



**VIRTUAL/TELECONFERENCE
PROFESSIONAL COUNSELOR SECTION
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND
SOCIAL WORK EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
October 15, 2024**

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

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of July 16, 2024 (5-9)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Introductions, Announcements, and Recognition**
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Section Updates
 - 2) **Appointments of Liaisons and Alternates, Delegation Authorities**
 - 3) Section Member – Term Expiration Date
 - a. Glavan, Ann E. – 7/1/2027
 - b. Lee, Joshua R. – 7/1/2028
 - c. Simon, Andrea L. – 7/1/2027
 - d. Strait, Tim – 7/1/2025
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rule Matters – Discussion and Consideration (10-55)**
 - 1) Drafting: MPSW 1 to 20, relating to Counseling Compact (11-53)
 - 2) Pending or Possible Rulemaking Projects (54-55)
- H. Professional Counseling Compact – Discussion and Consideration (56-57)**
 - 1) Full Commission Meeting, October 8, 2024 – Virtual (Tim Strait, Joshua Lee)

I. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration (58)

- 1) Consider of Attendance: 2025 Counseling Commission Annual Business Meeting: February 12, 2025 – Myrtle Beach, SC

J. Discussion and Consideration on Items Added After Preparation of Agenda

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

K. 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.).

L. Credentialing Matters

- 1) **Application Review**
 - a. K.B.W. – Professional Counselor Training License Renewal (IA-228698) (59-127)

M. Deliberation on DLSC Matters

- 1) **Proposed Stipulations and Final Decision and Order**
 - a. 23 CPC 005 – Michelle M. Lehman (128-135)
 - b. 23 CPC 039 – Jacob J. Kulas (136-142)

- c. 23 CPC 054 – John E. Prasch (143-149)
- 2) **Case Closing**
 - a. 24 CPC 0014 – B.H. (150-163)

N. Deliberation on Proposed Final Decisions and Order

- 1) Donald L. Reynolds, Respondent (DHA Case Number SPS-23-0061/ DLSC Case Numbers 21 CPC 042 and 22 CPC 015) (164-172)

O. Deliberation of Items Added After Preparation of the Agenda

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

P. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: 2025 (TO BE DETERMINED)

Board Member Training: November 15, 2024

 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 any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that meeting at which final action may be taken against the credential be held in open session. 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.

**HYBRID (IN-PERSON/VIRTUAL)
PROFESSIONAL COUNSELOR SECTION
MEETING MINUTES
JULY 16, 2024**

PRESENT: Ann Glavan, Joshua Lee (*via Zoom*), Andrea Simon (*via Zoom*), Tim Strait

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

Brad Wojciechowski, Executive Director, called the meeting to order at 9:02 a.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

MOTION: Tim Strait moved, seconded by Andrea Simon, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 15, 2024

Amendments to the Minutes:

AMEND: Proposed Stipulations and Final Decision and Orders, Item 2, list year as 23 instead of 56.

MOTION: Andrea Simon moved, seconded by Tim Strait, to approve the Minutes of April 15, 2024, as amended. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITION

Recognition: Tammy Scheidegger, Ph.D., LPC, NCC

MOTION: Andrea Simon moved, seconded by Tim Strait, to recognize and thank Tammy Scheidegger for their years of dedicated service to the Section and State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers, Appointments of Liaisons and Alternates, Delegation Authorities

Chairperson

NOMINATION: Andrea Simon nominated Ann Glavan for the Office of Chairperson. Ann Glavan accepted the nomination.

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

Ann Glavan was elected as Chairperson by unanimous voice vote.

2024 ELECTION RESULTS	
Chairperson	Ann Glavan
Vice Chairperson	Andrea Simon
Secretary	Tim Strait

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Tim Strait Andrea Simon <i>Alternate: Joshua Lee</i>
Education and Examination Liaison(s)	Tim Strait <i>Alternate: Andrea Simon</i>
Monitoring Liaison(s)	Ann Glavan <i>Alternate: Joshua Lee</i>
Professional Assistance Procedure (PAP) Liaison(s)	Joshua Lee <i>Alternate: Ann Glavan</i>
Legislative Liaison(s)	Andrea Simon
Travel Authorization Liaison(s)	Ann Glavan
Website Liaison	Andrea Simon
Screening Panel	Ann Glavan, Tim Strait <i>Alternate: Andrea Simon</i>
Counseling Compact Commissioner	Tim Strait <i>Alternate: Joshua Lee</i>

MOTION: Andrea Simon moved, seconded by Joshua Lee, to delegate authority to the Counseling Compact Commissioner to act on behalf of the Section for matters related to the Counseling Compact. Motion carried unanimously.

Delegation of Authorities

Delegation to Monitoring Liaison

MOTION: Tim Strait moved, seconded by Andrea Simon, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Section any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: Ann Glavan moved, seconded by Andrea Simon, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Section ordered education and/or paid costs and forfeitures within the time specified by the Section order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Section approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Section or Section designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Section ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried unanimously.

CLOSED SESSION

MOTION: Tim Strait moved, seconded by Andrea Simon, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Ann Glavan, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Ann Glavan-yes; Joshua Lee-yes; Andrea Simon-yes; and Tim Strait-yes. Motion carried unanimously.

The Section convened into Closed Session at 9:52 a.m.

CREDENTIALING MATTERS

Application Reviews

R.J.K. – Professional Counselor Licensure

MOTION: Tim Strait moved, seconded by Joshua Lee, to authorize Section Counsel to send a three-option letter to R.J.K., relating to their application for licensure as a Professional Counselor-in-training. **Reason for Three Option Letter:** Wis. Stat. § 457.13, Wis. Admin. Code §§ MPSW 14.01(2)(d)1., MPSW 14.01(2)(d)3., MPSW 14.01(2)(d)5., and MPSW 14.01(2)(d)8. Motion carried unanimously.

S.M.L. – Professional Counselor Licensure

MOTION: Ann Glavan moved, seconded by Tim Strait, to authorize Board Counsel to send a three-option letter to S.M.L., relating to their application for licensure as a Professional Counselor **Reason for Three Option Letter:** Wis. Stat. § 457.12(1)(c)1. and § MPSW 11.01(3)(a). Motion carried unanimously.

C.M.V. – Professional Counselor Licensure

MOTION: Tim Strait moved, seconded by Andrea Simon, to authorize Board Counsel to send a three-option letter to C.M.V. relating to their application for licensure as a Professional Counselor-in-training. **Reason for Three Option Letter:** Wis. Stat. § 457.13, Wis. Admin. Code §§ MPSW 14.01 (2), MPSW 14.01(2)(a), MPSW 14.01(2)(b), MPSW 14.01(2)(d)3., MPSW 14.01(2)(d)4., MPSW 14.01(2)(d)5. and MPSW 14.01(2)(f). Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations and Final Decision and Orders

- MOTION:** Ann Glavan moved, seconded by Andrea Simon, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:
1. 22 CPC 053 – Courtney M. Quast
 2. 23 CPC 044 and 24 CPC 005 – Brittney C.M. Schultz
 3. 24 CPC 0019 – Suzette C.E. Diederich

Motion carried unanimously.

Administrative Warnings

- MOTION:** Tim Strait moved, seconded by Ann Glavan, to issue an Administrative Warning in the following DLSC Cases:
1. 23 CPC 067 – T.L.S.
 2. 24 CPC 0030 – M.C.C.

Motion carried unanimously.

Case Closings

23 CPC 037 – J.T.S.

- MOTION:** Andrea Simon moved, seconded by Tim Strait, to close DLSC Case Number 23 CPC 037 for No Violation, against J.T.S.. Motion carried unanimously.

RECONVENE TO OPEN SESSION

- MOTION:** Ann Glavan moved, seconded by Tim Strait, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 10:49 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

- MOTION:** Ann Glavan moved, seconded by Tim Strait, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

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

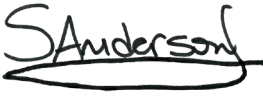
ADJOURNMENT

- MOTION:** Ann Glavan moved, seconded by Tim Strait, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:50 a.m.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: 10/03/2024 <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>	
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: October 15, 2024	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Drafting: MPSW 1 to 20, relating to Counseling Compact. 2. 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? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: <ul style="list-style-type: none"> • MPSW 1 to 20 redlined chapters. • 2023 WI Act 55. • PC Section Rule Projects chart 			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <hr/> Signature of person making this request </div> <div style="text-align: right;"> 10/03/2024 <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: 30%;"> <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>			
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.			

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.

Note: Chapter SFC 1 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 1 was renumbered ch. MPSW 1 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., [Register October 2002 No. 562](#).

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.

(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.

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.

(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, certified advanced practice social worker, or certified independent 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).

Chapter MPSW 10

DEFINITIONS FOR PRACTICE OF PROFESSIONAL COUNSELING

[MPSW 10.01](#) Definitions.

Note: Chapter SFC 10 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 10 was renumbered ch. MPSW 10 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., [Register October 2002 No. 562](#).

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."

(1g) "Counseling Compact" has the meaning given in s. 457.01 (1t), Stats.

(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.

(3) "Privilege to practice" has the meaning given in s. 457.50 (2) (s), Stats.

