in order to ensure clarity for supervisors, trainees, and employers.

The alternative to this rule would be to not change the MPSW Code sections relating to supervision and supervised practice, which will keep confusion between supervisors, trainees, and employers.

### 4. Detailed explanation of statutory authority for the rule:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 457.03 (1), Stats., provides that the examining board can “[u]pon the advice of the social worker section [...] promulgate rules establishing minimum standards for educational programs that must be completed for certification or licensure under this chapter and for supervised clinical training that must be completed for licensure as a clinical social worker, marriage and family therapist, or professional counselor...”

### 5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

Approximately 80 hours.



**6. List with description of all entities that may be affected by the proposed rule:**

Marriage and family therapist and professional counselors holding training licenses, advanced social workers and independent social workers performing clinical counseling under supervision, all eligible supervisors in charge of trainees, employers who hired trainees and supervisors.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

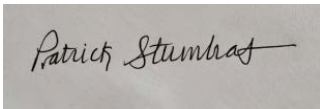
None.

**8. Anticipated economic impact of implementing the rule:**

None to minimal. The rule is not likely to have a significant economic impact on small businesses.

**Contact Person:** Sofia Anderson, Administrative Rules Coordinator, [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov)

Approved for publication:



\_\_\_\_\_  
Authorized Signature

1/30/2024

\_\_\_\_\_  
Date Approved

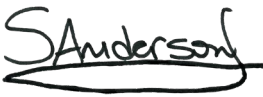
Approved for implementation:

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date Approved

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

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<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> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> The Board will hold a Public Hearing on this rule as required by the rulemaking process.			
<b>11) Authorization</b> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">   <hr/>                 Signature of person making this request             </div> <div style="text-align: center;">                 04/03/2024  <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;"> <hr/>                 Supervisor (if required)             </div> <div style="width: 35%;"> <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 70%;"> <hr/>                 Executive Director signature (indicates approval to add post agenda deadline item to agenda)             </div> <div style="width: 25%;"> <hr/>                 Date             </div> </div>			
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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 )

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PROPOSED ORDER

An order of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board **to amend** MPSW 2.01 (18), 10.01 (2) and (6), 15.01 (3), and 20.02 (12); and **to create** MPSW 1.02 (4), 1.12, 2.01 (10m), 15.01 (1m), and 20.03; relating to telehealth comprehensive review.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

Section 457, Stats.

**Statutory authority:**

Sections 15.08 (5) (b), 227.11 (2) (a), 440.17, and 457.03 (2).

**Explanation of agency authority:**

Section 15.08 (5) (b), Stats., states that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 440.17, Stats., states that “[i]f the department, an examining board, or an affiliated credentialing board promulgates rules related to telehealth, the department, the examining board, or the affiliated credentialing board shall define ‘telehealth’ to have the meaning given in s. 440.01 (1) (hm).”

Section 457.03 (2), Stats., states that “[u]pon the advice of the social worker section, marriage and family therapist section, and professional counselor section, promulgate rules establishing a code of ethics to govern the professional conduct of certificate holders and licensees.”

**Related statute or rule:**

Chs. MPSW 1 to 20.

**Plain language analysis:**

The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board completed a comprehensive review of chapters MPSW 1 to 20 to update the standards of practice regarding telehealth. The Board made revisions to provide clarity, remove obsolete provisions and ensure the chapters are current with professional telehealth standards and practices. The changes include:

- Addition of a definition of “telehealth” per 2021 Wisconsin Act 121.
- Creation of a new subsection that establishes standards of telehealth practice.
- Amendment of the definitions of “face-to-face” and “supervision” throughout the chapters to include telehealth practice.
- Amendment of the provisions of unprofessional conduct to incorporate telehealth practice.

**Summary of, and comparison with, existing or proposed federal regulation:**

None.

**Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:**

The Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board held a preliminary hearing on the scope statement for this rule at its October 18, 2022 meeting. No comments were received.

**Comparison with rules in adjacent states:**

**Illinois:**

Illinois regulates marriage and family therapy, professional counseling, and social work practice through the Department of Financial and Professional Regulation. The Clinical Social Work and Social Work Practice Act establishes two exemptions for social work telehealth practices if the social worker is not a resident of Illinois and performs services for another nonresident if a previously established relationship existed and the social worker holds a proper license to perform the services in the state or country they reside. [225 ILCS 20/4]

Illinois Telehealth Act establishes definitions, practice authority, and use of telehealth services for all professions, occupations, and business operations. [225 ILCS 150]

**Iowa:**

Iowa Board of Social Work establishes that a licensee shall assess a client’s suitability and capacity for online and remote services during the first contact with the client and keep assessing whether in-person or remote consultations should be done before providing social work services. This assessment shall be continually done throughout the course of the professional relationship and the social worker shall take reasonable steps to ensure the client’s identity, ability to consent to services, and location. [645 IAC 282.2 (19)]

Iowa Board of Behavioral Scientists, which includes marriage and family therapists and mental health counselors, states that services provided to an individual within the state either through telephone or other electronic means constitute the practice of marital and family therapy and mental health counseling and shall be subject to regulation, regardless of the location of the therapist or counselor. [645 IAC 31.18 (154D)]

**Michigan:**

Michigan statutes and rules do not specifically address how marriage and family therapists, professional counselors, and social workers should provide services using telehealth.

**Minnesota:**

Minnesota statutes and rules do not specifically address how marriage and family therapists, professional counselors, and social workers should provide services using telehealth.

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

The proposed rules were developed by reviewing chapters MPSW 1 to 20 and implementing 2021 Wisconsin Act 121 to ensure that the code is compliant with statutory changes and with current standards of practice. No additional factual data or analytical methodologies were used to develop the proposed rules.

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

The rule draft was posted on the department’s website for 14 days to solicit economic impact comments from local governments and small businesses. No comments 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 [Jennifer.Garrett@wisconsin.gov](mailto:Jennifer.Garrett@wisconsin.gov), or by calling (608) 266-2112.

**Agency contact person:**

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-4463; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

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

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before the beginning of the public hearing scheduled for TBD to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. MPSW 1.01 (4) is created to read:

(4) “Telehealth” is defined under s. 440.01 (1) (hm), Stats.

SECTION 2. MPSW 1.12 is created to read:

**MPSW 1.12 Telehealth practice.**

(1) A person licensed or credentialed by the board who uses telehealth in the diagnosis and treatment of a patient located in this state shall be licensed to practice by the board.

(2) A person licensed or credentialed by the board located in this state treating patients via telehealth, who are not physically located in this state at the time of treatment, must comply with the regulations in the state the patient is physically located at the time of treatment.

(3) A person licensed or credentialed by the board shall be held to the same standards of practice and conduct including patient confidentiality and recordkeeping, regardless of whether health care services are provided in person or by telehealth.

(4) A person, who is not a resident of this state, may perform marriage and family therapy, professional counseling, or social work practice via telehealth in this state for a nonresident not more than 5 days in any one month or more than 15 days in any one year, if there is a previous established therapeutic relationship with the nonresident, and the person is

authorized to perform such services under the laws of the state or country in which the person resides.

**(5)** A person licensed or credentialed by the board who provides counseling services by telehealth is responsible for the quality and safe use of equipment and technology that is integral to patient diagnosis and treatment. The equipment and technology used to provide counseling services by telehealth shall provide, at a minimum, information that will enable the licensee to meet or exceed the standard of minimally competent counseling practice.

SECTION 3. MPSW 2.01 (10m) is created to read:

**(10m)** “Face-to-face” means in person or real time video conferencing where all parties can communicate by simultaneous means of audio, telephone, video, or data communications.

SECTION 4. MPSW 2.01 (18) is amended to read:

**(18)** “Supervision” means supervision of the professional practice of social work in the applied skills of the profession. Supervision may be performed face-to-face whether in person or remotely by means of audio, telephone, video, or data communications.

SECTION 5. MPSW 10.01 (2) and (6) are amended to read:

**(2)** “Face-to-face” means in person or real time video conferencing where all parties can communicate by simultaneous ~~two-way video and audio transmissions~~ means of audio, telephone, video, or data communications.

**(6)** “Supervision” is a means of transmitting the skills, knowledge, and attitudes of a particular profession to the next generation of that profession. The supervisory relationship is evaluative, extends over time, and enhances the professional functioning of the developing professional. The supervisor shall monitor the quality of services offered by the supervisee with the purpose of enhancing the quality of skills and services provided by the counselor-in-training. Furthermore, the supervisor shall monitor and provide clinical oversight of the professional services rendered by the counselor-in-training to ensure ethical delivery of services and protection of public health and welfare. Supervision may be performed face-to-face whether in person or remotely by means of audio, telephone, video, or data communications.

SECTION 6. MPSW 15.01 (1m) is created to read:

**(1m)** “Face-to-face” means in person or real time video conferencing where all parties can communicate by simultaneous means of audio, telephone, video, or data communications.

SECTION 7. MPSW 15.01 (3) is amended to read:

(3) "Supervision" means supervision of the professional practice of marriage and family therapy in the applied skills of the profession. Supervision may be performed face-to-face whether in person or remotely by means of audio, telephone, video, or data communications.

SECTION 8. MPSW 20.02 (12) is amended to read:

(12) Failing to obtain the informed consent of the client or client's authorized representative prior to providing treatment. Informed consent shall be obtained whether the services are rendered in person or via telehealth.

SECTION 9. MPSW 20.03 is created to read:

**MPSW 20.03 Telehealth.** The standards of practice and professional conduct under this chapter apply to a licensee regardless of whether health care service is provided in person or by telehealth.

SECTION 10. 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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# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

**Scott Grosz**  
Clearinghouse Director

**Anne Sappenfield**  
Legislative Council Director

**Margit Kelley**  
Clearinghouse Assistant Director

### CLEARINGHOUSE RULE 24-012

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]**

#### 2. Form, Style and Placement in Administrative Code

- a. In the analysis for the proposed rule, provide a specific deadline for submitting comments, or describe how a reader could find that deadline, rather than stating “TBD”.
- b. In the treatment clause for SECTION 1 of the proposed rule, the citation to “1.01” should be corrected to “1.02”.
- c. In s. MPSW 1.02 (4), the phrase “is defined under” should be revised to “has the meaning given in”. [s. 1.07 (4) (a), Manual.]

#### 4. Adequacy of References to Related Statutes, Rules and Forms

- a. The “Statutes Interpreted” section of the analysis should reference “Chapter 457, Stats.”, instead of “Section 457, Stats.”.
- b. The material added to supervision requirements in ss. MPSW 2.01 (18), 10.01 (6), and 15.01 (3) in the proposed rule should more directly incorporate the definitions of “face-to-face” created in ss. MPSW 2.01 (10m), 10.01 (2), and 15.01 (1m), respectively, rather than using the term and only part of the created definition. Alternatively, delete the definitions of “face-to-face” created in the proposed rule, and instead modify the supervision requirements treated in the proposed rule to incorporate all of the substantive material proposed in the definitions of “face-to-face”, including mention of “real time video conferencing where all parties can communicate by simultaneous” means of audio, telephone, video, or data communications.

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. The material created in s. MPSW 1.12 (1) is confusing. That subsection provides that a person “licensed or credentialed by the board” who uses telehealth must be “licensed to practice by the board”. A person “licensed or credentialed by the board” already seems to be “licensed to practice by the board”. Modify the material to reflect the intended purpose of this provision, or delete if it is not needed. For example, is the provision intended to specify a general requirement

that a person who provides diagnosis and treatment for a patient located in the state must be credentialed in Wisconsin? If modified and retained to reflect that intent, consider also noting that sub. (4) provides an exception to the general requirement to be credentialed in Wisconsin, by beginning sub. (1) with the phrase, "Except as provided in sub. (4),".

**MPSW 1 to 20 Telehealth Comprehensive Review – Public Hearing Draft with Clearinghouse comments incorporated.**

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 24-012)  
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PROPOSED ORDER

An order of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board **to amend** MPSW 2.01 (18), 10.01 (2) and (6), 15.01 (3), and 20.02 (12); and **to create** MPSW 1.02 (4), 1.12, 2.01 (10m), 15.01 (1m), and 20.03; relating to telehealth comprehensive review.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

~~Section-Chapter~~ 457, Stats.

