



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

**Room N208, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Tom Ryan (608) 266-2112
January 29, 2019**

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

AGENDA

9:30 A.M.

**OR IMMEDIATELY FOLLOWING THE MARRIAGE AND FAMILY THERAPIST SECTION
MEETING**

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of June 26, 2018 (4-6)

C. Administrative Matters – Discussion and Consideration (7-13)

- 1) Election of Officers
- 2) Appointment of Liaisons and Alternates
- 3) Delegation of Authorities
- 4) Staff Updates
- 5) Board Member – Term Expiration Date
 - a. Allison Gordon – 7/1/2018
 - b. Kathleen Miller – 7/1/2021
 - c. Tammy Scheidegger – 7/1/2020
 - d. Monica Vick – 7/1/2019 (*appointed, not yet confirmed*)

D. Licensed Professional Counselor In-Training (LPC-IT) Supervision Requirements - Discussion and Consideration

E. Legislative and Administrative Rules Matters – Discussion and Consideration (14)

- 1) 2017 Wisconsin Act 262
- 2) 2017 Wisconsin Act 108 Reports **(15)**
- 3) Position Statements Review **(16-17)**
- 4) Updates on Legislation and Pending or Possible Rulemaking Projects

F. Education and Examination Matters – Discussion and Consideration

- 1) **APPEARANCE – Zachary Hendrickson, Supervisor, Division of Professional Credentialing Processing: Evaluation of License Reviews/Reciprocity from Other States Under the New Educational Standards (18)**

G. Deliberation on Items Added After Preparation of Agenda

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

H. Public Comments

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

I. Credentialing Matters

- 1) Application Reviews
 - a. Amy Farrar – Education Review (19-36)

J. Deliberation on DLSC Matters

- 1) Proposed Stipulations, Final Decisions, and Orders
 - a. 16 CPC 020 – Kimberly J. Lohman (37-44)
 - b. 17 CPC 006 – Jeani M. Oppeneer (45-50)
 - c. 17 CPC 015 and 17 CPC 026 – Daviene L. Smittie (51-56)
 - d. 17 CPC 039 – Mary B. Appel (57-62)

2) Case Closings (63)

K. Deliberation on Matters Relating to Costs/Orders Fixing Costs

- 1) Curt E. Clausen, Respondent – DHA Case Number SPS-17-0016/DLSC Case Number 16 CPC 043
(64-65)

L. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

O. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT SCHEDULED MEETING: APRIL 16, 2019

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 at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. 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. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**PROFESSIONAL COUNSELOR SECTION
TELECONFERENCE/VIRTUAL
MEETING MINUTES
JUNE 26, 2018**

PRESENT: Allison Gordon (*Arrived at 11:06 a.m.*), Kathleen Miller, Tammy Scheidegger, Monica Vick (*Excused at 11:36 a.m.*)

STAFF: Dan Williams, Executive Director; Sharon Henes, Rules Coordinator; Pete Anderson, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Tammy Scheidegger, Chair, called the meeting to order at 9:19 a.m. Two (2) members were present.

(The Section recessed from 9:20 a.m. until 11:00 a.m.)

Tammy Scheidegger, Chair, called for roll call at 11:04 a.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- Closed Session – Missing pages were added to materials under item “H. Deliberation on DLSC Matters; 2. Proposed Stipulations, Final Decisions and Orders; b. 17 CPC 004 – Vicki J. Marquardt, L.P.C.

MOTION: Kathleen Miller moved, seconded by Monica Vick, to approve the agenda as amended. Motion carried unanimously.

(Allison Gordon joined meeting at 11:06 a.m.)

APPROVAL OF THE MINUTES OF JANUARY 30, 2018

Amendments to the Minutes:

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to approve the minutes of January 30, 2018 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Delegation of Authorities

Monitoring Delegations

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document as presented. Motion carried unanimously.

MOTION: Allision Gordon moved, Kathleen Miller seconded by, to authorize DSPS staff to approve education that meets CACREP or CORE requirements. Motion carried unanimously.

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to authorize DSPS staff to approve applications where criminal background checks have been approved for a previous Professional Counselor training license credential and no criminal activity has occurred since that approval. Motion carried unanimously.