(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.

(5m) "Single state license" has the meaning given in s. 457.50 (2) (w), Stats.

(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.

Chapter MPSW 11

APPLICATION FOR PROFESSIONAL COUNSELOR LICENSURE

[MPSW 11.01](#) Application for licensure as a professional counselor.

[MPSW 11.015](#) Application for a professional counselor training license.

[MPSW 11.035](#) Temporary license.

[MPSW 11.04](#) Reciprocal license.

[MPSW 11.045](#) Reciprocal credentials for service members, former service members, and their spouses.

Note: Chapter SFC 11 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 11 was renumbered ch. MPSW 11 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., [Register October 2002 No. 562](#).

MPSW 11.01 Application for licensure single-state license as a professional counselor. An applicant for a professional counselor license shall submit all of the following:

- (1) An application with the required fee under s. [440.05 \(1\)](#), Stats.
- (2) A certificate of professional education, signed and sealed by the chancellor, dean, or registrar of the school from which the applicant has graduated with one of the following approved degrees:
 - (a) A master's or doctoral degree in professional counseling.
 - (b) A degree in one of the following specialty areas from a program which was accredited by the Council for Accreditation of Counseling and Related Educational Programs at the time the applicant graduated:
 1. Addiction counseling.
 2. Clinical mental health counseling.
 3. Clinical rehabilitation counseling.
 4. Marriage, couple, and family counseling.
 5. Doctoral program in counselor education and supervision.
 - (c) A program which is equivalent to a master's or doctoral degree in professional counseling by meeting the requirements in s. [MPSW 14.01](#) or [14.02](#), including Council for Accreditation of Counseling and Related Educational Programs accredited degree programs that are not listed in par. (b) but meet the requirements of s. [MPSW 14.01](#) or [14.02](#).
 - (d) A degree awarded by a foreign institution of higher learning which has been evaluated by an organization approved by the professional counselor section and is equivalent to a degree from a program approved under pars. (a) to (c). If the applicant's education was not received in English, the applicant must demonstrate proficiency in English on an approved test of English as a foreign language.
- (3) Verification the applicant has completed one of the following:
 - (a) After receiving a master's degree in professional counseling or its equivalent, engaged in the equivalent of at least 3,000 hours of professional counseling practice, including at least 1,000 hours of face-to-face client contact, while holding a valid professional counselor training license and supervised by a person qualified to supervise under s. [MPSW 12.02](#).
 - (b) Either during or after the doctorate degree program in professional counseling or its equivalent, engaged in the equivalent of at least 1,000 hours of full-time professional

counseling practice supervised by a person qualified to supervise under s. [MPSW 12.02](#). Any supervised practice outside of the doctorate degree program shall be done while holding a valid professional counselor training license.

(4) Verification of a passing score on one of the following:

- (a) National Counselor Examination (NCE).
- (b) National Clinical Mental Health Counseling Examination (NCMHCE).
- (c) Certified Rehabilitation Counselor (CRC) examination.
- (d) Another examination approved by the professional counselor section.

(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 professional counselor.
- (b) The applicant has been convicted of a crime substantially related to the practice of a professional counselor.

MPSW 11.015 Application for a professional counselor training license.

(1) The professional counselor section shall grant a professional counselor 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) Satisfies the requirements in s. [457.12 \(2\)](#), Stats.
- (d) Submits evidence satisfactory to the professional counselor section of one of the following:
 - 1. The applicant is in a position or has an offer for a position as a professional counselor in a supervised clinical professional counseling 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 professional counselor section, receive training and supervision equivalent to the training and supervision received in a supervised clinical professional counseling practice.

(2) A professional counselor training license is valid for 48 months, and may be renewed in two year intervals at the discretion of the professional counselor section. In determining whether to renew a professional counselor training license, the professional counselor section may request any of the following from the applicant:

(a) A statement explaining why the applicant needs additional time to complete the hours of professional counselor practice experience required under s. [MPSW 11.01 \(3\)](#).

(b) Documentation of any continuing education or graduate level courses the applicant has completed since obtaining their professional counselor training license.

(c) A report from a person actively supervising the applicant under s. [MPSW 12.02 \(1\)](#), demonstrating that the applicant is making satisfactory progress towards completion of the professional counselor practice experience required under s. [MPSW 11.01 \(3\)](#).

(d) Other relevant documentation.

MPSW 11.02 License based upon privilege to practice. A professional counselor licensed in a state part of the Counseling Compact applying for licensure in this state shall submit all of the following:

(1) Evidence of completion of the compact application process established in s. [457.12 \(2m\)](#), Stats.

(2) The fee specified in s. [440.05 \(1\)](#), Stats.

Note: Instructions for applications can be found on the department of safety and professional services' website at <http://dsps.wi.gov>.

(3) Declaration or evidence that Wisconsin is the primary state of residence.

(4) Fingerprinting.

Commented [SA1]: N 2.19 (2) (b)

Commented [SA2]: I am not sure if we should ask for fingerprints based on s. [457.50 \(5\) \(b\) 2. a.](#), Stats.

MPSW 11.035 Temporary license.

(1) The professional counselor section may issue a temporary license to practice professional counseling to an individual who does all of the following:

(a) Submits application and pays the fee specified in s. [440.05 \(6\)](#), Stats.

(b) Satisfies the requirements under s. [MPSW 11.01 \(2\)](#) and [\(3\)](#).

(c) Submitted an application to take the next available examination under s. [MPSW 11.01 \(4\)](#).

(2) A temporary license is valid for a period not to exceed 9 months and may be renewed once.

MPSW 11.04 Reciprocal license. Except as provided in s. [MPSW 11.045](#), the professional counselor section shall grant a license as a professional counselor to an applicant who pays the fee required by s. [440.05 \(2\)](#), Stats., and provides evidence of all of the following:

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

(2) The requirements for obtaining the credential in the other state or territory of the United States are substantially equivalent to the requirements under s. [457.12](#), Stats.

(3) The applicant does not have a license, registration, or certificate revoked, suspended, limited, or subject to any other discipline in any other jurisdiction warranting denial.

(4) The applicant does not have 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 professional counselor.

(4m) The applicant has not been convicted of a crime substantially related to the practice of a professional counselor.

(5) The applicant has a passing score on the Wisconsin statutes and rules examination.

MPSW 11.045 Reciprocal credentials for service members, former service members, and their spouses. The professional counselor section shall grant a reciprocal license to practice professional counseling 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 11.05 Privilege to practice. A professional counselor licensed in a state part of the Counseling Compact who wants to obtain a privilege to practice in this state shall submit all of the following:

(1) Evidence of completion of the compact application process established in s. 457.12 (3m), Stats.

(2) The fee specified in s. 457.51 (2), Stats.

Note: Instructions for applications can be found on the department of safety and professional services' website at <http://dsps.wi.gov>.

Chapter MPSW 12

PROFESSIONAL COUNSELOR SUPERVISED PRACTICE

[MPSW 12.01](#) Supervised practice requirement.

[MPSW 12.02](#) Supervised practice.

Note: Chapter SFC 12 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 12 was renumbered ch. MPSW 12 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., [Register October 2002 No. 562](#).

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 14

EQUIVALENCY OF PROFESSIONAL COUNSELOR ACADEMIC PROGRAMS

[MPSW 14.01](#) Academic program equivalent to a master's degree in professional counseling.

[MPSW 14.02](#) Academic program equivalent to a doctorate in professional counseling.

Note: Chapter SFC 14 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 14 was renumbered ch. MPSW 14 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., [Register October 2002 No. 562](#).

MPSW 14.01 Academic program equivalent to a master's degree in professional counseling. An academic program is the equivalent of a master's degree in professional counseling or rehabilitation counseling from an approved institution if the completed program meets the following criteria:

(1) The course work was completed at an institution which was accredited by its regional accrediting association at the time the applicant graduated from the program, and was part of a program of studies leading to a master's degree or doctoral degree in a field closely related to professional counseling or rehabilitation counseling.

(2) All course work reflected on the applicant's official transcript totals at least 60 semester hours or 90 quarter hours of academic credit. The course work included successful completion of all of the following:

(a) At least 3 semester hours or 4 quarter hours academic credit in a supervised practicum counseling experience that provides documented proof of a minimum of 100 hours of supervised practicum experience with at least 40 hours of face-to-face client contact. The practicum experience includes evaluation of the student's counseling performance throughout the practicum and one hour per week of individual or triadic supervision throughout the practicum by a program faculty member, an approved student supervisor, or a site supervisor. The practicum experience further includes an average of 1½ hours per week of group supervision that is provided on a regular schedule throughout the practicum by a program faculty member or a student supervisor.

(b) At least 6 semester hours or 8 quarter hours academic credit in a supervised internship counseling experience that provides documented proof of a minimum of 600 hours of supervised internship experience with at least 240 hours of face-to-face client contact. The

internship experience includes evaluation of the student's counseling performance throughout the internship and one hour per week of individual or triadic supervision throughout the internship performed by the onsite or field supervisor. The internship experience further includes an average of 1 1/2 hours per week of group supervision that is provided on a regular schedule throughout the internship by a program faculty member or a student supervisor.