Commented [SA1]: CR 4.a. Accepted

**Statutory authority:**

Sections 15.08 (5) (b), 227.11 (2) (a), 440.17, and 457.03 (2).

**Explanation of agency authority:**

Section 15.08 (5) (b), Stats., states that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 440.17, Stats., states that “[i]f the department, an examining board, or an affiliated credentialing board promulgates rules related to telehealth, the department, the examining board, or the affiliated credentialing board shall define ‘telehealth’ to have the meaning given in s. 440.01 (1) (hm).”

**MPSW 1 to 20 Telehealth Comprehensive Review – Public Hearing Draft with Clearinghouse comments incorporated.**

Section 457.03 (2), Stats., states that “[u]pon the advice of the social worker section, marriage and family therapist section, and professional counselor section, promulgate rules establishing a code of ethics to govern the professional conduct of certificate holders and licensees.”

**Related statute or rule:**

Chs. MPSW 1 to 20.

**Plain language analysis:**

The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board completed a comprehensive review of chapters MPSW 1 to 20 to update the standards of practice regarding telehealth. The Board made revisions to provide clarity, remove obsolete provisions and ensure the chapters are current with professional telehealth standards and practices. The changes include:

- Addition of a definition of “telehealth” per 2021 Wisconsin Act 121.
- Creation of a new subsection that establishes standards of telehealth practice.
- Amendment of the definitions of “face-to-face” and “supervision” throughout the chapters to include telehealth practice.
- Amendment of the provisions of unprofessional conduct to incorporate telehealth practice.

**Summary of, and comparison with, existing or proposed federal regulation:**

None.

**Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:**

The Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board held a preliminary hearing on the scope statement for this rule at its October 18, 2022, meeting. No comments were received.

**Comparison with rules in adjacent states:**

**Illinois:**

Illinois regulates marriage and family therapy, professional counseling, and social work practice through the Department of Financial and Professional Regulation. The Clinical Social Work and Social Work Practice Act establishes two exemptions for social work telehealth practices if the social worker is not a resident of Illinois and performs services for another nonresident if a previously established relationship existed and the social worker holds a proper license to perform the services in the state or country they reside. [225 ILCS 20/4]

**MPSW 1 to 20 Telehealth Comprehensive Review – Public Hearing Draft with Clearinghouse comments incorporated.**

Illinois Telehealth Act establishes definitions, practice authority, and use of telehealth services for all professions, occupations, and business operations. [225 ILCS 150]

**Iowa:**

Iowa Board of Social Work establishes that a licensee shall assess a client’s suitability and capacity for online and remote services during the first contact with the client and keep assessing whether in-person or remote consultations should be done before providing social work services. This assessment shall be continually done throughout the course of the professional relationship and the social worker shall take reasonable steps to ensure the client’s identity, ability to consent to services, and location. [645 IAC 282.2 (19)]

Iowa Board of Behavioral Scientists, which includes marriage and family therapists and mental health counselors, states that services provided to an individual within the state either through telephone or other electronic means constitute the practice of marital and family therapy and mental health counseling and shall be subject to regulation, regardless of the location of the therapist or counselor. [645 IAC 31.18 (154D)]

**Michigan:**

Michigan statutes and rules do not specifically address how marriage and family therapists, professional counselors, and social workers should provide services using telehealth.

**Minnesota:**

Minnesota statutes and rules do not specifically address how marriage and family therapists, professional counselors, and social workers should provide services using telehealth.

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

The proposed rules were developed by reviewing chapters MPSW 1 to 20 and implementing 2021 Wisconsin Act 121 to ensure that the code is compliant with statutory changes and with current standards of practice. No additional factual data or analytical methodologies were used to develop the proposed rules.

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

The rule draft was posted on the department’s website for 14 days to solicit economic impact comments from local governments and small businesses. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis is attached.

**Effect on small business:**

**MPSW 1 to 20 Telehealth Comprehensive Review – Public Hearing Draft with Clearinghouse comments incorporated.**

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 [Jennifer.Garrett@wisconsin.gov](mailto:Jennifer.Garrett@wisconsin.gov), or by calling (608) 266-2112.

**Agency contact person:**

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-4463; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

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

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before the beginning of the public hearing scheduled for TBD to be included in the record of rule-making proceedings.

**Commented [SA2]:** CR 2.a. Reject  
The Board rejects this comment because it had not yet ascertained the Public Hearing date at the time of submission to the Clearinghouse.

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TEXT OF RULE

**SECTION 1.** MPSW 1.02 is repealed.

**SECTION 2.** MPSW 1.04 is amended to read:

**Commented [SA3]:** These are changes from the 2023 227 report.

**MPSW 1.04 – Application procedures for all sections of the board.** An application ~~for certification~~ is incomplete until all materials requested are received by the board office, in English or accompanied by a certified English translation.

**SECTION 3.** MPSW 1.0~~1~~<sup>2</sup> (4) is created to read:

**Commented [SA4]:** CR 2.b. Accepted

**(4)** “Telehealth” ~~is defined under~~ has the meaning given in s. 440.01 (1) (hm), Stats.

**Commented [SA5]:** CR 2.c. Accepted

**SECTION 4.** MPSW 1.12 is created to read:

**MPSW 1.12 Telehealth practice.**

**(1)** ~~Except as provided in sub. (4), A a person licensed or credentialed by the board~~ who uses telehealth in the diagnosis and treatment of a patient located in this state shall be licensed to practice by the board.

**Commented [ASD6]:** CR 5.a. Possible change.

**(2)** A person licensed or credentialed by the board located in this state treating patients via telehealth, who are not physically located in this state at the time of treatment, must comply with the regulations in the state the patient is physically located at the time of treatment.

**MPSW 1 to 20 Telehealth Comprehensive Review – Public Hearing Draft with Clearinghouse comments incorporated.**

(3) A person licensed or credentialed by the board shall be held to the same standards of practice and conduct including patient confidentiality and recordkeeping, regardless of whether health care services are provided in person or by telehealth.

(4) A person, who is not a resident of this state, may perform marriage and family therapy, professional counseling, or social work practice via telehealth in this state for a nonresident not more than 5 days in any one month or more than 15 days in any one year, if there is a previous established therapeutic relationship with the nonresident, and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(5) A person licensed or credentialed by the board who provides counseling services by telehealth is responsible for the quality and safe use of equipment and technology that is integral to patient diagnosis and treatment. The equipment and technology used to provide counseling services by telehealth shall provide, at a minimum, information that will enable the licensee to meet or exceed the standard of minimally competent counseling practice.

SECTION 5. MPSW 2.01 (10m) is created to read:

(10m) “Face-to-face” means in person or real time video conferencing where all parties can communicate by simultaneous means of audio, telephone, video, or data communications.

SECTION 6. MPSW 2.01 (18) is amended to read:

(18) “Supervision” means supervision of the professional practice of social work in the applied skills of the profession. Supervision may be performed face-to-face whether in person or remotely by means of audio, telephone, video, or data communications.

SECTION 7. MPSW 10.01 (2) and (6) are amended to read:

(2) “Face-to-face” means in person or real time video conferencing where all parties can communicate by simultaneous ~~two-way video and audio transmissions~~ means of audio, telephone, video, or data communications.

(6) “Supervision” is a means of transmitting the skills, knowledge, and attitudes of a particular profession to the next generation of that profession. The supervisory relationship is evaluative, extends over time, and enhances the professional functioning of the developing professional. The supervisor shall monitor the quality of services offered by the supervisee with the purpose of enhancing the quality of skills and services provided by the counselor-in-training. Furthermore, the supervisor shall monitor and provide clinical oversight of the professional services rendered by the counselor-in-training to ensure ethical delivery of services and protection of public health and welfare. Supervision may be performed face-to-face whether in person or remotely by means of audio, telephone, video, or data communications.

**Commented [SA7]:** CR 4.b. Discuss with Board

I agree that we should just use the term “face to face” and not repeat half the definition. However, I remember this issue was discussed with the full Board at one of last year’s meetings and board members wanted to explicitly repeat the definition to make clear all the ways that supervision can be performed.

**MPSW 1 to 20 Telehealth Comprehensive Review – Public Hearing Draft with Clearinghouse comments incorporated.**

SECTION 8. MPSW 15.01 (1m) is created to read:

**(1m)** “Face-to-face” means in person or real time video conferencing where all parties can communicate by simultaneous means of audio, telephone, video, or data communications.

SECTION 9. MPSW 15.01 (3) is amended to read:

**(3)** “Supervision” means supervision of the professional practice of marriage and family therapy in the applied skills of the profession. Supervision may be performed face-to-face whether in person or remotely by means of audio, telephone, video, or data communications.

SECTION 10. MPSW 20.02 (12) is amended to read:

**(12)** Failing to obtain the informed consent of the client or client's authorized representative prior to providing treatment. Informed consent shall be obtained whether the services are rendered in person or via telehealth.

SECTION 11. MPSW 20.03 is created to read:

**MPSW 20.03 Telehealth.** The standards of practice and professional conduct under this chapter apply to a licensee regardless of whether health care service is provided in person or by telehealth.

SECTION 12. **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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**Chapter MPSW 1**  
**AUTHORITY AND PRACTICE**

[MPSW 1.01](#) Authority.

[MPSW 1.02](#) Definitions.

[MPSW 1.035](#) Rule-making.

[MPSW 1.04](#) Application procedures for all sections of the board.

[MPSW 1.05](#) Examination provisions for all sections.

[MPSW 1.08](#) Credential renewal and reinstatement procedures.

[MPSW 1.09](#) Substance abuse disorder specialty.

[MPSW 1.10](#) Professional liability insurance.

[MPSW 1.11](#) Psychometric testing.

**MPSW 1.01 Authority.** This chapter is adopted pursuant to ss. [15.08 \(5\) \(b\)](#), [15.405 \(7c\) \(d\)](#) and [227.11 \(2\)](#), Stats.

**MPSW 1.02 Definitions.** In chs. [MPSW 1](#) to [6](#) and [10](#) to [20](#):

(1) "AODA" means alcohol or other drug abuse.

(1g) "Board" means the marriage and family therapy, professional counseling, and social work examining board.

(1q) "Credential" means a certificate or a license granted by the board.

(2) "Department" means the department of safety and professional services.

(2d) "DSM" means the diagnostic and statistical manual of mental disorders and refers to the most recent edition.

~~(2h) "ICRC" means the international certification reciprocity consortium.~~

Commented [SA1]: Per 2023 227,29 report.

(2m) "Psychotherapy" means the diagnosis and treatment of mental, emotional, or behavioral disorders, conditions, or addictions through the application of methods derived from established psychological or systemic principles for the purpose of assisting people in modifying their behaviors, cognitions, emotions, and other personal characteristics, which may include the purpose of understanding unconscious processes or intrapersonal, interpersonal, or psychosocial dynamics.

(3) "Section" means either the marriage and family therapist section, the professional counselor section, or the social worker section of the marriage and family therapy, professional counseling and social work examining board.

(4) "Telehealth" has the meaning given in s. [440.01 \(1\) \(hm\)](#), Stats.

**MPSW 1.035 Rule-making.**

(1) Except as provided in sub. (2), each section shall be responsible for proposing and drafting rules applying to its profession, and for holding public hearings on those rules. The board may approve and adopt rules proposed by any section of the board.

(2) The board shall be responsible for promulgating rules applying to matters that the board determines are of joint interest among the sections.

**MPSW 1.04 Application procedures for all sections of the board.** An application ~~for certification~~ is incomplete until all materials requested are received by the board office, in English or accompanied by a certified English translation.

**Note:** The board's mailing address is Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, Department of Safety and Professional Services, P.O. Box 8935, Madison, Wisconsin 53708-8935.

**MPSW 1.05 Examination provisions for all sections.**

(1) The board or its designee shall administer the examinations required of applicants for certification as a social worker, advanced practice social worker, or independent social worker, or for licensure as a clinical social worker, marriage and family therapist or professional counselor at least once a year.

(6) The passing grade on each examination is determined by the board to represent competence sufficient to protect the public health, safety and welfare. The board may adopt the recommended passing score of the examination provider for the examination testing entry level competency.

**MPSW 1.08 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 date, 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 paying a late renewal fee.