(Monica Vick was excused at 11:36 a.m.)

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Update on Legislation and Pending or Possible Rulemaking Projects

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to request DSPS staff draft a Scope Statement relating to MPSW 11.01. Motion carried unanimously.

CLOSED SESSION

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). The Chair read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Allison Gordon-yes; Kathleen Miller-yes; Tammy Scheidegger-yes. Motion carried unanimously.

The Section convened into Closed Session at 12:04 a.m.

RECONVENE TO OPEN SESSION

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to reconvene into open session. Motion carried unanimously.

The Section reconvened into Open Session at 12:36 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to affirm all motions made in closed session. Motion carried unanimously.

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

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Monitoring

Curt Clausen, L.P.C. – Review of Fitness to Practice Evaluation Results

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to approve a limited license for Curt Clausen, L.P.C. The limitations to be determined by monitoring liaison and section counsel. Motion carried unanimously.

Charity Nikolay, L.P.C. – Removal of the Practice Limitation Relating to the Treatment of Male Clients

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to deny the request of Charity Nikolay, L.P.C. for Removal of the Practice Limitation Relating to the Treatment of Male Clients. **Reason for Denial:** Has not demonstrated compliance through supervised practice in treating male clients. Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

16 CPC 047 – Clifford J. Kuster, M.S., L.P.C.

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Clifford J. Kuster, M.S., L.P.C., DLSC case number 16 CPC 047. Motion carried unanimously.

17 CPC 004 – Vicki J. Marquardt, L.P.C.

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Vicki J. Marquardt, L.P.C., DLSC case number 17 CPC 004. Motion carried unanimously.

Case Closings

17 CPC 031

MOTION: Kathleen Miller moved, Allison Gordon seconded by, to close DLSC case number 17 CPC 031 for insufficient evidence. Motion carried unanimously.

ADJOURNMENT

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:37 p.m.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Maximilian Turner, Bureau Assistant		2) Date When Request Submitted: 1/16/19 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Professional Counselor Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board			
4) Meeting Date: 1/29/2019	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters: 1) Election of Officers 2) Appointment of Liaisons and Alternates 3) Delegation of Authorities	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: 1) The Board should conduct Election of its Officers for 2019. 2) The new Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate. 3) The Board should review and then consider continuation or modification of previously delegated authorities.			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

PROFESSIONAL COUNSELOR SECTION

2018 Elections and Liaison Appointments

2018 ELECTION RESULTS	
Chair	Tammy Scheidegger
Vice Chair	Kathleen Miller
Secretary	Allison Gordon
2018 LIAISON APPOINTMENTS	
Credentialing Liaisons	Kathleen Miller, Tammy Scheidegger, Allison Gordon, Monica Vick
Education and Examination Liaison	Tammy Scheidegger
DLSC Monitoring and Professional Assistance Procedure (PAP) Liaison(s)	Kathleen Miller
Screening Panel (beginning February 2018)	Tammy Scheidegger Alternate: Kathleen Miller

DELEGATION MOTIONS

Delegated Authority for Urgent Matters

MOTION: Allison Gordon moved, seconded by Kathleen Miller, that, in order to facilitate the completion of assignments between meetings, the Section delegates its authority to the Chair to appoint liaisons to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Allison Gordon moved, seconded by Kathleen Miller, that the Section counsel or another department attorney is formally authorized to serve as the Section’s designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Document Signature Delegation

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

Credentialing Authority Delegation

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters. Motion carried unanimously.

Education Delegation

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to delegate authority to the Office of Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

Updated Delegations from the 6/26/2018 Meeting

Monitoring Delegation

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document as presented. Motion carried unanimously.

Education Approval Delegation

MOTION: Allison Gordon moved, Kathleen Miller seconded by, to authorize DSPS staff to approve education that meets CACREP or CORE requirements. Motion carried unanimously.