(c) At least 3 semester hours or 4 quarter hours academic credit in a counseling theory or counseling approaches course that provides documented evidence that the student has been exposed to a variety of theoretical models that are consistent with current research and practice in the field. Courses covering only a single or specific counseling theory will not be sufficient for meeting this educational criterion.

(d) At least 3 semester hours or 4 quarter hours of academic credit in each of the following topic areas:

1. `Human growth and development.' Studies that provide a broad understanding of the nature and needs of individuals at all developmental levels; normal and abnormal human behavior; personality theory; theories of individual and family development and transitions; theories for facilitating optimal development and wellness across the life span; and learning theory within appropriate cultural contexts. Courses that focus on only one lifespan developmental level will not count in fulfilling this criterion.
2. `Social and cultural foundations.' Studies that provide a broad understanding of societal changes and trends; human roles; societal subgroups, social mores and interaction patterns; counselors' roles in developing cultural self-awareness; promoting cultural social justice, advocacy and conflict resolution, and other culturally supported behaviors that promote optimal wellness and growth of the human spirit, mind, or body; counselors' roles in eliminating biases, prejudices, and processes of intentional and unintentional oppression and discrimination; and differing lifestyles.
3. `Helping relationship.' Studies that provide a broad understanding and practical application of helping processes, basic and advanced helping skills; consultation theories and their applications; client and helper self-understanding and self-development; and facilitation of client or consultee changes. An applicant's official transcript must reflect successful completion of a course addressing counseling process, skills, and intervention techniques.
4. `Group dynamics processing and counseling.' Studies that provide a broad understanding of group development, dynamics, and group counseling theories; group leadership styles; basic and advanced group counseling methods and skills; and other group approaches.
5. `Lifestyle and career development.' Studies that provide a broad understanding of career development theories; occupational and educational information sources

and systems; career and leisure counseling, guidance and education; lifestyle and career decision making; career development program planning and resources; and effectiveness evaluation.

6. `Assessment and testing.' Studies that provide a broad understanding of group and individual educational and psychometric theories and approaches to appraisal; data and information gathering methods, validity and reliability; psychometric statistics; factors influencing appraisals; social and cultural factors related to the assessment; and evaluation of individuals, groups and specific populations and use of appraisals to enhance helping processes.

7. `Research and evaluation.' Studies that provide a broad understanding of types of research; basic statistics; research report development; research implementation; program evaluation; needs assessment; publication of research information; and ethical and legal considerations.

8. `Professional counseling orientation.' Studies that provide a broad understanding of professional counselor roles and functions; professional goals and objectives; professional organizations and associations; professional history and trends; ethical and legal standards; professional preparation standards; and professional credentialing. The American Counseling Association (ACA) or the Commission on Rehabilitation Counselor Certification (CRCC) must have been the primary professional identity organization discussed and the ACA Code of Ethics or CRCC Code of Professional Ethics for Rehabilitation counselors must have been used as the primary professional conduct guide and prominently identified as such in the orientation course syllabus.

(e) At least 3 semester hours or 4 quarter hours in one of the following:

1. `Foundations of clinical mental health counseling.' If the academic program has an emphasis in mental health counseling, coursework addressing the history and development of clinical mental health counseling, theories and models related to clinical mental health counseling, principles of clinical mental health counseling, including prevention, intervention, consultation, education, and advocacy, and networks that promote mental health and wellness.

2. `Foundations of clinical rehabilitation counseling.' If the academic program has an emphasis in rehabilitation counseling, coursework addressing the history and development of rehabilitation counseling, theories and models related to rehabilitation counseling, social science theory that addresses psychosocial aspects of disability, principles of rehabilitation including prevention, intervention, wellness, consultation, education, and advocacy.

(f) At least 3 semester hours or 4 quarter hours in one of the follow:

1. `Clinical mental health counseling diagnosis and treatment planning.' If the academic program has an emphasis in clinical mental health counseling, coursework addressing the diagnostic process, including differential diagnosis and

the use of diagnostic classification systems such as the Diagnostic and Statistical Manual of Mental Disorders (DSM) and/or the International Classification of Diseases (ICD); training on administration of intake interview, mental status evaluation, biopsychosocial history, mental health history, and psychological assessment for treatment planning and caseload management; and techniques and interventions related to a broad range of mental health issues.

2. `Rehabilitation counseling diagnosis and treatment planning.' If the academic program has an emphasis in rehabilitation counseling, coursework addressing diagnostic interviews, mental status examinations, symptom inventories, psychoeducational and personality assessments, biopsychosocial histories, assessments for treatment planning; career and work-related assessments including job-analysis, work site modification, transferrable skills analysis, and job readiness; strategies to advocate for clients with disabilities and rehabilitation counseling.

(g) At least 3 semester hours or 4 quarter hours in each of the following:

1. `Crisis and trauma counseling.' Studies that include counseling approaches that effectively address crises and trauma, the impact of trauma and crisis and potential neurobiological responses; skills and techniques for assessing and intervening in specific crisis or trauma situations including suicide assessment and intervention.

2. `Abnormal behavior and psychopathology.' Studies that include concepts of psychopathology and introduces methods of assessment and diagnosis for children, adolescents and adults with major mental disorders; and personality disorders, multiple perspectives of emotional and psychological distress, disturbance and behavior; skills to use the DSM diagnostic system while including acknowledgement of client strengths and resilience and the social and cultural context.

3. `Addictions counseling.' Studies that provide an overview of addiction, the process of addiction, treatment and recovery approaches, relapse prevention, developmental issues related to addiction; treatment and prevention planning in regard to addiction.

4. `Family, partnership, and couples counseling.' Studies that provide information and skills relevant to conducting partner or marital and family counseling services within a multicultural society with emphasis given to systemic theory and philosophy; dynamics of family interaction and the initial skills in assessment and treatment of dysfunctional partner, marital, family and systems or ecosystems relationships.

(3) Notwithstanding sub. (1), an applicant may, at an institution which was accredited by its regional accrediting association at the time the course was completed, complete up to 18 credit hours outside the program of studies leading to a master's degree in order to meet the requirements in sub. (2).

MPSW 14.02 Academic program equivalent to a doctorate in professional counseling. An academic program is the equivalent of a doctoral degree in professional counseling from an approved institution if the completed program meets all of the following criteria:

- (1) The course work was completed at an institution which was accredited by its regional accrediting association at the time the applicant graduated from the program, and was part of a program of studies leading to a doctoral degree in a field closely related to professional counseling.
- (2) The doctoral program consists of a minimum of 4 academic years of graduate-level preparation defined as 8 semesters or 12 quarters with a minimum of 96 semester credits or 144 quarter credits of graduate-level credits required of all students in the program.
- (3) Doctoral students are required to participate in a supervised doctoral-level practicum of a minimum of 100 hours in counseling, of which 40 hours must be in direct service with clients. The nature of the doctoral-level practicum experience is to be determined in consultation with program faculty or a doctoral committee, or both. During the doctoral student's practicum, supervision by student supervisors is not permissible.
- (4) Doctoral students are required to complete doctoral-level counseling internships that total a minimum of 600 hours. The 600 hours may include supervised experiences in clinical practice, research, and teaching. The internship includes most of the activities of a regularly employed professional in the setting. The 600 hours may be allocated at the discretion of the doctoral advisor and the student on the basis of experience and training.
- (5) During the practicum and internship, the student receives weekly individual or triadic supervision, performed by a supervisor with a doctorate in professional counseling or a related profession. Group supervision is provided on a regular schedule with other students throughout the internship and is usually performed by a program faculty member.

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.

Note: Chapter SFC 19 was renumbered ch. MPSW 19 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., [Register October 2002 No. 562](#). Chapter MPSW 19 was repealed and recreated, [Register February 2015 No. 710](#), eff. 3-1-15.

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.

Chapter MPSW 20

CONDUCT

[MPSW 20.01](#) Definition.

[MPSW 20.02](#) Unprofessional conduct.

Note: Chapter SFC 20 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 20 was renumbered ch. MPSW 20 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., [Register October 2002 No. 562](#). Chapter MPSW 20 was reprinted [Register November 2011 No. 671](#) to correct a Register date clerical error made in the [Register December 2005 No. 600](#) printing.

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 [or a privilege to practice granted](#) 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.
- (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.

(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.