(3) Renewal after 5 years of renewal date. 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 of the renewal date 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.

**MPSW 1.09 Substance abuse disorder specialty.**

**(1)** Use of title and scope of practice.

**(a)** A person certified by the board may use the title “alcohol and drug counselor” or “chemical dependency counselor” only if the person is credentialed as a substance abuse counselor under s. [440.88](#), Stats., or satisfies the educational and supervised training requirements established in this section.

**(b)** A person who is certified by the board may treat substance use disorder as a specialty if the person is credentialed under s. [440.88](#), Stats., or satisfies the educational and supervised training requirements established in this section.

**(c)** A person certified by the board may do all of the following:

1. Prepare a client for substance use disorder treatment by referral.
2. Continue to work with the non-substance use disorder issues of a person who has been referred for substance use disorder treatment.
3. Continue to treat a client who is in recovery following treatment for substance use disorder.

**(2)** Specialty requirements for individuals certified as an advanced practice social worker or independent social worker. To be authorized to treat substance use disorder as a specialty, an advanced practice social worker or independent social worker shall meet all of the following:

**(a)** A minimum of 135 contact hours of substance use disorder education, which may be obtained within the master’s degree or additional to the master’s degree. The education shall contain all of the following topics:

1. Understanding addiction.
2. Knowledge of addiction treatment.

3. Application to addiction practice.

4. Professional readiness in addiction treatment.

(b) A minimum of 200 hours of face-to-face client treatment with individuals diagnosed with substance use disorders, under the supervision of a qualified supervisor.

(3) Specialty requirements for individuals certified by the board other than as advanced practice social workers or independent social workers. To be authorized to treat substance use disorder as a specialty, an individual certified under s. [457.08 \(1\)](#), [457.09 \(1\)](#) or [457.14 \(1\) \(a\)](#), Stats., shall meet all of the following:

(a) A minimum of 180 contact hours of substance use disorder education, which may be obtained within the bachelor or master's degree or in addition to the bachelor or master's degree. The education shall be in all of the following:

1. Thirty hours in assessment training.
2. Thirty hours in counseling training.
3. Thirty hours in case management.
4. Thirty hours in patient education.
5. Thirty hours in professional responsibility.
6. Three hours in boundaries and ethics.
7. Twenty-seven hours in electives in any of the subjects in subds. [1.](#) to [6.](#)

(b) A minimum of 1,000 of hours of face-to-face substance use disorder treatment experience, under the supervision of a qualified supervisor, with individuals diagnosed with substance use disorders. The supervised hours can be either the same as or separate from the hours obtained for the credential issued by the board.

(4) Qualified supervisors. A qualified supervisor is a person who is knowledgeable in psychopharmacology and addiction treatment and is any of the following:

- (a) A clinical supervisor, as defined in s. [SPS 160.02 \(7\)](#).
- (b) A licensed marriage and family therapist.
- (c) A licensed professional counselor.
- (d) A licensed clinical social worker.
- (e) A licensed psychologist.
- (f) A licensed physician.
- (g) An individual, other than an individual specified in pars. [\(a\)](#) to [\(f\)](#), who is approved in advance by the board.

(5) Continuing education. To maintain the authority to treat substance use disorder, an individual certified by the board must complete at least 6 continuing education hours during each biennial credentialing period in substance use disorder. The continuing education may be counted toward the continuing education required for renewal of the underlying credential.

**MPSW 1.10 Professional liability insurance.**

(1) Except as provided in sub. (2), a person licensed as a clinical social worker, marriage and family therapist, or professional counselor may not practice clinical social work, marriage and family therapy, or professional counseling unless he or she has in effect professional liability insurance in the amount of at least \$1,000,000 for each occurrence and \$3,000,000 for all occurrences in one year.

(2) Subsection (1) does not apply to a person practicing clinical social work, marriage and family therapy, or professional counseling as an employee of a federal, state, or local governmental agency, if the practice is part of the duties for which he or she is employed and is solely within the confines of or under the jurisdiction of the agency by which he or she is employed.

**MPSW 1.11 Psychometric testing.**

(1) Authority. This rule is adopted pursuant to ss. [15.08 \(5\) \(b\)](#), [227.11 \(2\)](#) and [457.033](#), Stats.

(2) Definition. In this section, the term "psychometric test" means a procedure for measuring psychological, behavioral or interpersonal characteristics in which a sample of an examinee's behavior is obtained and subsequently evaluated and scored using a standardized process. A person credentialed by the board may not use a testing instrument for diagnostic or assessment purposes unless he or she satisfies the requirements in sub. (5). Psychometric testing does not include a test instrument used solely to screen for problems, to assist in treatment planning, to clarify treatment goals, to plan for interventions, to monitor progress in treatment or an unstandardized questionnaire, unstructured behavior sample or a test used to evaluate performance in education or training or training prepared by a teacher or trainer.

(3) Requirements for performing psychometric testing. The competent use of a psychometric test requires that the licensee or person supervised by the licensee have the requisite knowledge, skills, training and experience needed to do all of the following:

- (a) Independently select and administer tests appropriate to the practice setting and area of practice.
- (b) Accurately administer, score, and interpret the test.
- (c) Understand and communicate the strengths and limitations of the test appropriate to the context in and purpose for which it is given.
- (d) Use culturally appropriate and sensitive instruments and norms.
- (e) Analyze the results within a broad context of information about the examinee's life.
- (f) Seek supervision or consultation as needed from any licensee who are authorized to perform psychometric testing under this subsection.

**(4)** Licenses authorized to perform psychometric testing. Psychometric testing may be performed by the following individuals:

**(a)** A psychologist licensed under ch. [455](#), Stats.

**(b)** A licensed or training licensed marriage and family therapist, a licensed or training licensed professional counselor or a licensed or training licensed clinical social worker or a certified advanced practice social worker or independent social worker who satisfies the requirements in sub. [\(5\) \(a\)](#) and is acting under the supervision of a licensed psychologist.

**(c)** A licensed marriage and family therapist, licensed professional counselor or licensed clinical social worker who satisfies the requirements in sub. [\(5\) \(a\)](#) and [\(b\)](#).

**(d)** A licensed or training licensed marriage and family therapist, a licensed or training licensed professional counselor or a licensed or training licensed clinical social worker or a certified advanced practice social worker or independent social worker who satisfies the requirements in sub. [\(5\) \(a\)](#) and is acting under the supervision of another licensee of the board specified in par. [\(c\)](#).

**(5)** Educational requirements for performing psychometric testing without supervision. A person who meets the requirements in s. [MPSW 1.11 \(4\) \(b\)](#), [\(c\)](#) or [\(d\)](#) may engage in psychometric testing without supervision only if the appropriate section of the board has received and approved the following information demonstrating generic and specific qualifications to perform psychometric testing:

**(a)** Academic training at the graduate or postgraduate level from a regionally accredited program that covered:

1. Descriptive statistics.
2. Reliability and measurement error.
3. Validity and meaning of test scores.
4. Normative interpretation of test scores.
5. Selection of appropriate tests.
6. Test administration procedures.
7. Ethnic, racial, cultural, gender, age and linguistic variables.
8. Testing individuals with disabilities.

**(b)** A signed statement from a professional qualified to supervise psychometric testing as set forth in sub. [\(4\) \(a\)](#) and [\(c\)](#) that the supervised licensee meets the requirements to use psychometric tests as set forth in this subsection. A licensee determined to be qualified to use psychometric tests by prior affidavit is not required to resubmit a signed statement and is deemed to meet the requirements of pars. [\(a\)](#) and [\(b\)](#).

**(6)** Licenses qualified to supervise psychometric testing. The only professionals qualified to supervise psychometric testing are licensed psychologists, licensed marriage and family therapists, licensed

professional counselors, and licensed clinical social workers who meet the requirements in sub. [\(5\)](#) [\(a\)](#) and [\(b\)](#).

**MPSW 1.12 Telehealth practice.**

- (1)** Except as provided in sub. (4), a person who uses telehealth in the diagnosis and treatment of a patient located in this state shall be licensed to practice by the board.
- (2)** A person licensed or credentialed by the board located in this state treating patients via telehealth, who are not physically located in this state at the time of treatment, must comply with the regulations in the state the patient is physically located at the time of treatment.
- (3)** A person licensed or credentialed by the board shall be held to the same standards of practice and conduct including patient confidentiality and recordkeeping, regardless of whether health care services are provided in person or by telehealth.
- (4)** A person, who is not a resident of this state, may perform marriage and family therapy, professional counseling, or social work practice via telehealth in this state for a nonresident for not to extend beyond 5 days in any one month or more than 15 days in any one year, if there is a previous established therapeutic relationship with the nonresident, and the person is authorized to perform such services under the laws of the state or country in which the person resides.
- (5)** A person licensed or credentialed by the board who provides counseling services by telehealth is responsible for the quality and safe use of equipment and technology that is integral to patient diagnosis and treatment. The equipment and technology used to provide counseling services by telehealth shall provide, at a minimum, information that will enable the licensee to meet or exceed the standard of minimally competent counseling practice.

**Chapter MPSW 2**

**DEFINITIONS FOR PRACTICE OF SOCIAL WORK**

[MPSW 2.01](#) Definitions.

**MPSW 2.01 Definitions.** In chs. [MPSW 2](#) to [6](#):

- (1)** "Accredited" means accredited by the council on social work education.
- (2)** "Certified advanced practice social worker" means a person who holds a certificate under s. [457.08 \(2\)](#), Stats.
- (4)** "Certified independent social worker" means a person who holds a certificate under s. [457.08 \(3\)](#), Stats.
- (5)** "Certified social worker" means a person who holds a certificate under s. [457.08 \(1\)](#) or [457.09](#), Stats.
- (6)** "Client" means the individual, group, business, agency, school, organization, or association for whom the social worker provides professional services. The term "client" includes the term and concept of "patient."

**(7)** "Clinical field training" means a minimum of one academic year in the supervised practice of clinical social work services consisting of assessment; diagnosis; treatment, including psychotherapy and counseling; client-centered advocacy; consultation; and evaluation. "Clinical field training" does not include indirect social work service, administrative, research, or other practice emphasis.

**(8)** "Clinical social work practice" means providing services for the diagnosis, treatment, and prevention of mental and emotional disorders in individuals, families, and groups, to restore, maintain, and enhance social functioning through treatment interventions that include psychosocial evaluation, counseling of individuals, families, or groups, referral to community resources, advocacy, facilitation of organizational change to meet social needs, and individual, marital, or group psychotherapy.

**(9)** "Clinical social work concentration" means a course of study with a primary focus on resolving intrapsychic and interpersonal problems by means of direct contact with clients at the individual, small group and family level. A concentration on community or organizational problems, social planning or policy development does not constitute a clinical social work concentration. To qualify as a master's or doctoral degree in social work with a concentration in clinical social work, the course of study shall include one course in psychopathology and social work and, from among the following, 2 theory and practice courses:

**(a)** Case management.

**(c)** Clinical assessment and treatment of specific populations and problems, such as children, adolescent, elderly, alcohol and drug abuse, family or couples relationships.

**(d)** Psychopharmacology.

**(e)** Psychotherapeutic interventions.

**(f)** Electives such as family therapy, social work with groups, sex- or gender-related issues and topics.

**(10)** "Counseling" means the process of identifying and providing options for the resolution or mitigation of an undesired circumstance. Counseling characteristically involves the provision of education, support, advice, guidance, or assistance with planning, and other services of a similar character but does not necessarily involve a long term counselor-client relationship.

**(10m)** "Face-to-face" means in person or real time video conferencing where all parties can communicate by simultaneous means of audio, telephone, video, or data communications.

**(11)** "Interpersonal" means between 2 or among 3 or more individuals or groups.

**(12)** "Intrapsychic" means occurring within one's personality or psyche.

**(12m)** "Licensed clinical social worker" means a person who holds a license under s. [457.08 \(4\)](#), Stats.

**(13)** "Primary clinical setting" means a facility, or a unit within a facility, whose primary purpose is to treat persons with a DSM diagnosis.

**(15)** "Regionally accredited college or university" means a college or university which is accredited by any of the following bodies: the New England association of schools and colleges, the middle states association of colleges and schools, the north central association of colleges and schools, the northwest



association of schools and colleges, the southern association of colleges and schools, the western association of schools and colleges.