Criminal Background Check Approval Delegation

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to authorize DSPS staff to approve applications where criminal background checks have been approved for a previous Professional Counselor training license credential and no criminal activity has occurred since that approval. Motion carried unanimously.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Ayres Monitoring and Intake Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: December 20, 2018													
		Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 													
3) Name of Board, Committee, Council, Sections: Professional Counselor Section															
4) Meeting Date: January 29, 2019	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Appointment of Monitoring Liaison and Delegated Authority Motion													
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:													
10) Describe the issue and action that should be addressed: Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet.															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; vertical-align: top;">11)</td> <td style="width: 60%; text-align: center; vertical-align: top;"> Authorization </td> <td style="width: 30%; text-align: right; vertical-align: top;"> December 20, 2018 </td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black; border-bottom: 1px solid black;"> Signature of person making this request </td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; text-align: right;"> Date </td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black; border-bottom: 1px solid black;"> Supervisor (if required) </td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; text-align: right;"> Date </td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black; border-bottom: 1px solid black;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; text-align: right;"> Date </td> </tr> </table>				11)	Authorization 	December 20, 2018	Signature of person making this request		Date	Supervisor (if required)		Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date
11)	Authorization 	December 20, 2018													
Signature of person making this request		Date													
Supervisor (if required)		Date													
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Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

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

Current Authorities Delegated to the Monitoring Liaison

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

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. Board Monitoring Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
10. (*Except Pharmacy*) Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.
11. (*Except Pharmacy*) Grant Respondent’s petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison.
 - a. Year 1: 49 screens (including 1 hair test, if required by original order)
 - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
 - c. Year 3: 28 screens plus 1 hair test
 - d. Year 4: 28 screens plus 1 hair test
 - e. Year 5: 14 screens plus 1 hair test

12. (*Dentistry only*) – Ability to approve or deny all requests from a respondent.
13. (*Except Nursing*) – Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

Current Authorities Delegated to the Department Monitor

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

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
 2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.
 3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 16 January 2019 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Professional Counselor Section			
4) Meeting Date: 29 January 2019	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? LPC – IT Issues (this is a place holder until more information is provided) Legislative and Administrative Rule Matters <ol style="list-style-type: none"> 1. 2017 Wisconsin Act 262 2. 2017 Wisconsin Act 108 Reports 3. Position Statements Review 4. Updates on Legislation and Pending or Possible Rulemaking Projects 	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Sharon Henes</i>		1/16/19	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: <ol style="list-style-type: none"> 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. 			

2017 Act 108 Reports

Please review your section's rules to identify any that are obsolete, unnecessary or are economically burdensome and be prepared to discuss. All of the MPSW rules are located in the MPSW Examining Board agenda materials.

227.29 Agency review of rules and enactments (1) By March 31 of each odd-numbered year, each agency with any rules published in the code shall submit a report to the joint committee for review of administrative rules listing all of the following rules promulgated or otherwise administered by that agency:

- (a) Unauthorized rules, as defined in s. [227.26 \(4\) \(a\)](#), together with a description of the legislation that eliminated the agency's authority to promulgate any such rule.
- (b) Rules for which the authority to promulgate has been restricted, together with a description of the legislation that restricted that authority.
- (c) Rules that are obsolete or that have been rendered unnecessary, together with a description of why those rules are obsolete or have been rendered unnecessary.
- (d) 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, together with a citation to or the text of any such statute, regulation, or ruling.
- (e) Rules that the agency determines are economically burdensome.



Professional Counselor Section Position Statements

Is There a Code of Ethics for Licensed Professional Counselors?

While Wisconsin laws governing professional counselors do not have a formal code of ethics for Licensed Professional Counselors, there is a code of conduct which can be found in Wis. Admin. Code MPSW 20.02.

Revised: December 18, 2013

Can Anyone Call Him or Herself a Counselor and Practice Counseling in the State of Wisconsin?

The use of the title and practice of professional counseling are protected in the state of Wisconsin. No person may use the title or otherwise represent him or herself to the public as a licensed professional counselor unless licensed as a LPC or LPC in training as set forth in Wis. Stat. § 457.04(6).

No person may engage in the practice of professional counseling as defined in Wis. Stat. § 457.01(6) unless licensed as a LPC or LPC in training. See Wis. Stat. § 457.04(6).

Other exceptions to the use of the term "counselor" can be found in Wis. Stat. § 457.02.

Revised: December 18, 2013

What is Professional Counseling?