State of Wisconsin



2023 Senate Bill 196

Date of enactment: **December 6, 2023**

Date of publication*: **December 7, 2023**

2023 WISCONSIN ACT 55

AN ACT *to renumber* 457.16 (1); *to renumber and amend* 440.03 (13) (c) and 457.12; *to amend* 15.405 (7c) (a) 1., 15.405 (7c) (a) 2., 15.405 (7c) (a) 3., 15.405 (7c) (a) 4., 15.405 (7c) (am) 1., 15.405 (7c) (am) 3., 15.405 (7c) (c), 46.90 (4) (ab) 4., 48.56 (2), 48.561 (2), 49.45 (30j) (a) 1., 51.03 (6) (a), 55.043 (1m) (a) 4., 146.81 (1) (hg), 146.89 (1) (r) 6., 146.89 (1) (r) 7., 146.997 (1) (d) 11., 180.1901 (1m) (f), 252.14 (1) (ar) 7., 252.15 (1) (er), 253.10 (2) (f), 256.215 (2) (b), 257.01 (1) (a), 257.01 (1) (b), 303.08 (1) (f), 440.03 (9) (a) (intro.), 440.03 (9) (a) 2., 440.03 (13) (b) (intro.), 440.03 (14) (am), 440.043 (1), 440.094 (1) (c) 14., 440.15, 446.01 (1v) (m), 448.08 (4), 448.67 (4), 450.10 (3) (a) 10., chapter 457 (title), 457.01 (intro.), 457.01 (1g), 457.01 (1w), 457.01 (2r), 457.01 (7), 457.02 (intro.), (1), (2), (3), (4) and (6) (c), 457.03 (1), (1m) and (2), 457.033, 457.035 (1), 457.04 (1), (2), (3), (4) and (5) (a) and (b), 457.04 (6), 457.04 (7), 457.06 (intro.), 457.09 (2) (b) and (4) (b) 1. and 2., 457.12 (title), 457.13 (1) (c), 457.14 (1) (f), 457.15 (3), 457.20 (1) and (2), 457.24 (1), 457.26 (1) and (2) (intro.) and (h), 632.89 (1) (dm), 632.89 (1) (e) 4., 800.035 (2m), 905.04 (1) (bm), 905.04 (1) (dm) and 905.04 (1) (g); and *to create* 14.896, 440.03 (11m) (c) 2u., 440.03 (13) (c) 1. i., subchapter I (title) of chapter 457 [precedes 457.01], 457.01 (1t), 457.01 (5m), 457.12 (1m) (bm) and (2m) to (4m), 457.16 (1) (b), 457.18 and subchapter II of chapter 457 [precedes 457.50] of the statutes; **relating to:** ratification of the Counseling Compact.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Occupational Licenses.

This bill ratifies and enters Wisconsin into the Counseling Compact, which provides for the ability of a professional counselor to become eligible to practice in other compact states. Significant provisions of the compact include the following:

1. The creation of a Counseling Compact Commission, which includes one member or administrator of the licensure boards of each member state. The commission has various powers and duties granted in the compact, including establishing bylaws, promulgating binding rules for the compact, employing officers and employees, and establishing and electing an executive committee. The commission may levy on and collect an annual assessment from each member state

or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff.

2. The ability for a professional counselor to obtain a "privilege to practice," which allows a professional counselor to practice professional counseling in another compact state (remote state) if the professional counselor satisfies certain criteria. The compact specifies a number of requirements in order for a professional counselor to exercise a privilege to practice, including holding a professional counselor license in a home state, not having any encumbrances or restrictions against a license or privilege in the previous two years, and paying any fees and meeting any jurisprudence requirements that may be imposed by a remote state. A professional counselor practicing in a remote state under a privilege to practice must adhere to the laws and regulations, including the scope of practice, of that state. A remote state may, in accordance with that state's laws, remove a professional counselor's privilege to practice in the remote state for a specific period of time, impose fines, and take any other necessary actions to

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

protect the health and safety of its citizens. If a professional counselor's license is encumbered, the counselor loses the privilege to practice in all remote states until certain criteria are satisfied. If a professional counselor's privilege to practice in any remote state is removed, the counselor may lose the privilege to practice in all other remote states until certain criteria are satisfied.

3. The ability of member states to issue subpoenas that are enforceable in other states.

4. The creation of a coordinated database and reporting system containing licensure and disciplinary action information on professional counselors. The compact requires all home state disciplinary orders that impose adverse actions to be reported to the commission. A member state must submit a uniform data set to the data system on all individuals to whom the compact is applicable as required by the rules of the commission.

5. Provisions regarding resolutions of disputes between member states and between member and nonmember states, including a process for termination of a state's membership in the compact if the state defaults on its obligations under the compact.

Since the compact has already been enacted by the minimum number of states required for it to become active, the compact becomes effective in this state upon enactment of the bill. The compact provides that it may be amended upon enactment of an amendment by all member states. A state may withdraw from the compact by repealing the statute authorizing the compact, but the compact provides that a withdrawal does not take effect until six months after the effective date of that repeal.

SECTION 1. 14.896 of the statutes is created to read:

14.896 Counseling compact. There is created a counseling compact commission as specified in s. 457.50. The delegate on the commission representing this state shall be appointed by the marriage and family therapy, professional counseling, and social work examining board as provided in s. 457.50 (9) (b) 1. and shall be an individual described in s. 457.50 (9) (b) 2. a. or b. The commission has the powers and duties granted and imposed under s. 457.50.

SECTION 2. 15.405 (7c) (a) 1. of the statutes is amended to read:

15.405 (7c) (a) 1. Four social worker members who are certified or licensed under subch. I of ch. 457.

SECTION 3. 15.405 (7c) (a) 2. of the statutes is amended to read:

15.405 (7c) (a) 2. Three marriage and family therapist members who are licensed under subch. I of ch. 457.

SECTION 4. 15.405 (7c) (a) 3. of the statutes is amended to read:

15.405 (7c) (a) 3. Three professional counselor members who are licensed under subch. I of ch. 457.

SECTION 5. 15.405 (7c) (a) 4. of the statutes is amended to read:

15.405 (7c) (a) 4. Three public members who represent groups that promote the interests of consumers of services provided by persons who are certified or licensed under subch. I of ch. 457.

SECTION 6. 15.405 (7c) (am) 1. of the statutes is amended to read:

15.405 (7c) (am) 1. At least one member who is certified under subch. I of ch. 457 as an advanced practice social worker.

SECTION 7. 15.405 (7c) (am) 3. of the statutes is amended to read:

15.405 (7c) (am) 3. At least one member who is licensed under subch. I of ch. 457 as a clinical social worker.

SECTION 8. 15.405 (7c) (c) of the statutes is amended to read:

15.405 (7c) (c) All matters pertaining to granting, denying, limiting, suspending, or revoking a certificate or license under subch. I of ch. 457, and all other matters of interest to either the social worker, marriage and family therapist, or professional counselor section shall be acted upon solely by the interested section of the examining board.

SECTION 9. 46.90 (4) (ab) 4. of the statutes is amended to read:

46.90 (4) (ab) 4. A social worker, professional counselor, or marriage and family therapist certified under subch. I of ch. 457 or a professional counselor who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 10. 48.56 (2) of the statutes is amended to read:

48.56 (2) Each county department shall employ personnel who devote all or part of their time to child welfare services. Whenever possible, these personnel shall be social workers certified under subch. I of ch. 457.

SECTION 11. 48.561 (2) of the statutes is amended to read:

48.561 (2) The department shall employ personnel in a county having a population of 750,000 or more who devote all of their time directly or indirectly to child welfare services. Whenever possible, these personnel shall be social workers certified under subch. I of ch. 457.

SECTION 12. 49.45 (30j) (a) 1. of the statutes is amended to read:

49.45 (30j) (a) 1. "Competent mental health professional" means a physician who has completed a residence in psychiatry; a psychologist; a private practice school psychologist who is licensed under ch. 455; a marriage and family therapist who is licensed under s. 457.10 or 457.11; a professional counselor who is licensed under s. 457.12 or 457.13 or who is exercising the professional counselor privilege to practice, as defined in s. 457.50 (2) (s), in this state; an advanced practice social worker granted who holds a certificate under s. 457.08 (2); an independent social worker granted who holds a certificate under s. 457.08 (3); a clinical social worker who is licensed under s. 457.08 (4); a clinical substance abuse counselor or independent clinical supervisor who is certified under s. 440.88, or any of these individuals who is

practicing under a currently valid training or temporary license or certificate granted under applicable provisions of ch. 457. “Competent mental health professional” does not include an individual whose license ~~or~~, certificate, or privilege is suspended, revoked, or voluntarily surrendered, or whose license ~~or~~, certificate, or privilege is limited or restricted, when practicing in areas prohibited by the limitation or restriction.

SECTION 13. 51.03 (6) (a) of the statutes is amended to read:

51.03 (6) (a) In this subsection, “licensed treatment professional” means a physician who has completed a residence in psychiatry; a psychologist; a private practice school psychologist who is licensed under ch. 455; a marriage and family therapist who is licensed under s. 457.10 or 457.11; a professional counselor who is licensed under s. 457.12 or 457.13 or who is exercising the professional counselor privilege to practice, as defined in s. 457.50 (2) (s), in this state; an advanced practice social worker granted who holds a certificate under s. 457.08 (2); an independent social worker who is licensed under s. 457.08 (3); a clinical social worker who is licensed under s. 457.08 (4); or any of these individuals who is practicing under a currently valid training or temporary license or certificate granted under applicable provisions of ch. 457. “Licensed treatment professional” does not include an individual whose license ~~or~~, certificate, or privilege is suspended, revoked, or voluntarily surrendered, or whose license ~~or~~, certificate, or privilege is limited or restricted, when practicing in areas prohibited by the limitation or restriction.