(16) "Social worker" has the meaning given in s. [457.01 \(10\)](#), Stats., and is interpreted to be a general term describing all persons who hold any certificate or license under s. [458.08](#), Stats., or any rules adopted pursuant to s. [457.03 \(3\)](#), Stats., establishing levels of social work practice.

(17) "Supervised clinical field training" means training in a primary clinical setting which must include at least 2 semesters of field placement where more than 50% of the practice is to assess and treat interpersonal and intrapsychic issues in direct contact with individuals, families or small groups.

(18) "Supervision" means supervision of the professional practice of social work in the applied skills of the profession. Supervision may be performed face to face whether in person or remotely by means of audio, telephone, video, or data communications.

Commented [SA2]: CR 4.b. Discuss with Board.

#### Chapter MPSW 4

##### SUPERVISED PRE-CERTIFICATION AND PRE-LICENSURE SOCIAL WORK PRACTICE

[MPSW 4.01](#) Supervised pre-certification and pre-licensure social work practice.

###### **MPSW 4.01 Supervised pre-certification and pre-licensure social work practice.**

(1) Supervision of pre-certification or pre-licensure practice of social work under s. [457.08 \(3\) \(c\)](#) and [\(4\) \(c\)](#), Stats., shall include the direction of social work practice in face-to-face individual or groups sessions of at least one hour duration during each week of supervised practice of social work. Such supervision may be exercised by a person other than an employment supervisor. The one hour per week supervision requirement may be averaged out over the course of the period of supervision. The supervisor may exercise discretion as to the frequency, duration, and intensity of the supervision sessions to meet an average of one hour supervised session per week during the supervision period. The person supervising the pre-certification or pre-licensure practice of social work shall have adequate training, knowledge and skill to competently supervise any social work service that a social worker undertakes. Supervision of the professional practice of social work in the applied skills of the profession may be exercised by a person other than an employment supervisor. The supervisor may not permit a supervisee to engage in any social work practice that the supervisor cannot competently supervise. All supervisors shall be legally and ethically responsible for the activities of the social work supervisee. Supervisors shall be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases, and to terminate the supervised relationship if necessary.

(2) If supervision is provided in group sessions, the group shall consist of no more than 6 persons receiving supervision for every one person providing supervision, and may not credit any time which is primarily social activity with the group or supervisor as part of a supervision session. A supervision session which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session, not including social activities.

**(3)** A period of supervised practice of social work shall include, but not be limited to, practice in each of the following activities:

- (a)** Evaluation and assessment of difficulties in psychosocial functioning of a group or another individual;
- (b)** Developing plans or policies to alleviate those difficulties.
- (c)** Intervention, which may include psychosocial evaluation and counseling of individuals, families and groups; advocacy; referral to community resources; and facilitation of organizational change to meet social needs.

**(4)** At the end of the period of supervised practice, the candidate for certification shall have demonstrated to the candidate's supervisor competence in each of the activities listed in sub. [\(3\)](#).

**(5)** For applications for licensure as an independent social worker received after November 1, 2002, supervision may be exercised by any of the following:

- (a)** A licensed clinical social worker with a master's or doctorate degree in social work.
- (b)** A certified independent social worker with a master's or doctorate degree in social work.
- (c)** An individual, other than an individual specified in par. [\(a\)](#) or [\(b\)](#) who is approved in advance by the social worker section.

**(6)** For applications for licensure as a clinical social worker received after November 1, 2002, supervision may be exercised by any of the following:

- (a)** An individual licensed as a clinical social worker who has received a doctorate degree in social work.
- (b)** An individual licensed as a clinical social worker who has engaged in the equivalent of 5 years of full-time clinical social work.
- (c)** A psychiatrist or a psychologist licensed under ch. [455](#), Stats.
- (d)** An individual licensed as a clinical social worker who has received a master's degree in social work.
- (e)** An individual, other than an individual specified in par. [\(a\)](#), [\(b\)](#) or [\(c\)](#), who is approved in advance by the social worker section.

## Chapter MPSW 10

### DEFINITIONS FOR PRACTICE OF PROFESSIONAL COUNSELING

[MPSW 10.01](#) Definitions.

[MPSW 10.01](#) Definitions. In chs. [MPSW 10](#) to [14](#):

(1) "Client" means the individual, family, group, business, agency, school, organization, or association for whom the license holder provides professional services for which the license holder is usually and customarily compensated. The term "client" includes the term and concept of "patient."

(1m) "DSM" refers to the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders.

(2) "Face-to-face" means in person or real time video conferencing where all parties can communicate by simultaneous ~~two-way video and audio transmissions~~ means of audio, telephone, video, or data communications.

(5) "Regionally accredited college or university" means a college or university which is accredited by any of the following bodies: the New England association of schools and colleges, the middle states association of colleges and schools, the north central association of colleges and schools, the northwest association of schools and colleges, the southern association of colleges and schools, the western association of schools and colleges. Applicants for licensure shall prove that the college or university at which the applicant completed course work on which the applicant relies for licensure eligibility was regionally accredited at the time the applicant completed the course work.

(6) "Supervision" is a means of transmitting the skills, knowledge, and attitudes of a particular profession to the next generation of that profession. The supervisory relationship is evaluative, extends over time, and enhances the professional functioning of the developing professional. The supervisor shall monitor the quality of services offered by the supervisee with the purpose of enhancing the quality of skills and services provided by the counselor-in-training. Furthermore, the supervisor shall monitor and provide clinical oversight of the professional services rendered by the counselor-in-training to ensure ethical delivery of services and protection of public health and welfare. Supervision may be performed face to face whether in person or remotely by means of audio, telephone, video, or data communications.

## Chapter MPSW 12

### PROFESSIONAL COUNSELOR SUPERVISED PRACTICE

[MPSW 12.01](#) Supervised practice requirement.

[MPSW 12.02](#) Supervised practice.

#### **MPSW 12.01 Supervised practice requirement.**

(1) Except as provided in sub. (3), an applicant for licensure as a professional counselor under s. [457.12](#), Stats., shall complete a period of supervised practice while holding a valid professional counselor training license before being eligible for licensure. Supervision may be exercised by a person other than an employment supervisor.

(2) A person with a training license must be supervised.

**(3)** An applicant who has completed any portion of his or her supervised professional counseling practice in another state shall be given credit for those hours obtained without a professional counselor training license provided the hours meet the requirements of this chapter.

**MPSW 12.02 Supervised practice.**

**(1)** Supervisor qualifications. It is the applicant's responsibility to satisfy the professional counselors section that the applicant's supervisor met all qualifications. Supervision of the supervised practice of professional counseling may be exercised by any of the following:

**(a)** An individual licensed as a professional counselor who has received a doctorate degree in professional counseling.

**(b)** An individual licensed as a professional counselor who has engaged in the equivalent of 5 years of full-time professional counseling.

**(c)** A psychiatrist.

**(d)** A psychologist licensed under ch. [455](#), Stats.

**(e)** A person employed by the division of vocational rehabilitation as a vocational rehabilitation supervisor, who is licensed as a professional counselor or who has engaged in the equivalent of 5 years of full-time professional counseling.

**(f)** An individual, other than an individual specified in pars. [\(a\)](#) to [\(e\)](#), who is approved in advance by the professional counselor section based upon evidence of 5 years of experience in counseling practice.

**(2)** Supervisor responsibilities. The supervisor's responsibilities include all of the following:

**(a)** Exercise discretion as to the frequency, duration, and intensity of the face-to-face supervision session to meet an average of one hour of supervision per week during the supervised practice period.

**(b)** Permit a supervisee to engage in only professional counseling services the supervisor can competently perform.

**(c)** Be available or make appropriate provision for emergency consultation or intervention.

**(d)** Be legally and ethically responsible for the supervised activities of the supervisee.

**(e)** Be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases.

**(f)** To terminate the supervised relationship.

**(3)** Group supervision requirements. Supervision in group sessions shall meet all of the following:

**(a)** The group shall consist of no more than 6 persons for every one person providing supervision.

(b) Each person receiving supervision as part of the group session receives one hour credit for each hour that the group meets for supervision, but may not credit any time which is primarily social activity with the group or supervisor as part of a supervision session.

(c) A supervision session for a group or individual which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session, not including social activities.

## Chapter MPSW 15

### DEFINITIONS FOR PRACTICE OF MARRIAGE AND FAMILY THERAPY

[MPSW 15.01](#) Definitions.

[MPSW 15.02](#) Practice of marriage and family therapy.

**MPSW 15.01 Definitions.** As used in chs. [MPSW 15](#) to [19](#):

(1) "Accredited" means accredited by the commission on accreditation for marriage and family therapy education of the American association for marriage and family therapy.

(1m) "Face-to-face" means in person or real time video conferencing where all parties can communicate by simultaneous means of audio, telephone, video, or data communications.

(2) "Regionally accredited college or university" means a college or university which is accredited by any of the following bodies: the New England association of schools and colleges, the middle states association of colleges and schools, the higher learning commission, the northwest association of schools and colleges, the southern association of colleges and schools, the western association of schools and colleges.

(3) "Supervision" means supervision of the professional practice of marriage and family therapy in the applied skills of the profession. Supervision may be performed face to face whether in person or remotely by means of audio, telephone, video, or data communications.

**MPSW 15.02 Practice of marriage and family therapy.** A licensed marriage and family therapist may practice marriage and family therapy as defined in s. [457.01](#), Stats., without supervision.

**Note:** A licensed marriage and family therapist employed in a certified outpatient mental health clinic is subject to rules of the department of health services regarding supervision.

## Chapter MPSW 16

### REQUIREMENTS FOR MARRIAGE AND FAMILY THERAPY LICENSURE

[MPSW 16.01](#) Application for licensure as a marriage and family therapist.

[MPSW 16.015](#) Application for a marriage and family therapist training license.

[MPSW 16.02](#) Educational equivalent to a graduate degree in marriage and family therapy from a program accredited by COAMFTE.

[MPSW 16.04](#) Supervised Practice.

**MPSW 16.01 Application for licensure as a marriage and family therapist.** An applicant for a marriage and family therapist license shall submit all of the following:

- (1) An application and the fee under s. [440.05](#), Stats.
- (2) Evidence of one of the following:
  - (a) A master's or doctorate degree in marriage and family therapy from a program accredited by COAMFTE.
  - (b) A master's or doctorate degree in marriage and family therapy, psychology, sociology, social work, professional counseling, or other mental health field that included the course work under s. [MPSW 16.02](#).
  - (c) A degree awarded by a foreign institution of higher learning that has been determined by an organization approved by the section to be equivalent to a degree from a master's or doctoral program accredited by COAMFTE. If the education was not received in English, the applicant shall demonstrate proficiency in English by achieving a passing score on a Test of English as a Foreign Language (TOEFL) examination.
- (3) Evidence the applicant, after receiving a master's or doctorate degree required under sub. (2), engaged in the equivalent of at least 3,000 hours of marriage and family therapy practice, including at least 1,000 hours of face-to-face client contact, while holding a valid marriage and family therapy training license and supervised by a person qualified to supervise under s. [MPSW 16.04](#).
- (4) Verification of passage of an examination approved by the marriage and family therapist section to determine minimum competence to practice marriage and family therapy.
- (5) Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:
  - (a) The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., that is substantially related to the practice of a marriage and family therapist.
  - (b) The applicant has been convicted of a crime substantially related to the practice of a marriage and family therapist.

**MPSW 16.015 Application for a marriage and family therapist training license.**

- (1) The marriage and family therapist section shall grant a marriage and family therapist training license to any individual who does all of the following:
  - (a) Submits a completed, signed application form.

(b) Pays the fee specified in s. [440.05 \(6\)](#), Stats.

(c) Submits evidence satisfactory to the marriage and family therapist section that he or she has done one of the following:

1. Satisfies the requirements in s. [457.10 \(2\)](#), Stats.

2. Is enrolled or will be enrolled in an institute for marriage and family therapy that is approved by the commission on accreditation for marriage and family therapy education of the American Association for Marriage and Family Therapy or by the marriage and family therapist section.