The definition of professional counseling in Wisconsin can be found in Wis. Stat. § 457.01(6).

Revised: December 18, 2013

How Does Someone Become a Professional Counselor?

Please see Wis. Stat. § 457.12 and § 457.13 which contain the requirements for obtaining a "Professional counselor license" and a "Professional counselor training license." Additional information can also be found on this website at Professional Counselor – Licenses/Permits/Registrations. For information regarding Provider Status (necessary in order to bill insurance companies for your service with clients) you will need to contact the Wisconsin Department of Health Services.

Revised: December 18, 2013

Are LPCs Required to Carry Malpractice Insurance?

Licensed Professional Counselors, Clinical Social Workers, and Marriage and Family Therapists are required to have professional liability insurance. These requirements are outlined in Wis. Stat. § 457.24 and Wis. Admin. Code § MPSW 1.10. Exceptions exist for work performed by licensees who are employed in their licensed capacity as employees of federal, state or local governmental agencies.

Revised: December 18, 2013

What Reporting Obligations do I Have?

1. If you have reasonable cause to suspect that a child you have seen in the course of your professional duties has been abused or neglected, or if you have reasonable cause to suspect that a child seen by you in the course of your professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur, you shall report such knowledge to the appropriate authorities. See Wis. Stat. § 48.981 for further details.
2. If you have reasonable cause to suspect that a client you have seen in the course of your professional duties is a victim of sexual contact by a therapist, you must ask the client if s/he wants you to report such contact. See Wis. Stat. § 940.22 for further details.
3. Any organization or individual that employs a professional counselor must report to the examining board any adverse or disciplinary action, relating to the practice of professional counseling that terminates, suspends or restricts the professional counselor's employment or contract. See Wis. Stat. § 457.25 for further details.

Revised: December 18, 2013

Can Licensees Treat AODA Clients?

Wis. Stat. § 457.02(5m) disallows licensees from treating alcohol or substance dependency or abuse as a specialty unless the individual is a certified substance abuse counselor, clinical supervisor, or prevention specialist under Wis. Stat. § 440.88, or if such individual meets the requirements set forth under Wis. Admin. Code § MPSW 1.09 (Alcohol and Drug Counseling).

Revised: December 18, 2013

Are Licensed Counselors From Other States Able to Provide Distance Counseling to Clients in Wisconsin?

The practice protections provided in Wis. Stat. § 455 and § 457 require Wisconsin licensure for those providing services in Wisconsin (including telephonically). Therefore, unless a therapist or counselor holds a Wisconsin license, they would be unable to practice in the state.

Additional Resources

- Section Page
- MPSW Board Page
- Suggest an Agenda Item
- Statutes and Administrative Code

Related Links

- A-Z Profession List
- Check for Pending Rules
- Orders and Disciplinary Actions
- Professional Assistance Procedure
- Monitoring
- File a Complaint



Revised: December 18, 2013

What do all Those Initials Behind the Counselor's Name Mean?

In Wisconsin, the following designations are used to represent the type of licensure an individual may hold under the MPSW Joint Board:

- LPC (Licensed Professional Counselor)
- LPCIT (Licensed Professional Counselor In Training)
- LMFT (Licensed Marriage and Family Therapist)
- LCSW (Licensed Clinical Social Worker)
- CISW (Certified Independent Social Worker)
- CSW (Certified Social Worker)
- CAPSW (Certified Advanced Practice Social Worker)
- SWTC (Social Worker Training Certificate)

In addition to the Wisconsin licensing designations, many licensees may also have other certifications, credentials, and membership affiliations.

Revised: December 18, 2013

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Tammy Scheidegger		2) Date When Request Submitted: 1/9/19	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections: LPC Section of the Social Work Examining Board			
4) Meeting Date: 1/29/2019	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Evaluation of License Reviews/Reciprocity from Other States Under the New Educational Standards	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? If yes, who is appearing? Yes. Zach Hendrickson, Supervisor, Division of Professional Credential Processing	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Kathleen Miller would like to receive input from the Section on how to evaluate license reviews involving reciprocity from other states under the new educational standards.			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Bureau Director signature (indicates approval to add post agenda deadline item to agenda)		Date	