SECTION 14. 55.043 (1m) (a) 4. of the statutes is amended to read:

55.043 (1m) (a) 4. A social worker, professional counselor, or marriage and family therapist certified under subch. I of ch. 457 or a professional counselor who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 15. 146.81 (1) (hg) of the statutes is amended to read:

146.81 (1) (hg) A social worker, marriage and family therapist, or professional counselor certified or licensed under subch. I of ch. 457 or a professional counselor who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 16. 146.89 (1) (r) 6. of the statutes is amended to read:

146.89 (1) (r) 6. A social worker who holds a certificate granted under subch. I of ch. 457.

SECTION 17. 146.89 (1) (r) 7. of the statutes is amended to read:

146.89 (1) (r) 7. A marriage and family therapist who is licensed under subch. I of ch. 457 or a professional counselor who is licensed under subch. I of ch. 457.

SECTION 18. 146.997 (1) (d) 11. of the statutes is amended to read:

146.997 (1) (d) 11. A social worker, marriage and family therapist or professional counselor certified under subch. I of ch. 457 or a professional counselor who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 19. 180.1901 (1m) (f) of the statutes is amended to read:

180.1901 (1m) (f) Marriage and family therapy, professional counseling, and social work examining board under subch. I of ch. 457.

SECTION 20. 252.14 (1) (ar) 7. of the statutes is amended to read:

252.14 (1) (ar) 7. A social worker, marriage and family therapist, or professional counselor certified or licensed under subch. I of ch. 457 or a professional counselor who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 21. 252.15 (1) (er) of the statutes is amended to read:

252.15 (1) (er) “Social worker” means an individual who is certified or licensed as a social worker, advanced practice social worker, independent social worker, or clinical social worker under subch. I of ch. 457.

SECTION 22. 253.10 (2) (f) of the statutes is amended to read:

253.10 (2) (f) “Qualified person assisting the physician” means a social worker certified under subch. I of ch. 457, a registered nurse or a physician assistant to whom a physician who is to perform or induce an abortion has delegated the responsibility, as the physician’s agent, for providing the information required under sub. (3) (c) 2.

SECTION 23. 256.215 (2) (b) of the statutes is amended to read:

256.215 (2) (b) The emergency medical services provider establishes, submits to the department, and maintains patient care protocols corresponding to the appropriate service level to be used by a community paramedic or a community emergency medical services practitioner. The emergency medical services provider may include in a patient care protocol only those services that do not require a license, certificate, or other credential under subch. II, III, IV, or VII of ch. 448 or subch. I of ch. 457 or ch. 441, 446, 447, 449, 450, 451, 455, 457, or 459 to provide.

SECTION 24. 257.01 (1) (a) of the statutes is amended to read:

257.01 (1) (a) An individual who, under ch. 455, is licensed as a psychologist or, under subch. I of ch. 457, is certified as a social worker or licensed as a clinical social worker, a marriage and family therapist, or a professional counselor.

SECTION 25. 257.01 (1) (b) of the statutes is amended to read:

257.01 (1) (b) An individual who was at any time within the previous 10 years, but is not currently, licensed as a psychologist under ch. 455 or certified as a social

worker or licensed as a clinical social worker, a marriage and family therapist, or a professional counselor under subch. I of ch. 457, if the individual's license or certification was never revoked, limited, suspended, or denied renewal.

SECTION 26. 303.08 (1) (f) of the statutes is amended to read:

303.08 (1) (f) Obtaining counseling or therapy from an approved public treatment facility, as defined in s. 51.45 (2) (c), an approved private treatment facility, as defined in s. 51.45 (2) (b), a psychiatrist, a psychologist, a licensed clinical social worker, a professional counselor licensed under ch. 457, as defined in s. 457.01 (7), or a certified independent or advanced practice social worker who is authorized to practice psychotherapy under subch. I of ch. 457.

SECTION 27. 440.03 (9) (a) (intro.) of the statutes is amended to read:

440.03 (9) (a) (intro.) Subject to pars. (b) and (c) and s. 458.33 (2) (b) and (5), the department shall, biennially, determine each fee for an initial credential for which no examination is required, for a reciprocal credential, and for a credential renewal and any fees imposed under ss. 448.986 (2) and, 448.9875 (2), and 457.51 (2) by doing all of the following:

SECTION 28. 440.03 (9) (a) 2. of the statutes is amended to read:

440.03 (9) (a) 2. Not later than January 31 of each odd-numbered year, adjusting for the succeeding fiscal biennium each fee for an initial credential for which an examination is not required, for a reciprocal credential, and, subject to s. 440.08 (2) (a), for a credential renewal, and any fees imposed under ss. 448.986 (2) and, 448.9875 (2), and 457.51 (2), if an adjustment is necessary to reflect the approximate administrative and enforcement costs of the department that are attributable to the regulation of the particular occupation or business during the period in which the initial or reciprocal credential, credential renewal, or compact privilege is in effect and, for purposes of each fee for a credential renewal, to reflect an estimate of any additional moneys available for the department's general program operations as a result of appropriation transfers that have been or are estimated to be made under s. 20.165 (1) (i) during the fiscal biennium in progress at the time of the deadline for an adjustment under this subdivision or during the fiscal biennium beginning on the July 1 immediately following the deadline for an adjustment under this subdivision.

SECTION 29. 440.03 (11m) (c) 2u. of the statutes is created to read:

440.03 (11m) (c) 2u. The coordinated database and reporting system under s. 457.50 (10), if such disclosure is required under the counseling compact under s. 457.50.

SECTION 30. 440.03 (13) (b) (intro.) of the statutes is amended to read:

440.03 (13) (b) (intro.) The department may investigate whether an applicant for or holder of any of the following credentials has been charged with or convicted of a crime only pursuant to rules promulgated by the department under this paragraph, including rules that establish the criteria that the department will use to determine whether an investigation under this paragraph is necessary, except as provided in par. (c) and ss. 441.51 (5) (a) 5., 448.980 (5) (b) 3., 448.985 (3) (a) 4., 448.987 (3) (a) 5. a. and (5) (b) 2. a., and 455.50 (3) (e) 4. and (f) 4., and 457.50 (3) (b) 3. and (5) (b) 2. a.:

SECTION 31. 440.03 (13) (c) of the statutes is renumbered 440.03 (13) (c) 1. (intro.) and amended to read:

440.03 (13) (c) 1. (intro.) The department shall require an all of the following to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints:

a. An applicant for a private detective license or a private security permit under s. 440.26, ~~an~~

b. An applicant for a juvenile martial arts instructor permit under sub. (17), ~~an~~

c. An applicant for a real estate appraiser certification under s. 458.06 or license under s. 458.08, ~~an~~

d. An applicant for a multistate license under s. 441.06 (1c) or 441.10 (1c), ~~an~~

e. An applicant for a compact license under s. 448.05 (2) (f), ~~an~~

f. An applicant for a physical therapist license under s. 448.53 or physical therapist assistant license under s. 448.535, ~~an~~

g. An applicant for an occupational therapist or occupational therapy assistant compact privilege under s. 448.987 (4), and an applicant for an occupational therapist or occupational therapy assistant license described in s. 448.987 (5) (b) 2. a., ~~an~~

h. An applicant for a psychologist license under s. 455.04, and a

z. A person for whom the department conducts an investigation under par. (b), ~~to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints.~~

2. The department of justice may submit the fingerprint cards, and the department of justice shall submit the fingerprint cards of all applicants ~~for a real estate appraiser certification under s. 458.06 or license under s. 458.08, of all applicants for a multistate license under s. 441.06 (1c) or 441.10 (1c), of all applicants for a compact license under s. 448.05 (2) (f), of all applicants for a physical therapist license under s. 448.53 or a physical therapist assistant license under s. 448.535, and of all applicants for a psychologist license under s. 455.04~~ identified in subd. 1. c. to i., to the federal bureau of investigation for the purpose of verifying the identity of the persons

fingerprinted and obtaining records of their criminal arrests and convictions.

3. Information obtained from the federal bureau of investigation may be shared with the department or the appropriate credentialing board, but shall otherwise be kept confidential and is not subject to disclosure under s. 19.35.

SECTION 32. 440.03 (13) (c) 1. i. of the statutes is created to read:

440.03 (13) (c) 1. i. An applicant for a professional counselor license or privilege to practice under s. 457.12 when required pursuant to the counseling compact under s. 457.50.

SECTION 33. 440.03 (14) (am) of the statutes is amended to read:

440.03 (14) (am) The department may promulgate rules that establish requirements for granting a license to practice psychotherapy to a person who is registered under par. (a). Rules promulgated under this paragraph shall establish requirements for obtaining such a license that are comparable to the requirements for obtaining a clinical social worker, marriage and family therapist, or professional counselor license under subch. I of ch. 457. If the department promulgates rules under this paragraph, the department shall grant a license under this paragraph to a person registered under par. (a) who pays the initial credential fee determined by the department under s. 440.03 (9) (a) and provides evidence satisfactory to the department that he or she satisfies the requirements established in the rules.

SECTION 34. 440.043 (1) of the statutes is amended to read:

440.043 (1) The secretary shall appoint an advisory committee under s. 440.042 to provide advice concerning behavioral health. The advisory committee shall semiannually conduct a review of the requirements for obtaining a credential under s. 440.88 or subch. I of ch. 457 or for other credentials related to behavioral health.