3. Holds a graduate degree in a mental health field approved by the marriage and family therapist section and is enrolled or will be enrolled in a master's or doctoral degree program in marriage and family therapy accredited by the commission on accreditation for marriage and family therapy education or approved by the marriage and family therapist section.

(d) Submits evidence satisfactory to the marriage and family therapist section of one of the following:

1. The applicant is in a position or has an offer for a position as a marriage and family therapist in a supervised marriage and family therapist practice.

2. The applicant is in a position or has an offer for a position in which the applicant will, in the opinion of the marriage and family therapist section, receive training and supervision equivalent to the training and supervision received in a supervised marriage and family therapist practice.

(2) A marriage and family therapist training license is valid for 48 months and may be renewed at the discretion of the marriage and family therapist section.

(3) A marriage and family therapist training license authorizes the holder to use any title specified in s. [457.04 \(5\)](#), Stats., and to practice marriage and family therapy within the practice scope of his or her training or supervision during the period in which the license is valid.

**MPSW 16.02 Educational equivalent to a graduate degree in marriage and family therapy from a program accredited by COAMFTE.**

(1) Course work required for education to be substantially equivalent to the course work required for a master's or doctorate degree in marriage and family therapy course work from a program accredited by COAMFTE shall contain all of the following:

(a) At least 6 semester credits or 8 quarter credits in the area of foundations of relational or systemic practice, theories and models.

(b) At least 6 semester credits or 8 quarter credits in the area of clinical treatment with individuals, couples and families. This area shall include a focus on evidence based practice and content on crisis intervention.

(c) At least 3 semester credits or 4 quarter credits in the area of diverse, multicultural or underserved communities. This area shall include understanding and applying knowledge of diversity, power, privilege, or oppression.

(d) At least 3 semester credits or 4 quarter credits in the area of research and evaluation. This area shall include marriage and family therapy research and evaluation methods and evidence-based practice.

(e) At least 3 semester credits or 4 quarter credits in the area of professional identity, federal and state law, ethics, and social responsibility.

(f) At least 3 semester credits or 4 quarter credits in the area of biopsychosocial health and development across the life span.

(g) At least 3 semester credits or 4 quarter credits in the area of systemic assessment and mental health diagnosis and treatment.

(h) At least 3 semester credits or 4 quarter credits in the area of contemporary developments which interface marriage and family therapy knowledge and practice with the broader multidisciplinary context.

(i) A clinical internship as part of an academic program in marriage and family therapy or a substantially equivalent field. The internship shall consist of a minimum of 300 hours in face-to-face contact with individuals, couples, and families for the purpose of assessment, diagnosis, and treatment under supervision in not less than 8 calendar months.

(2) An applicant may, at an institution which was accredited by its regional accrediting association at the time the course was completed, complete credit hours outside the program of studies leading to a master's or doctorate degree in order to meet the requirements in this section.

(3) An applicant may, at an institute for marriage and family therapy which was accredited by COAMFTE at the time the course was completed, complete credit hours outside of a program of studies leading to a master's or doctorate degree in order to meet the requirements in this section.

**MPSW 16.04 Supervised Practice.**

(1) General. An applicant for licensure as a marriage and family therapist under s. [457.10](#), Stats., shall complete, after receiving the required master's or doctorate degree, or upon completion of a graduate degree in a mental health field approved by the marriage and family therapist section, and enrollment in a graduate degree program or other educational program in marriage and family therapy accredited by COAMFTE, 3,000 hours of supervised marriage and family therapy practice, including at least 1,000 hours of face-to-face client contact, while holding a valid marriage and family therapist training license before being eligible for licensure.

(2) Supervisor qualifications. Supervision of the supervised practice of marriage and family therapy may be exercised by any of the following:

(a) An individual licensed as a marriage and family therapist who has received a doctorate degree in marriage and family therapy.



(b) An individual licensed as a marriage and family therapist who has engaged in the equivalent of 5 years of full-time marriage and family therapy practice.

(c) A psychiatrist.

(d) A psychologist licensed under ch. [455](#), Stats.

(e) A person who is an American Association for Marriage and Family Therapy approved supervisor or supervisor candidate.

(f) An individual, other than an individual specified in par. (a) to (e), who the marriage and family therapy section approves in advance based upon evidence of experience in marriage and family therapy systems.

(3) Supervisor responsibilities. The supervisor's responsibilities include all of the following:

(a) Provide one hour of face-to-face supervision for each 10 client contact hours.

(b) Permit a supervisee to engage in only marriage and family therapy services the supervisor can competently perform.

(c) Be available or make appropriate provision for emergency consultation and intervention.

(d) Be legally and ethically responsible for the supervised activities of the supervisee.

(e) Be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases.

(f) To terminate the supervised relationship.

(4) Group Supervision Requirements. Supervision in group sessions, shall meet all of the following:

(a) The group shall consist of no more than 8 persons for every 1 person providing supervision.

(b) Each person receiving supervision as part of the group session receives one hour credit for each hour that the group meets for supervision. Time which is not directly case related may not be counted towards the supervision requirement.

(c) A supervision session for a group or individual which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session.

## Chapter MPSW 20

### CONDUCT

[MPSW 20.01](#) Definition.

[MPSW 20.02](#) Unprofessional conduct.

**MPSW 20.01 Definition.** “Gross negligence” in the practice of social work, or marriage and family therapy, or professional counseling means the performance of professional services that does not comply with an accepted standard of practice that has a significant relationship to the protection of the health, safety or welfare of a patient, client, or the public, and that is performed in a manner indicating that the person performing the services knew or should have known, but acted with indifference to or disregard of, the accepted standard of practice.

**MPSW 20.02 Unprofessional conduct.** Unprofessional conduct related to the practice under a credential issued under ch. [457](#), Stats., includes engaging in, attempting to engage in, or aiding or abetting the following conduct:

- (1) Performing or offering to perform services for which the credential holder is not qualified by education, training or experience.
- (2) Violating a law of any jurisdiction, the circumstances of which substantially relate to the practice under the credential.
- (3) Undertaking or continuing performance of professional services after having been adjudged incompetent by any court of law.
- (4) Using fraud or deception in the application for a credential.
- (5) Using false, fraudulent, misleading or deceptive advertising, or maintaining a professional relationship with one engaging in such advertising.
- (6) Engaging in false, fraudulent, deceptive or misleading billing practices.
- (7) Reporting distorted, false, or misleading information or making false statements in practice.
- (8) Discriminating on the basis of age, race, color, biological sex, gender, gender identity, religion, creed, national origin, ancestry, ethnicity, disability or sexual orientation by means of service provided or denied.
- (9) Practicing or attempting to practice while the credential holder is impaired due to the utilization of alcohol or other drugs, or as a result of an illness which impairs the credential holder's ability to appropriately carry out the functions delineated under the credential in a manner consistent with the safety of a client, patient, or the public.
- (10) Revealing facts, data, information, records or communication received from a client in a professional capacity, except in any of the following circumstances:
  - (a) With the informed consent of the client or the client's authorized representative.
  - (b) With notification to the client prior to the time the information was elicited of the use and distribution of the information.
  - (c) If necessary to prevent injury to the client or another person, or to report suspected abuse or neglect of a child, or threatened abuse or neglect of a child, including mandatory reports under state or federal law.
  - (d) Pursuant to a lawful order of a court of law.

(e) Use of case history material for teaching, therapeutic or research purposes, or in textbooks or other literature, provided that proper precautions are taken to conceal the identity of the client.

(f) When required pursuant to federal or state statute.

(11) Engaging in sexual contact, sexual conduct, or any other behavior which could reasonably be construed as seductive, romantic, harassing, or exploitative, with:

(a) A client.

(b) A former client, regardless of the amount of time that has passed since the termination of professional services.

(c) A person to whom the credentialed person is providing teaching, supervisory, or other instructional services.

(12) Failing to obtain the informed consent of the client or client's authorized representative prior to providing treatment. [Informed consent shall be obtained whether the services are rendered in person or via telehealth.](#)

(13) Failing to avoid dual relationships that may impair the credentialed person's objectivity or create a conflict of interest. Dual relationships prohibited to credentialed persons include the credentialed person treating the credentialed person's employers, employees, supervisors, supervisees, close friends or relatives, and any other person with whom the credentialed person shares any important continuing relationship.

(13g) Developing a personal relationship with a former client that would impact the credentialed person's objectivity. This restriction shall apply for two years following the termination of the credential holder-client relationship.

(13r) Taking unfair advantage of any professional relationship, or exploiting clients, students, or supervisees.

(14) Failing to conduct an assessment, evaluation, or diagnosis as a basis for treatment.

(15) Employing or claiming to have available secret techniques or procedures that the credential holder refuses to divulge.

(16) In the conduct of research, failing to obtain the informed consent of a study participant, failing to protect participants from physical or mental discomfort, harm or danger, or failing to detect and remove any undesirable consequences to the participants resulting from research procedures.

(17) Failing to inform the client of financial interests which are not obvious and which might accrue to the credential holder for referral to or for any use of service, product or publication.

(18) Failing to maintain adequate records relating to services provided to a client in the course of a professional relationship. Clinical records shall be maintained for at least 7 years after the last service provided, unless otherwise provided by state or federal law.

(19) Violating any of the provisions of ch. [457](#), Stats.

**(20)** Failing to notify the board within 30 days that a credential permitting the practice of any profession previously issued to the credential holder has been revoked, suspended, limited, denied, surrendered under investigation, or subject to any other disciplinary action by the authorities of any jurisdiction.

**(21)** Failing to make reasonable efforts to notify a client or a client's authorized representative when professional services will be interrupted or terminated by the credential holder.

**(22)** Gross negligence in practice in a single instance, or negligence in practice in more than one instance.

**(23)** Having a credential permitting the practice or use of a title related to marriage and family therapy, professional counseling, or social work revoked, suspended, limited, denied, surrendered under investigation, or by any other jurisdiction.

**(24)** Failing to notify the appropriate section in writing within 48 hours after the entry of a judgment of conviction for a felony or misdemeanor against the credentialed person, including the date, place, and nature of the conviction or finding. Notice shall include a copy of the judgment of conviction and a copy of the complaint or other information which describes the nature of the crime in order that the section may determine whether the circumstances of the crime of which the credential holder was convicted are substantially related to the credential holder's practice.

**(25)** Employing or promoting any intervention or method that has the purpose of attempting to change a person's sexual orientation or gender identity, including attempting to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender. This does not include counseling that assists a client who is seeking to undergo a gender transition or who is in the process of undergoing a gender transition, or counseling that provides a client with acceptance, support, understanding, or that facilitates a client's coping, social support, and identity exploration or development. Nor does it include counseling in the form of sexual orientation-neutral or gender identity-neutral interventions provided for the purpose of preventing or addressing unlawful conduct or unsafe sexual practices, so long as the counseling is not provided for the purpose of attempting to change the client's sexual orientation or gender identity.

**Note:** On January 12, 2023, the Joint Committee for the Review of Administrative Rules (JCRAR) adopted a motion under s. [227.26 \(2\) \(d\)](#), Stats., that suspended s. [MPSW 20.02 \(25\)](#). Pursuant to s. [227.26 \(2\) \(f\)](#), Stats., JCRAR introduced 2023 Assembly Bill 3 and Senate Bill 4, in support of the JCRAR suspension.

**(26)** Knowingly aiding, assisting, or advising in the unlawful practice of marriage and family therapy, professional counseling, or social work.

**(27)** Failing to comply with mandatory child abuse reporting requirements under state or federal law.

**(28)** Failing to obtain written, informed consent from the client or client's legal representative prior to the use of electronic taping, recording, or filming procedures, unless the electronic taping, recording, or filming is necessary as part of a legal investigation or proceedings.

**(29)** Failing to exercise an adequate degree of supervision over subordinates.

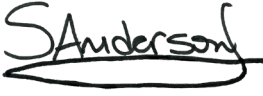
**(30)** Refusing to cooperate in a timely manner with the section's investigation of a complaint lodged against a credentialed person. Credentialed persons taking longer than 30 days to respond shall have the burden of demonstrating that they have acted in a timely manner.

**(31)** Withholding documentation, or approval for submission, of a supervisee's clinical experience hours required to obtain a credential.