SECTION 35. 440.094 (1) (c) 14. of the statutes is amended to read:

440.094 (1) (c) 14. A social worker, marriage and family therapist, or professional counselor certified or licensed under subch. I of ch. 457 or a clinical substance abuse counselor certified under s. 440.88.

SECTION 36. 440.15 of the statutes is amended to read:

440.15 No fingerprinting. Except as provided under ss. 440.03 (13) (c), 441.51 (5) (a) 5., 448.980 (5) (b) 3., 448.985 (3) (a) 4., 448.987 (3) (a) 5. a. and (5) (b) 2. a., 450.071 (3) (c) 9., 450.075 (3) (c) 9., and 455.50 (3) (e) 4. and (f) 4., and 457.50 (3) (b) 3. and (5) (b) 2. a., the department or a credentialing board may not require that an applicant for a credential or a credential holder be fingerprinted or submit fingerprints in connection with the department's or the credentialing board's credentialing.

SECTION 37. 446.01 (1v) (m) of the statutes is amended to read:

446.01 (1v) (m) Marriage and family therapy, professional counseling, and social work examining board under subch. I of ch. 457. "Health care professional" also includes an individual who is exercising the professional counselor privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 38. 448.08 (4) of the statutes is amended to read:

448.08 (4) PROFESSIONAL PARTNERSHIPS AND CORPORATIONS PERMITTED. Notwithstanding any other provision in this section, it is lawful for 2 or more physicians, who have entered into a bona fide partnership for the practice of medicine, to render a single bill for such services in the name of such partnership, and it also is lawful for a service corporation to render a single bill for services in the name of the corporation, provided that each individual licensed, registered or certified under this chapter, subch. I of ch. 457, or ch. 446, 449, 450, 455, 457 or 459 that renders billed services is individually identified as having rendered such services.

SECTION 39. 448.67 (4) of the statutes is amended to read:

448.67 (4) BILLING BY PROFESSIONAL PARTNERSHIPS AND CORPORATIONS. If 2 or more podiatrists have entered into a bona fide partnership or formed a service corporation for the practice of podiatry, the partnership or corporation may not render a single bill for podiatry services provided in the name of the partnership or corporation unless each individual licensed, registered or certified under this chapter, subch. I of ch. 457, or ch. 446, 449, 450, 455, 457 or 459, who provided services is individually identified on the bill as having rendered those services.

SECTION 40. 450.10 (3) (a) 10. of the statutes is amended to read:

450.10 (3) (a) 10. A social worker, marriage and family therapist, or professional counselor certified or licensed under subch. I of ch. 457 or a professional counselor who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 41. Chapter 457 (title) of the statutes is amended to read:

CHAPTER 457

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

SECTION 42. Subchapter I (title) of chapter 457 [precedes 457.01] of the statutes is created to read:

CHAPTER 457

SUBCHAPTER I

REGULATION OF MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK

SECTION 43. 457.01 (intro.) of the statutes is amended to read:

457.01 Definitions. (intro.) In this ~~chapter~~ subchapter:

SECTION 44. 457.01 (1g) of the statutes is amended to read:

457.01 (1g) “Certificate holder” means an individual who is certified under this ~~chapter~~ subchapter.

SECTION 45. 457.01 (1t) of the statutes is created to read:

457.01 (1t) “Counseling compact” means the counseling compact under s. 457.50.

SECTION 46. 457.01 (1w) of the statutes is amended to read:

457.01 (1w) “Credential” means a license ~~or~~ certificate, or privilege to practice granted under this ~~chapter~~ subchapter.

SECTION 47. 457.01 (2r) of the statutes is amended to read:

457.01 (2r) “Licensee” means a person who is licensed under this ~~chapter~~ subchapter.

SECTION 48. 457.01 (5m) of the statutes is created to read:

457.01 (5m) “Privilege to practice” has the meaning given in s. 457.50 (2) (s).

SECTION 49. 457.01 (7) of the statutes is amended to read:

457.01 (7) “Professional counselor” means an individual who holds a license to practice professional counseling granted by the professional counselor section or who holds a valid professional counselor privilege to practice in this state.

SECTION 50. 457.02 (intro.), (1), (2), (3), (4) and (6) (c) of the statutes are amended to read:

457.02 Applicability. (intro.) This ~~chapter~~ subchapter does not do any of the following:

(1) Require any individual to be certified or licensed under this ~~chapter~~ subchapter in order to use the title “pastoral counselor,” “investment counselor,” “vocational counselor,” “career counselor,” “alcohol and drug counselor,” “chemical dependency counselor,” or “employee assistance counselor,” or to engage in such counseling, if the individual does not use any other title or designation that represents or may tend to represent that he or she is certified or licensed under this ~~chapter~~ subchapter, and does not represent himself or herself as an individual who engages in social work, advanced practice social work, independent social work, clinical social work, marriage and family therapy, or professional counseling.

(2) Require any individual who is licensed as a school social worker or school counselor by the department of public instruction to be certified or licensed under this ~~chapter~~ subchapter in order to use the title “school social worker” or “school counselor.”

(3) Require a person who is a psychologist or a psychiatrist to be licensed under this ~~chapter~~ subchapter in order to use the title “marriage and family therapist,” “marriage and family counselor,” or “professional counselor” if the psychologist or psychiatrist does not use the term “licensed,” “certified,” or “registered” or any similar term in connection with the title “marriage and family therapist,” “marriage and family counselor,” or “professional counselor.”

(4) Authorize any individual who is certified or licensed under this ~~chapter~~ subchapter to use the title “school social worker” or “school counselor” unless the individual is licensed as a school social worker or school counselor by the department of public instruction.

(6) (c) Provide a consultation or demonstration with an individual licensed under this ~~chapter~~ subchapter if the person providing the consultation or demonstration is licensed to practice marriage and family therapy, professional counseling, or clinical social work in another state or territory of the United States.

SECTION 51. 457.03 (1), (1m) and (2) of the statutes are amended to read:

457.03 (1) Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, promulgate rules establishing minimum standards for educational programs that must be completed for certification or licensure under this ~~chapter~~ subchapter and for supervised clinical training that must be completed for licensure as a clinical social worker, marriage and family therapist, or professional counselor under this ~~chapter~~ subchapter and approve educational programs and supervised clinical training programs in accordance with those standards.

(1m) Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, and consistent with s. 457.16, promulgate rules establishing examination requirements for certification and licensure under this ~~chapter~~ subchapter.

(2) Upon 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. The rules shall specify the services included within the practice of social work, advanced practice social work, or independent social work that an individual who is certified under this ~~chapter~~ subchapter as a social worker, advanced practice social worker, or independent social worker may perform and the degree of supervision, if any, required to perform those services.

SECTION 52. 457.033 of the statutes is amended to read:

457.033 Psychometric testing. The marriage and family therapy, professional counseling, and social work examining board and the psychology examining board shall jointly promulgate rules that specify the different

levels of psychometric testing that an individual who is certified or licensed under this ~~chapter subchapter~~, or an individual who holds a valid professional counselor privilege to practice in this state, is qualified to perform. Such rules shall be consistent with the guidelines of the American Psychological Association, or other nationally recognized guidelines, for performing psychometric testing. A certificate holder ~~or licensee~~, or holder of a professional counselor privilege to practice may not engage in psychometric testing except as provided under the rules promulgated under this section.

SECTION 53. 457.035 (1) of the statutes is amended to read:

457.035 (1) The individual is licensed under this ~~chapter subchapter~~ as a clinical social worker, marriage and family therapist, or professional counselor or holds a valid professional counselor privilege to practice in this state.

SECTION 54. 457.04 (1), (2), (3), (4) and (5) (a) and (b) of the statutes are amended to read:

457.04 (1) Use the title “social worker” unless the person is certified as a social worker under this ~~chapter subchapter~~.

(2) Use the title “advanced practice social worker” unless the person is certified as an advanced practice social worker under this ~~chapter subchapter~~.

(3) Use the title “independent social worker” unless the person is certified as an independent social worker under this ~~chapter subchapter~~.

(4) Practice clinical social work or designate himself or herself as a clinical social worker or use or assume the title “clinical social worker” or any other title or designation that represents or may tend to represent the person as a clinical social worker unless the person is licensed as a clinical social worker under this ~~chapter subchapter~~ or unless the person is certified under this ~~chapter subchapter~~ as an advanced practice social worker or independent social worker and the person practices clinical social work under the supervision of a person who is licensed as a clinical social worker under this ~~chapter subchapter~~.

(5) (a) The person is licensed as a marriage and family therapist under this ~~chapter subchapter~~.

(b) The person is licensed as a clinical social worker under this ~~chapter subchapter~~ and initially became certified as an independent clinical social worker under ch. 457, 1999 stats., on or before May 31, 1995.

SECTION 55. 457.04 (6) of the statutes is amended to read:

457.04 (6) Practice professional counseling or designate himself or herself as a professional counselor or use or assume the title “professional counselor,” “professional rehabilitation counselor,” “vocational rehabilitation counselor,” “rehabilitation counselor,” or any other title or designation that represents or may tend to represent the person as a professional counselor unless the per-

son is licensed as a professional counselor under this ~~chapter subchapter~~ or holds a valid professional counselor privilege to practice in this state.