**MPSW 20.03 Telehealth.** The standards of practice and professional conduct under this chapter apply to a licensee regardless of whether health care service is provided in person or by telehealth.

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Sofia Anderson, Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 04/03/2024 <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>	
<b>3) Name of Board, Committee, Council, Sections:</b> Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board			
<b>4) Meeting Date:</b> April 16, 2024	<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> Administrative Rule Matters – Discussion and Consideration 1. Scope Statement: MPSW 1 to 20, relating to Counseling Compact. 2. Drafting: MPSW 3, relating to supervised practice. 3. Drafting: MPSW 19, relating to continuing education. 4. Pending or Possible Rulemaking Projects.	
<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> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> Attachments: <ul style="list-style-type: none"> <li>• Scope Statement for MPSW 1 to 20, relating to Counseling Compact.</li> <li>• 2023 227.29 report.</li> <li>• MPSW 3 redlined chapter.</li> <li>• MPSW 19 redlined chapter.</li> <li>• MPSW Rule Projects chart</li> </ul>			
<b>11) Authorization</b> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">   <hr/>                 Signature of person making this request             </div> <div style="text-align: center;">                 04/03/2024  <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="width: 60%;">                 Supervisor (if required)             </div> <div style="width: 35%;">                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="width: 70%;">                 Executive Director signature (indicates approval to add post agenda deadline item to agenda)             </div> <div style="width: 25%;">                 Date             </div> </div>			
<b>Directions for including supporting documents:</b> <ol style="list-style-type: none"> <li>1. This form should be attached to any documents submitted to the agenda.</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>			

# STATEMENT OF SCOPE

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

Rule No.: MPSW 1 to 20

Relating to: Counseling Compact

Rule Type: Permanent

### 1. Finding/nature of emergency (Emergency Rule only):

N/A

### 2. Detailed description of the objective of the proposed rule:

The objective of this rule is to implement the statutory changes from 2023 Wisconsin Act 55, which establishes Wisconsin as a member of the Counseling Compact.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Board intends to update the Administrative Code Chapters MPSW 1 to 20, to bring them into alignment with 2023 Wisconsin Act 55, which establishes Wisconsin as a member of the Counseling Compact. An alternative would be to not revise the code to reflect these new requirements, which would create confusion and a lack of clarity for stakeholders as to what is required of professional counselors and the board as it relates to the new statutory requirements.

### 4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

### 5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

Approximately 120 hours

### 6. List with description of all entities that may be affected by the proposed rule:

Wisconsin licensed professional counselors and applicants for licensure as a professional counselor.

### 7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

**Contact Person:** Sofia Anderson, [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov)

Approved for publication:

Approved for implementation:

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date Submitted

\_\_\_\_\_  
Date Submitted



**Tammy Scheidegger**  
Chairperson

**Sheng Lee Yang**  
Vice Chairperson

**Lindsey Marsh**  
Secretary

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



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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

<b>Rule</b>	<b>Description of why the rule is duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction</b>	<b>Action taken to address or reason for not taking an action</b>
s. MPSW 20.02 (25)	This section makes conversion therapy unprofessional conduct. JCRAR decided to suspend this subsection on the grounds that the provision is arbitrary and capricious, and fails to comply with legislative intent.	Pursuant to 227.26 (2) (f), JCRAR introduced 2023 AB 3 and SB 4, in support of the suspension. Both bills look to redefine unprofessional conduct for the MPSW Examining Board and to suspend the conversion therapy inclusion in ch. MPSW 20. The matter awaits action by the Legislature.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board’s previous report:**

<b>Rule</b>	<b>Description of why the rule is obsolete or has been rendered unnecessary</b>	<b>Action taken to address or reason for not taking an action</b>
s. MPSW 1.02 (2h)	The entity described in this definition should be IC&RC, not ICRC.	The board is currently working on SS 064-22, a MPSW 1 to 20 comprehensive review regarding telehealth, which also includes a revision of obsolete provisions.
s. MPSW 19.03 (1) (a)	This provision currently does not include several entities that provide continuing education programs that the board would like to add as approved providers, and also contains duplicative entries.	The board will review and consider a scope statement to correct this issue at upcoming meetings.
s. MPSW 1.04	The provision refers to only applications for certification. It should refer to both applications for certification and applications for licensure. The board issues both licenses (LCSW, MFT, LPC, ITs) and certificates (APSW, SWTC, CSW, CISW) under state law.	The board is currently working on SS 064-22, a MPSW 1 to 20 comprehensive review regarding telehealth, which also includes a revision of obsolete provisions.
s. MPSW 3.07 (3)	The training requirement for certification as an ISW does not match the statutory requirement in s. 457.08 (3) (c).	The board will review and consider a scope statement to correct this issue at upcoming meetings.

s. MPSW 3.09 (3m)	The requirements enumerated in this provision for an individual to obtain credit for clinical hours completed outside of Wisconsin are inconsistent with the current clinical training hour requirements in MPSW 3.09 (3) for licensure as a clinical social worker.	The board will review and consider a scope statement to correct this issue at upcoming meetings.
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Thank you.

Cordially,



Tammy Scheidegger  
Chairperson

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

## Chapter MPSW 3

### APPLICATION FOR SOCIAL WORKER CERTIFICATION OR LICENSURE

- [MPSW 3.01](#) Application for certification as a social worker.
- [MPSW 3.05](#) Application for certification as an advanced practice social worker.
- [MPSW 3.07](#) Application for certification as an independent social worker.
- [MPSW 3.09](#) Application for licensure as a clinical social worker.
- [MPSW 3.11](#) Temporary certificate or license.
- [MPSW 3.12](#) Reciprocal certificate or license.
- [MPSW 3.125](#) Reciprocal credentials for service members, former service members, and their spouses.
- [MPSW 3.13](#) Social worker training certificate.

**MPSW 3.01 Application for certification as a social worker.** In addition to paying the fee under s. [440.05 \(1\)](#), Stats., an applicant for certification as a social worker shall submit a completed, signed application form together with:

- (1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a bachelor's, master's or doctoral degree in social work.
- (2) Verification that the school or program which awarded the social work degree was accredited by, or a pre-accreditation program, of the Council on Social Work Education (CSWE) at the time the applicant graduated from the program or school, or that a degree awarded by a foreign institution of higher learning has been determined by the CSWE to be equivalent to a program accredited by the CSWE. If the applicant's education was not received in English, the applicant must demonstrate proficiency in English by achieving a score of 550 (or 213 on the computer-based exam) or above on the Test of English as a Foreign Language (TOEFL) or an equivalent score on an equivalent examination.
- (3) Verification of successful completion of the required examinations.
- (4) Verification of the applicant's credential in all jurisdictions in which the applicant has ever been credentialed.
- (5) Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:
  - (a) The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., that is substantially related to the practice of a social worker.

(b) The applicant has been convicted of a crime substantially related to the practice of a social worker.

**MPSW 3.05 Application for certification as an advanced practice social worker.** In addition to paying the fee under s. [440.05 \(1\)](#), Stats., an applicant for certification as an advanced practice social worker shall submit the completed, signed application form and:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in social work.

(2) Verification that the school or program which awarded the social work degree was accredited by, or a pre-accreditation program, of the Council on Social Work Education (CSWE) at the time the applicant graduated from the program or school, or that a degree awarded by a foreign institution of higher learning has been determined by the CSWE to be equivalent to a program accredited by the CSWE. If the applicant's education was not received in English, the applicant must demonstrate proficiency in English by achieving a score of 550 (or 213 on the computer-based exam) or above on the Test of English as a Foreign Language (TOEFL) or an equivalent score on an equivalent examination.

(3) Verification of successful completion of the required examinations.

(4) Verification of the applicant's credential in all jurisdictions in which the applicant has ever been credentialed.

(5) Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

(a) The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., that is substantially related to the practice of an advanced practice social worker.

(b) The applicant has been convicted of a crime substantially related to the practice of an advanced practice social worker.

**MPSW 3.07 Application for certification as an independent social worker.** In addition to paying the fee under s. [440.05 \(1\)](#), Stats., an applicant for certification as an independent social worker shall submit the completed, signed application form and:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in social work.

(2) Verification that the school or program which awarded the social work degree was accredited by, or a pre-accreditation program, of the Council on Social Work Education (CSWE) at the time the applicant graduated from the program or school, or that a degree awarded by a foreign institution of higher learning has been determined by the CSWE to be equivalent to a program accredited by the CSWE. If the applicant's education was not received in English, the applicant

must demonstrate proficiency in English by achieving a score of 550 (or 213 on the computer-based exam) or above on the Test of English as a Foreign Language (TOEFL) or an equivalent score on an equivalent examination.

(3) An affidavit that the applicant, after receiving a master's or doctoral degree and after receiving certification as an advanced practice social worker, has ~~obtained at least 3,000 hours of social work practice in no less than~~ practiced for at least 2 years of full-time supervised social work practice under the supervision of a supervisor approved by the social worker section. Pre-certification supervised practice shall meet the criteria under s. [MPSW 4.01](#).

(4) Verification of successful completion of the required examinations, or verification that the applicant has obtained certification of the Academy of Certified Social Workers (ACSW) of the National Association of Social Workers.

(5) Verification of the applicant's credential in all jurisdictions in which the applicant has ever been credentialed.

(6) Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

(a) The applicant has a pending charge for an exempt offense as defined in s. [111.335 \(1m\) \(b\)](#), Stats. or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., which is substantially related to the practice of an independent social worker.

(b) The applicant has been convicted of a crime substantially related to the practice of an independent social worker.

**MPSW 3.09 Application for licensure as a clinical social worker.** In addition to paying the fee under s. [440.05 \(1\)](#), Stats., an applicant for licensure as a clinical social worker shall submit the completed, signed application form and:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in social work with a concentration in clinical social work, including completion of supervised clinical field training. In lieu of supervised clinical field training, applicants may submit an affidavit indicating that they have completed 1,500 hours of supervised clinical social work experience in not less than one year within a primary clinical setting, which includes at least 500 hours of face-to-face client contact and is supervised as provided in s. [MPSW 4.01](#).

(2) Verification that the school or program which awarded the social work degree was accredited by, or a pre-accreditation program, of the Council on Social Work Education (CSWE) at the time the applicant graduated from the program or school, or that a degree awarded by a foreign institution of higher learning has been determined by the CSWE to be equivalent to a program accredited by the CSWE. If the applicant's education was not received in English, the applicant must demonstrate proficiency in English by achieving a score of 550 (or 213 on the computer-based exam) or above on the Test of English as a Foreign Language (TOEFL) or an equivalent score on an equivalent examination.

(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, including at least 1,000 hours of face-to-face client contact. At least 600 hours of the required 1,000 hours of face-to-face client contact must involve DSM diagnosis and treatment of individuals. All hours must be accumulated 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 at least 600 hours of DSM diagnosis and treatment of individuals, completed under the supervision of a supervisor acceptable to the social worker section.

(4) Verification of successful completion of the required examinations, or verification that the applicant is a board certified diplomat (BCD) of the American Board of Examiners in clinical social work.

(5) Verification of the applicant's credential in all jurisdictions in which the applicant has ever been credentialed.

(6) Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

(a) The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., which is substantially related to the practice of a licensed clinical social worker.

(b) The applicant has been convicted of a crime substantially related to the practice of a licensed clinical social worker.

### **MPSW 3.11 Temporary certificate or license.**

(1) The social worker section may issue a temporary certificate permitting the use of the title "social worker" to an individual who pays the fee under s. [440.05 \(6\)](#), Stats., and who meets all the qualifications for the social worker certificate except for passing the required examinations.

(2) The social worker section may issue a temporary certificate permitting the use of the title "advanced practice social worker" to an individual who pays the fee under s. [440.05 \(6\)](#), Stats., and who meets all the qualifications for the advanced practice social worker certificate except for passing the required examinations.

(3) The social worker section may issue a temporary certificate permitting the use of the title "independent social worker" to an individual who pays the fee under s. [440.05 \(6\)](#), Stats., and who meets all the qualifications for the independent social worker certificate except for passing the required examinations.

(4) The social worker section may issue a temporary license permitting the practice of clinical social work and the use of the title “clinical social worker” to an individual who pays the fee under s. [440.05 \(6\)](#), Stats., and who meets all the qualifications for the clinical social worker license except for passing the required examinations.