SECTION 56. 457.04 (7) of the statutes is amended to read:

457.04 (7) Practice psychotherapy unless the person is licensed under this ~~chapter subchapter~~, holds a valid professional counselor privilege to practice in this state, or ~~unless the person~~ is a certificate holder who may practice psychotherapy under the rules promulgated under ss. 457.03 and 457.035.

SECTION 57. 457.06 (intro.) of the statutes is amended to read:

457.06 General requirements for certification or licensure. (intro.) The social worker section, marriage and family therapist section, or professional counselor section may not grant any certificate or license under this ~~chapter subchapter~~ unless the applicant does all of the following:

SECTION 58. 457.09 (2) (b) and (4) (b) 1. and 2. of the statutes are amended to read:

457.09 (2) (b) A social worker training certificate holder is a social worker certified under this ~~chapter subchapter~~ for purposes of any law governing social workers certified under this ~~chapter subchapter~~.

(4) (b) 1. A human services internship that involves direct practice with clients and that is supervised by a social worker certified under this ~~chapter subchapter~~ who has a bachelor’s or master’s degree in social work.

2. One year of social work employment that involves direct practice with clients and that is supervised by a social worker certified under this ~~chapter subchapter~~ who has a bachelor’s or master’s degree in social work.

SECTION 59. 457.12 (title) of the statutes is amended to read:

457.12 (title) Professional counselor license; privilege to practice.

SECTION 60. 457.12 of the statutes is renumbered 457.12 (1m), and 457.12 (1m) (intro.), (a), (b), (c) (intro.), 1. d. and 2. d. and (d), as renumbered, are amended to read:

457.12 (1m) LICENSE. (intro.) The professional counselor section shall, subject to sub. (4m), grant a professional counselor license to any individual who does to whom all of the following apply:

(a) ~~Satisfies~~ The individual satisfies the requirements in s. 457.06.

(b) ~~Submits~~ The individual submits evidence satisfactory to the professional counselor section that he or she has received a master’s or doctorate degree in professional counseling or its equivalent from a program approved by the professional counselor section.

(c) (intro.) ~~Submits~~ The individual submits evidence satisfactory to the professional counselor section that he or she has done any of the following:

1. d. An individual, other than an individual specified in subd. 1., ~~2., or 3.~~ a., b., or c., who is approved by the professional counselor section or satisfies requirements for supervision that are specified in rules promulgated by the examining board upon the advice of the professional counselor section.

2. d. An individual, other than an individual specified in subd. ~~1., 2., or 3.~~ a., b., or c., who is approved by the professional counselor section or satisfies requirements for supervision that are specified in rules promulgated by the examining board upon the advice of the professional counselor section.

(d) Passes The individual passes one or more examinations under s. 457.16 approved by the professional counselor section to determine minimum competence to practice professional counseling.

SECTION 61. 457.12 (1m) (bm) and (2m) to (4m) of the statutes are created to read:

457.12 **(1m)** (bm) The individual does not, subject to ss. 111.321, 111.322, and 111.335, have a conviction record.

(2m) LICENSE BASED UPON PRIVILEGE TO PRACTICE. The professional counselor section shall grant a professional counselor license to any individual to whom all of the following apply:

(a) The individual satisfies the requirements in s. 457.06.

(b) The individual holds a home state license in another state that is a party to the counseling compact, has changed his or her primary state of residence to this state, and satisfies all other requirements under s. 457.50 (5).

(bm) The individual does not, subject to ss. 111.321, 111.322, and 111.335, have a conviction record.

(d) The individual passes an examination described under s. 457.16 (1) (b), if required.

(3m) PRIVILEGE TO PRACTICE. The professional counselor section shall grant a professional counselor privilege to practice to any individual to whom all of the following apply:

(a) The individual holds an unencumbered home state license in another state that is a party to the counseling compact and satisfies all other requirements under s. 457.50 (4).

(b) The individual applies for the privilege to practice in the manner prescribed by the department.

(c) The individual pays any fee established by the department under s. 457.51 (2).

(d) The individual passes an examination described under s. 457.16 (1) (b), if required.

(4m) TYPES OF LICENSE. (a) A professional counselor license granted under sub. (1m) may be either of the following:

1. A license that, subject to s. 457.50 (4), entitles the holder to obtain and exercise a privilege to practice in other states that are parties to the counseling compact.

2. A single-state license, which only entitles the holder to practice in this state. Nothing in the counseling compact applies to the holder of a single-state license unless otherwise applicable under this subchapter.

(b) When applying for a license under sub. (1m), an individual shall specify whether he or she is applying for a license under par. (a) 1. or 2.

SECTION 62. 457.13 (1) (c) of the statutes is amended to read:

457.13 **(1)** (c) Satisfies the requirements in s. 457.12 ~~(2)~~ **(1m)** (b).

SECTION 63. 457.14 (1) (f) of the statutes is amended to read:

457.14 **(1)** (f) Satisfies the requirements under s. 457.12 ~~(1) to (3)~~ **(1m)** (a) to (c) and has submitted an application to take the next available examination for licensure under s. 457.12 ~~(4)~~ **(1m)** (d).

SECTION 64. 457.15 (3) of the statutes is amended to read:

457.15 **(3)** Upon application and payment of the fee specified in s. 440.05 (2), the professional counselor section may grant a professional counselor license to any individual who holds a similar certificate or license in another state or territory of the United States and who passes an examination approved by the professional counselor section that tests knowledge of state law relating to professional counseling, if the professional counselor section determines that the requirements for obtaining the certificate or license in the other state or territory are substantially equivalent to the requirements under s. 457.12 **(1m)**.

SECTION 65. 457.16 (1) of the statutes is renumbered 457.16 (1) (a).

SECTION 66. 457.16 (1) (b) of the statutes is created to read:

457.16 **(1)** (b) The professional counselor section may, in accordance with par. (a), arrange for an examination that tests an applicant's knowledge of state law relating to the practice of professional counseling in accordance with s. 457.51 (3), if such an examination is required for applicants for licensure under s. 457.12 (1m).

SECTION 67. 457.18 of the statutes is created to read:

457.18 Practice under counseling compact. An individual who holds a valid privilege to practice in this state may, subject to s. 457.51 (4), do any of the following:

(1) Practice professional counseling in this state, subject to s. 457.50 (4).

(2) Practice professional counseling in this state via telehealth, as defined in s. 457.50 (2) (y), subject to s. 457.50 (7).

SECTION 68. 457.20 (1) and (2) of the statutes are amended to read:

457.20 (1) The department shall issue a certificate of certification or licensure to each individual who is certified or licensed under this ~~chapter~~ subchapter.

(2) The renewal dates for certificates and licenses granted under this ~~chapter~~ subchapter, other than training certificates and licenses or temporary certificates or licenses, are specified under s. 440.08 (2) (a).

SECTION 69. 457.24 (1) of the statutes is amended to read:

457.24 (1) Except as provided in sub. (2), a person licensed as a clinical social worker, marriage and family therapist, or professional counselor under this ~~chapter~~ subchapter or who is exercising the professional counselor privilege to practice in this state may not practice clinical social work, marriage and family therapy, or professional counseling unless he or she has in effect professional liability insurance. The examining board shall promulgate rules establishing the minimum amount of insurance required under this subsection.

SECTION 70. 457.26 (1) and (2) (intro.) and (h) of the statutes are amended to read:

457.26 (1) Subject to the rules promulgated under s. 440.03 (1), the appropriate section of the examining board may make investigations and conduct hearings to determine whether a violation of this ~~chapter~~ subchapter or any rule promulgated under this ~~chapter~~ subchapter has occurred.

(2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the appropriate section of the examining board may reprimand a credential holder or deny, limit, suspend, or revoke a credential under this ~~chapter~~ subchapter if it finds that the applicant or credential holder has done any of the following:

(h) Violated this ~~chapter~~ subchapter or any rule promulgated under this ~~chapter~~ subchapter.

SECTION 71. Subchapter II of chapter 457 [precedes 457.50] of the statutes is created to read:

CHAPTER 457

SUBCHAPTER II

COUNSELING COMPACT

457.50 Counseling compact. (1) **PURPOSE.** The purpose of this compact is to facilitate interstate practice of licensed professional counselors with the goal of improving public access to professional counseling services. The practice of professional counseling occurs in the state where the client is located at the time of the counseling services. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure. This compact is designed to achieve the following objectives:

(a) Increase public access to professional counseling services by providing for the mutual recognition of other member state licenses;

(b) Enhance the states' ability to protect the public's health and safety;

(c) Encourage the cooperation of member states in regulating multistate practice for licensed professional counselors;

(d) Support spouses of relocating active duty military personnel;

(e) Enhance the exchange of licensure, investigative, and disciplinary information among member states;

(f) Allow for the use of telehealth technology to facilitate increased access to professional counseling services;

(g) Support the uniformity of professional counseling licensure requirements throughout the states to promote public safety and public health benefits;

(h) Invest all member states with the authority to hold a licensed professional counselor accountable for meeting all state practice laws in the state in which the client is located at the time care is rendered through the mutual recognition of member state licenses;

(i) Eliminate the necessity for licenses in multiple states; and

(j) Provide opportunities for interstate practice by licensed professional counselors who meet uniform licensure requirements.