(5) The temporary credential expires upon notification of successful completion of the required examinations or expiration of the 9 month period, whichever is earlier. The temporary credential may be renewed once.

### **MPSW 3.12 Reciprocal certificate or license.**

(1) Except as provided in s. [MPSW 3.125](#), the social worker section shall grant a certificate as a social worker under s. [457.08 \(1\)](#), Stats., to an applicant who pays the fee required by s. [440.05 \(2\)](#), Stats., and provides evidence of all of the following to the section:

(a) The applicant has a current credential as a social worker or the substantial equivalent in good standing in another state or territory of the United States.

(b) The requirements for the grant of the credential in the other state or territory of the United States are substantially equivalent to the requirements for the grant of the certificate under s. [457.08 \(1\)](#), Stats.

(c) The applicant has disclosed all discipline ever taken or currently pending against the applicant or any professional credential held by the applicant by any credentialing authority of any state or territory of the United States.

(d) Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

1. The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., that is substantially related to the practice of a social worker.

2. The applicant has been convicted of a crime substantially related to the practice of a social worker.

(e) The applicant passes an examination approved by the social worker section that tests knowledge of state law relating to social work.

(2) The social worker section shall grant a certificate as an advanced practice social worker under s. [457.08 \(1\)](#) and [\(2\)](#), Stats., to an applicant who pays the fee required by s. [440.05 \(2\)](#), Stats., and provides evidence of all of the following to the section:

(a) The applicant has a current credential as an advanced practice social worker or the substantial equivalent in good standing in another state or territory of the United States.



**(b)** The requirements for the grant of the credential in the other state or territory of the United States are substantially equivalent to the requirements for the grant of a certificate under s. [457.08 \(2\)](#), Stats.

**(c)** The applicant has disclosed all discipline ever taken or currently pending against the applicant or any professional credential held by the applicant or by any credentialing authority of any state or territory of the United States.

**(d)** Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

1. The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., that is substantially related to the practice of an advanced practice social worker.

2. The applicant has been convicted of a crime substantially related to the practice of an advanced practice social worker.

**(e)** The applicant passes an examination approved by the social worker section that tests knowledge of state law relating to social work.

**(3)** The social worker section shall grant a certificate as an independent social worker under s. [457.08 \(1\)](#) and [\(3\)](#), Stats., to an applicant who pays the fee required by s. [440.05 \(2\)](#), Stats., and provides evidence of all of the following to the section:

**(a)** The applicant has a current credential as an independent social worker or the substantial equivalent in good standing in another state or territory of the United States.

**(b)** The requirements for the grant of the credential in the other state or territory of the United States are substantially equivalent to the requirements for the grant of a certificate under s. [457.08 \(3\)](#), Stats.

**(c)** The applicant has disclosed all discipline ever taken or currently pending against the applicant or any professional credential held by the applicant by any credentialing authority of any state or territory of the United States.

**(d)** Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

1. The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., that is substantially related to the practice of an independent social worker.

2. The applicant has been convicted of a crime substantially related to the practice of an independent social worker.

- (e) The applicant passes an examination approved by the social worker section that tests knowledge of state law relating to social work.
- (4) The social worker section shall grant a license as a clinical social worker under s. [457.08 \(1\)](#) and [\(4\)](#), Stats., to an applicant who pays the fee required under s. [440.05 \(2\)](#), Stats., and provides evidence of all of the following to the section:
  - (a) The applicant has a current credential as a clinical social worker or the substantial equivalent in good standing in another state or territory of the United States.
  - (b) The requirements for granting the credential in the other state or territory of the United States are substantially equivalent to the requirements for granting a license under s. [457.08 \(4\)](#), Stats.
  - (c) The applicant has disclosed all discipline ever taken or currently pending against the applicant or any professional credential held by the applicant by any credentialing authority of any state or territory of the United States.
  - (d) Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:
    1. The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., that is substantially related to the practice of a clinical social worker.
    2. The applicant has been convicted of a crime substantially related to the practice of a clinical social worker.
  - (e) The applicant passes an examination approved by the social worker section that tests knowledge of state law relating to social work.

**MPSW 3.125 Reciprocal credentials for service members, former service members, and their spouses.** The social worker section shall grant a reciprocal certificate or a license to practice social work under s. [457.08](#), Stats., to a service member, former service member, or the spouse of a service member or former service member who the board determines meets all of the requirements under s. [440.09](#), Stats. Subject to s. [440.09 \(2m\)](#), Stats., the board may request verification necessary to make a determination under this section.

**Note:** Application forms are available from the Department of Safety and Professional Services' website at <http://dsps.wi.gov>.

**MPSW 3.13 Social worker training certificate.**

(1) Application requirements. The social worker section shall grant a training certificate to an applicant who submits the fee under s. [440.05 \(6\)](#), Stats., together with the completed, signed application form and all of the following:

**(a)** A certified transcript of professional education verifying that the applicant has a bachelor's degree in psychology, sociology, criminal justice or another human service program approved by the section from a college or university accredited by an accrediting body nationally recognized by the secretary of the United States department of education. The certified transcript shall be sent directly to the section by the college or university.

**1.** To qualify as “another human service program approved by the section” under s. [457.09 \(1\) \(c\)](#), Stats., the program shall award a bachelor's degree and be one of the following:

**a.** An organized course of study recognized by the section to contain all five social worker equivalency courses in s. [MPSW 3.13 \(2\)](#) and a course designated as a senior seminar or capstone course.

**b.** An organized course of study entitled on the transcript as a human services major.

**c.** Accredited by any accrediting organization recognized by the Council for Higher Education Accreditation (CHEA) for programs awarding bachelor's degrees with a major in “human services”.

**2.** In subd. [1. b.](#), “human services major” means a major which includes all the following courses:

**a.** An introductory course which contains a general overview of the field of human services, including origins, career opportunities and techniques and methods of helping individuals and groups in need.

**b.** A course with significant content in professional ethics and values, including confidentiality, boundaries and values in human services occupations.

**c.** A course with content in qualitative and quantitative social research methods and statistics.

**d.** A course designated as a senior seminar or capstone course. The capstone course may be an internship with the seminar in which the training certificate applicant is evaluated to have attained the competencies specified in sub. [\(3m\)](#).

**3.** The applicant shall have obtained a grade point average of 2.5 or greater in the major completed in the program under subd. [1. a.](#), [1. b.](#) or [1. c.](#)

**(b)** Verification that the applicant is seeking to attain social worker degree equivalency under s. [457.09 \(4\)](#), Stats., during the period in which the certificate is valid.

**(c)** Documentation necessary for the section to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

1. The applicant has a pending charge for an exempt offense, as defined in s. [111.335 \(1m\) \(b\)](#), Stats., or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., which is substantially related to the practice of a social worker.
2. The applicant has been convicted of a crime substantially related to the practice of a social worker.

**Note:** Application forms are available upon request to the Social Worker Section at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(2) Social worker degree equivalency. To attain social worker degree equivalency to a bachelor's degree in social work under the terms of s. [457.09 \(4\)](#) and [\(4m\) \(b\)](#), Stats., and to qualify to take the national social work examination, a social worker training certificate holder shall demonstrate by certified transcript from an accredited college or university, sent directly to the section, that the applicant has successfully completed with a minimum of a C grade at least a total of 5 courses, each consisting of a minimum of either 3 semester hours or 4 quarter hours of academic credit. Courses shall be taught by an instructor who holds a master's degree or a PhD in social work from an institution accredited by the Council on Social Work Education unless otherwise approved by the section. The courses shall use a textbook written by a social work educator for social work courses as a primary text, unless otherwise approved by the section. At least three of these courses shall be taken at the same institution, and shall be distributed among the following subject areas:

(a) *Social welfare policy and services.* At least one course of at least 3 semester hours or 4 quarter hours academic credit. Qualifying course work in this area shall include the history, mission and philosophy of the social work profession, the impact of social policy on health and well-being, the effect of social policy on social work practice, current social policy analysis, political and organizational processes used to influence policy, the process of policy formulation, and the framework for current social policy analysis in light of the principles of social and economic justice.

(b) *Social work practice methods with individuals, families, small groups, communities, organizations and social institutions - generalist practice methods.* At least 3 courses each consisting of at least 3 semester hours or 4 quarter hours academic credit. Qualifying coursework in these areas shall substantively and effectively prepare the student for action to engage with, assess, intervene with, and evaluate individuals, families, groups, organizations, and communities. The social work practice methods taught shall be evidence-based, and shall emphasize client strengths. Each course shall have infused throughout the curriculum significant course content on social work values, ethics, approaches and skills for practice with clients from differing social, cultural, racial, religious, spiritual and class backgrounds; and systems of all sizes. The content of the three courses shall be coordinated by the college or university to cover the material described below and demonstrate that within the curriculum of the three courses, students shall learn:

**1.** Of the three required social work methods courses, a course in each of the following: social work practice with individuals, social work practice with groups and families, and social work practice with communities, organizations, and social institutions.

**2.** Practice content which emphasizes professional relationships that are characterized by mutuality, collaboration, respect for the client system and incorporates use of professional social work supervision. Coursework shall prepare a student to do all of the following:

**a.** Use empathy and other interpersonal skills with clients.

**b.** Develop with the client a mutually agreed upon focus of work and desired outcomes.

**c.** Collect, organize, and interpret client data.

**d.** Develop mutually agreed upon intervention goals and objectives.

**e.** Select appropriate intervention strategies.

**f.** Initiate actions to achieve organizational goals.

**g.** Implement prevention interventions that enhance client capacities.

**h.** Help clients resolve problems.

**i.** Negotiate, mediate, and advocate for clients.

**j.** Facilitate transitions and endings.

**k.** Critically analyze, monitor, and evaluate interventions.

**3.** Practice assessment which focuses on the examination of client strengths and problems in the interaction among individuals and between people and their environments.

**4.** Knowledge, values and skills to enhance human well-being and amelioration of the environmental conditions that affect people adversely.

**5.** Approaches and skills for practice with clients from differing social, cultural, racial, religious, spiritual and class backgrounds and with systems of all sizes.

**6.** Differential assessments and intervention skills to serve diverse at-risk populations.

**7.** An evaluation of the student's ability to demonstrate competence in interviewing, using empathy and interpersonal skills. The student shall be able to demonstrate skill in collecting, organizing, and interpreting client data; assessing client strengths and limitations; developing mutually agreed upon intervention goals and objectives; and selecting appropriate intervention strategies.

8. Each social work methods course shall include content on social work values and ethics including the application of the standards of the National Association of Social Workers Code of Ethics to Social Work practice.

9. Each social work methods course shall include content on cultural competence in social work practice, based on the National Association of Social Workers Standards for Cultural Competence in Social Work Practice.

*(c) Human behavior in the social environment, including human growth and development, and social systems theory.* At least one course of at least 3 semester hours or 4 quarter hours academic credit. Qualifying course work in this area shall include theories and knowledge of human biological, sociological, cultural, psychological, and spiritual development across the life span; the range of social systems, including individual, family, group, organizational, and community, in which people live, and the ways social systems promote or deter people in maintaining or achieving health and well-being.

**(3)** Internship and employment. To qualify to take the national social work examination, a training certificate holder shall demonstrate to the section, by written certification from his or her supervisor sent directly to the section, that he or she engaged in and successfully completed one of the following:

**(a)**

1. A human services internship of at least 400 hours that was part of the program leading to the degree the certificate holder specified to satisfy the requirement in s. [457.09 \(1\) \(c\)](#) and [\(4m\) \(b\)](#), Stats., or completed while holding the training certificate, and involved direct practice with clients and that was supervised by a social worker certified under s. [457.08](#), Stats., and who has a bachelor's or master's degree in social work and provides direct, on-site supervision of the intern. A human services internship shall be under the auspices of an accredited college or university.

2. A human services internship completed prior to August 1, 1995, that otherwise qualifies under par. [\(a\)](#), may be approved by the section if it was supervised by a person holding a bachelor's or master's degree in social work and in good professional standing, but who was not certified under s. [457.08](#), Stats.

**(b)** One year of social work employment completed while holding the training certificate, which involved at least 400 hours of face-to-face client contact in not less than 12 months, and that was supervised by a social worker certified under s. [457.08](#), Stats., who has a bachelor's or master's degree in social work and who provides direct, on-site supervision of the certificate holder during the time the certificate holder is at work.

**(3m)** Demonstrated competency. A human services internship or one year of social work employment shall be approved by the section provided that the supervising social worker certifies on forms provided by the department that the internship or employment provided training and experience, and the applicant demonstrated competency, in each of the following areas:

**(a)** Demonstrate the ability to: engage, assess, intervene, and evaluate individuals, families, groups, organizations, and communities in regard to strengths and difficulties in biological, psychological, sociological, cultural, and spiritual functioning.

**(b)** Demonstrate intervention skills, including: collecting, organizing, and interpreting client data; assessing client strengths and limitations; using empathy and other interpersonal skills; developing mutually agreed upon intervention goals and objectives; determining and implementing appropriate intervention strategies; and referring clients to other qualified resources when appropriate.

**(c)** Develop a mutually agreed upon focus of work and desired outcomes, which may include: implementing prevention interventions that enhance client outcomes; helping clients resolve problems; negotiating, mediating, and advocating for clients; and facilitating transitions and endings; referring to community resources; facilitating organizational change to meet social needs based on evaluation and assessment as described in par. [\(a\)](#); and critically analyze, monitor, and evaluate interventions.

**(d)** Knowledge of other disciplines and resources relevant to the evaluation of clients, plans and policies to alleviate client difficulties, and intervention planning.

**(e)** Demonstrate cultural competence, based on the National Association of Social Workers Standards for Cultural Competence in Social Work Practice, by intervening effectively on behalf of diverse populations and populations most vulnerable and discriminated against; providing culturally competent services, and collaborating with others to develop services.

**(f)** Make ethical decisions by applying standards of the National Association of Social Workers Code of Ethics in the delivery of social work services to clients, and applying relevant Wisconsin laws and administrative rules, as applicable.

**(4)** Supervision requirements. In addition to the minimum qualifications for supervisors specified in sub. [\(3\)](#), supervision of qualifying human services internship or employment shall include the direction of social work practice in a face-to-face individual session of at least one hour duration during each week of supervised practice of social work, and shall further comply with s. [MPSW 4.01 \(1\)](#) and [\(3\)](#). Supervision may be exercised by a person other than an employment supervisor. For supervised educational internships or employment experiences that begin 6 months after the effective date of this rule change, the supervisor and student or employee shall complete and sign a learning contract within the first 40 hours of the internship or employment that shall describe the goals of the student or employee's supervised experience and list basic expectations for both the applicant and the supervisor.

**(5)** Granting social worker certification. Subject to s. [457.26 \(2\)](#), Stats., the section shall grant a social worker certificate to a training certificate holder who has demonstrated social worker degree equivalency, completed a supervised human services internship or social work employment, and passed the national social worker examination and state law examination, all as required under this section and s. [457.09](#), Stats.

**(6)** Approval of courses for social worker degree equivalency.

**(a)** The section may approve in advance courses offered by an accredited college or university which may be taken by a social worker training certificate holder to satisfy the requirements of sub. [\(2\) \(a\)](#) to [\(c\)](#).

**(b)** To obtain advance section approval under par. [\(a\)](#), an accredited college or university shall submit course syllabi at least 6 months prior to the commencement of the class. Section approval shall continue for 2 years unless the course content, format, delivery method, or instructor changes. After 2 years, course syllabi shall be resubmitted for approval.



## Chapter MPSW 19

### CONTINUING EDUCATION

[MPSW 19.01](#) Definitions.

[MPSW 19.02](#) Continuing education requirements.

[MPSW 19.03](#) Approved continuing education.

[MPSW 19.04](#) Postponement, waiver, and exemption.

[MPSW 19.05](#) Record retention and audits.

**MPSW 19.01 Definitions.** In this chapter:

- (1) "Board" means the marriage and family therapy, professional counseling, and social work examining board.
- (2) "Interactive learning format" means a live, synchronous presentation with discussion or an asynchronous educational program by a provider under s. [MPSW 19.03 \(1\) \(a\)](#) or [\(f\)](#).
- (3) "Section" means any of the following:
  - (a) Marriage and family therapy section.
  - (b) Professional counseling section.
  - (c) Social worker section.

**MPSW 19.02 Continuing education requirements.**

- (1) Unless granted a postponement or waiver of the continuing education requirement under s. [MPSW 19.04](#), every marriage and family therapist, professional counselor, social worker, advanced practice social worker, independent social worker, and clinical social worker shall complete at least 30 continuing education credit hours in approved continuing education programs during each 2 year credential period and certify on the application for renewal that all required education was completed. Unless granted a postponement or waiver of the continuing education requirement, a credential holder who fails to meet the continuing education requirements by the renewal deadline must discontinue the use of the title.
- (2) A minimum of 4 continuing education credit hours, of the required 30 continuing education credit hours, shall be in the area of professional ethics and boundaries related to the practice of marriage and family therapy, professional counseling, or social work.
  - (a) A person holding multiple credentials granted by the board shall complete only a minimum of 4 continuing education credit hours in the area of professional ethics and boundaries.

- (b) Social work credential holders shall complete their ethics continuing education credit hours in an interactive learning format.
- (3) During the time between receiving the initial credential and commencement of a full 2 year credentialing period, a new credential holder is not required to meet continuing education requirements for the first renewal of the credential.
- (4) Continuing education credit hours shall apply only to the 2 year credential period in which the credit hours are completed, unless either of the following applies:
- (a) Continuing education credit hours required as a consequence of a disciplinary proceeding may not be counted towards the fulfillment of generally applicable continuing education requirements.
- (b) If the credential holder fails to meet the continuing education requirement during a 2 year credential period, any additional continuing education credit hours completed on or after the renewal date to satisfy the requirement of the preceding period will not apply to the period in which they are earned.

**MPSW 19.03 Approved continuing education.**

- (1) Continuing education programs, if relevant to the professional practice of marriage and family therapy, professional counseling, or social work, are approved as follows:
- (a) Any continuing education program approved, sponsored, provided, endorsed, or authorized by:
1. American Association for Marriage and Family Therapy (AAMFT) or affiliated divisions.
  2. Wisconsin Association for Marriage and Family Therapy (WAMFT).
  3. National Rehabilitation Counseling Association (NRCA).
  4. American Rehabilitation Counseling Association (ARCA).
  5. Wisconsin Rehabilitation Counseling Association (WRCA).
  6. National Board for Certified Counselors (NBCC).
  7. American Counseling Association (ACA).
  8. Wisconsin Counseling Association (WCA).
  - ~~9. National Board for Certified Counselors (NBCC).~~
  10. Commission on Rehabilitation Counselor Certification (CRCC).
  11. Association of Social Work Boards (ASWB).
  12. National Association of Social Workers (NASW) or affiliated chapters.

**13.** Association of Baccalaureate Program Directors (BPD).

**14.** Council on Social Work Education (CSWE).

**15.** National Association of Alcohol and Drug Abuse Counseling (NAADAC) or affiliated divisions.

**(b)** Any continuing education program or course offered by a training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE).

**(c)** Any continuing education program approved, sponsored, or co-sponsored by a presenter approved by the Committee for the Approval of Continuing Education Sponsors of the American Psychological Association.

**(d)** Any educational programs, recognized as approved at the time of attendance as "Category I" continuing medical education programs by the Council on Medical Education of the American Medical Association or the American Osteopathic Association.

**(e)** Any course or continuing education program offered by an accredited college or university.

**(f)** Public and private agencies that provide in-house training and development programs. Only 15 of the required 30 continuing education credit hours shall be met through in-house training and development programs which are not approved by an organization identified in pars. [\(a\)](#) to [\(e\)](#).

**(2)** Continuing education hours may be awarded for the following professional activities, if relevant to the professional practice of marriage and family therapy, professional counseling, or social work:

**(a)** A presenter of professional material shall receive 1 continuing education credit hour per hour of continuing education. A developer of professional material shall receive 1 continuing education credit hour per hour of development of continuing education. A presenter of a semester education course shall receive 20 continuing education credit hours. No additional continuing education credit hours will be granted for subsequent presentations of the same material. A presenter of professional material at any of the following qualifies for continuing education:

**1.** Seminars, workshops, programs, or institutions approved in sub. [\(1\)\(a\)](#) to [\(f\)](#).

**2.** University, college, or vocational technical adult education courses.

**(b)** Authorship of a published textbook or professional resource book. Authors of a book shall receive 20 continuing education credit hours.

**(c)** Authorship of a published chapter in a textbook or professional resource book, or a professional journal article. Authors of chapters or articles shall receive 8 continuing

education credit hours. No more than 16 continuing education hours may be obtained for authorship of chapters or articles.

(d) Authorship of alternative or electronic media or computer software. Authorship of these materials shall receive 8 continuing education credit hours. No more than 16 continuing education hours may be obtained for authorship of alternative or electronic media or computer software.

**MPSW 19.04 Postponement, waiver, and exemption.**

(1) A credential holder may apply to the section for a postponement or waiver of the requirements of this chapter on grounds of prolonged illness, disability, or other grounds constituting extreme hardship. The section shall consider each application individually on its merits, and the section may grant a postponement, partial waiver or total waiver as deemed appropriate in the circumstances.

(2) The section may grant an exemption from the requirements of this chapter to a credential holder who certifies to the section that the credential holder has retired and no longer uses the title "marriage and family therapist," "professional counselor," "social worker," "advanced practice social worker," "independent social worker," or "clinical social worker," and no longer practices marriage and family therapy, professional counseling, or social work. The credential holder's status will change to non-practicing.

(3) A credential holder who has been granted an exemption due to retirement may not return to the active practice or use the title without submitting evidence satisfactory to the section that the credential holder has completed at least 30 continuing education credit hours for each of the biennia during which the credential holder was granted an exemption.

**MPSW 19.05 Record retention and audits.** A credential holder shall retain for a minimum period of 4 years and shall make available to the board, or its agent upon request, documentation of publication or certificates of attendance issued by the program sponsor for all continuing education programs for which the credential holder claims credit for purposes of renewal of the credential. The certificate shall include the name of credential holder, date, provider name, hours, and title of program.

**MPSW Examining Board**  
**Rule Projects (updated 04/03/2024)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Synopsis	Current Stage	Next Step
24-012	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.	Public Hearing at the April meeting and Clearinghouse report review.	Final Rule Draft and Legislative Report submission to Governor's Office and Legislature.
23-034	063-22	01/25/2025	MPSW 1	Substance Use Disorder practice for APSW and ISW	The Board would like to update MPSW 1 in order to implement 2021 WI Act 222 relating to APSW and ISW being able to provide substance use disorder treatment without a specialty.	Rule effective March 1, 2024	N/A
	102-23	05/20/2026	MPSW 3	Supervised Practice	The SW section found inconsistencies between the training hour requirements in-state and out-of-state for licensed clinical social workers, and between the requirements in the Statutes for independent social workers and the Administrative Code.	Drafting Rule.	EIA Comment Period, Clearinghouse Review, and Public Hearing.
	103-23	05/20/2026	MPSW 19	Continuing Education	The Board would like to review the continuing education providers and programs to eliminate duplicate entries and potentially update the list of programs and providers.	Drafting Rule.	EIA Comment Period, Clearinghouse Review, and Public Hearing.

**MPSW Examining Board**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Synopsis	Current Stage	Next Step
	018-24	08/12/2026	MPSW 4, 12, 16, and 20	Supervision requirements	The objective of the proposed rule will be to revise the relevant sections of the MPSW code that refer to supervised practice and approving completion of hours to social workers, professional counselors, and marriage and family therapists who are under supervision.	JCRAR requested the board to hold a preliminary public hearing. Public hearing will be held on April 16, 2024.	Scope implementation and drafting of the rule.
			MPSW 1 to 20	Counseling Compact	The objective of this rule is to implement the statutory changes from 2023 Wisconsin Act 55, which establishes Wisconsin as a member of the Professional Counselor's Counseling Compact.	Scope ready for review at the April meeting.	Scope submission to Governor's Office and, after approval, to Administrative Register for publication.