(2) **DEFINITIONS.** As used in this section, and except as otherwise provided, the following definitions apply:

(a) "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 USC chs. 1209 and 1211.

(b) "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a licensed professional counselor, including actions against an individual's license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a licensed professional counselor's authorization to practice, including issuance of a cease and desist action.

(c) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by a professional counseling licensing board to address impaired practitioners.

(d) "Continuing competence/education" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.

(e) "Counseling compact commission" or "commission" means the national administrative body whose membership consists of all states that have enacted the compact.

(f) "Current significant investigative information" means any of the following:

1. Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the licensed professional counselor to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

2. Investigative information that indicates that the licensed professional counselor represents an immediate threat to public health and safety regardless of whether the licensed professional counselor has been notified and had an opportunity to respond.

(g) “Data system” means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, investigative, privilege to practice and adverse action information.

(h) “Encumbered license” means a license in which an adverse action restricts the practice of licensed professional counseling by the licensee and said adverse action has been reported to the national practitioners data bank (NPDB).

(i) “Encumbrance” means a revocation or suspension of, or any limitation on, the full and unrestricted practice of licensed professional counseling by a licensing board.

(j) “Executive committee” means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(k) “Home state” means the member state that is the licensee’s primary state of residence.

(L) “Impaired practitioner” means an individual who has a condition(s) that may impair their ability to practice as a licensed professional counselor without some type of intervention and may include, but is not limited to, alcohol and drug dependence, mental health impairment, and neurological or physical impairments.

(m) “Investigative information” means information, records, and documents received or generated by a professional counseling licensing board pursuant to an investigation.

(n) “Jurisprudence requirement” if required by a member state, means the assessment of an individual’s knowledge of the laws and rules governing the practice of professional counseling in a state.

(o) “Licensed professional counselor” means a counselor licensed by a member state, regardless of the title used by that state, to independently assess, diagnose, and treat behavioral health conditions.

(p) “Licensee” means an individual who currently holds an authorization from the state to practice as a licensed professional counselor.

(q) “Licensing board” means the agency of a state, or equivalent, that is responsible for the licensing and regulation of licensed professional counselors.

(r) “Member state” means a state that has enacted the compact.

(s) “Privilege to practice” means a legal authorization, which is equivalent to a license, permitting the practice of professional counseling in a remote state.

(t) “Professional counseling” means the assessment, diagnosis, and treatment of behavioral health conditions by a licensed professional counselor.

(u) “Remote state” means a member state other than the home state, where a licensee is exercising or seeking to exercise the privilege to practice.

(v) “Rule” means a regulation promulgated by the commission that has the force of law.

(w) “Single state license” means a licensed professional counselor license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

(x) “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of professional counseling.

(y) “Telehealth” means the application of telecommunication technology to deliver professional counseling services remotely to assess, diagnose, and treat behavioral health conditions.

(z) “Unencumbered license” means a license that authorizes a licensed professional counselor to engage in the full and unrestricted practice of professional counseling.

(3) STATE PARTICIPATION IN THE COMPACT. (a) To participate in the compact, a state must currently:

1. License and regulate licensed professional counselors.

2. Require licensees to pass a nationally recognized exam approved by the commission.

3. Require licensees to have a 60 semester–hour (or 90 quarter–hour) master’s degree in counseling or 60 semester–hours (or 90 quarter–hours) of graduate course work including the following topic areas:

a. Professional counseling orientation and ethical practice;

b. Social and cultural diversity;

c. Human growth and development;

d. Career development;

e. Counseling and helping relationships;

f. Group counseling and group work;

g. Diagnosis and treatment; assessment and testing;

h. Research and program evaluation; and

i. Other areas as determined by the commission.

4. Require licensees to complete a supervised post-graduate professional experience as defined by the commission.

5. Have a mechanism in place for receiving and investigating complaints about licensees.

(b) A member state shall:

1. Participate fully in the commission’s data system, including using the commission’s unique identifier as defined in rules;

2. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

3. Implement or utilize procedures for considering the criminal history records of applicants for an initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state’s criminal records;

a. A member state must fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the federal bureau of investigation record search and shall use the results in making licensure decisions.

b. Communication between a member state, the commission and among member states regarding the verification of eligibility for licensure through the compact shall not include any information received from the federal bureau of investigation relating to a federal criminal records check performed by a member state under P. L. 92–544.

4. Comply with the rules of the commission;

5. Require an applicant to obtain or retain a license in the home state and meet the home state’s qualifications for licensure or renewal of licensure, as well as all other applicable state laws;

6. Grant the privilege to practice to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules; and

7. Provide for the attendance of the state’s commissioner to the counseling compact commission meetings.

(c) Member states may charge a fee for granting the privilege to practice.

(d) Individuals not residing in a member state shall continue to be able to apply for a member state’s single state license as provided under the laws of each member state. However, the single state license granted to these individuals shall not be recognized as granting a privilege to practice professional counseling in any other member state.

(e) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

(f) A license issued to a licensed professional counselor by a home state to a resident in that state shall be recognized by each member state as authorizing a licensed professional counselor to practice professional counseling, under a privilege to practice, in each member state.

(4) PRIVILEGE TO PRACTICE. (a) To exercise the privilege to practice under the terms and provisions of the compact, the licensee shall:

1. Hold a license in the home state;

2. Have a valid United States social security number or national practitioner identifier;

3. Be eligible for a privilege to practice in any member state in accordance with pars. (d), (g), and (h);

4. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years;

5. Notify the commission that the licensee is seeking the privilege to practice within a remote state(s);

6. Pay any applicable fees, including any state fee, for the privilege to practice;

7. Meet any continuing competence/education requirements established by the home state;

8. Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a privilege to practice; and

9. Report to the commission any adverse action, encumbrance, or restriction on license taken by any non-member state within 30 days from the date the action is taken.

(b) The privilege to practice is valid until the expiration date of the home state license. The licensee must comply with the requirements of par. (a) to maintain the privilege to practice in the remote state.

(c) A licensee providing professional counseling in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

(d) A licensee providing professional counseling services in a remote state is subject to that state’s regulatory authority. A remote state may, in accordance with due process and that state’s laws, remove a licensee’s privilege to practice in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a privilege to practice in any member state until the specific time for removal has passed and all fines are paid.

(e) If a home state license is encumbered, the licensee shall lose the privilege to practice in any remote state until the following occur:

1. The home state license is no longer encumbered; and

2. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years.

(f) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of par. (a) to obtain a privilege to practice in any remote state.

(g) If a licensee's privilege to practice in any remote state is removed, the individual may lose the privilege to practice in all other remote states until the following occur:

1. The specific period of time for which the privilege to practice was removed has ended;
2. All fines have been paid; and
3. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years.

(h) Once the requirements of par. (g) have been met, the licensee must meet the requirements in par. (a) to obtain a privilege to practice in a remote state.

(5) OBTAINING A NEW HOME STATE LICENSE BASED ON A PRIVILEGE TO PRACTICE. (a) A licensed professional counselor may hold a home state license, which allows for a privilege to practice in other member states, in only one member state at a time.

(b) If a licensed professional counselor changes primary state of residence by moving between two member states:

1. The licensed professional counselor shall file an application for obtaining a new home state license based on a privilege to practice, pay all applicable fees, and notify the current and new home state in accordance with applicable rules adopted by the commission.

2. Upon receipt of an application for obtaining a new home state license by virtue of a privilege to practice, the new home state shall verify that the licensed professional counselor meets the pertinent criteria outlined in sub. (4) via the data system, without need for primary source verification except for:

- a. A federal bureau of investigation fingerprint based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with P. L. 92–544;

- b. Other criminal background check as required by the new home state; and

- c. Completion of any requisite jurisprudence requirements of the new home state.

3. The former home state shall convert the former home state license into a privilege to practice once the new home state has activated the new home state license in accordance with applicable rules adopted by the commission.

4. Notwithstanding any other provision of this compact, if the licensed professional counselor cannot meet the criteria in sub. (4), the new home state may apply its requirements for issuing a new single state license.

5. The licensed professional counselor shall pay all applicable fees to the new home state in order to be issued a new home state license.

(c) If a licensed professional counselor changes primary state of residence by moving from a member state to a non-member state, or from a non-member state to a

member state, the state criteria shall apply for issuance of a single state license in the new state.

(d) Nothing in this compact shall interfere with a licensee's ability to hold a single state license in multiple states, however for the purposes of this compact, a licensee shall have only one home state license.

(e) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

(6) ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES. Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state, or through the process outlined in sub. (5).

(7) COMPACT PRIVILEGE TO PRACTICE TELEHEALTH. (a) Member states shall recognize the right of a licensed professional counselor, licensed by a home state in accordance with sub. (3) and under rules promulgated by the commission, to practice professional counseling in any member state via telehealth under a privilege to practice as provided in the compact and rules promulgated by the commission.

(b) A licensee providing professional counseling services in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

(8) ADVERSE ACTIONS. (a) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against a licensed professional counselor's privilege to practice within that member state; and

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Only the home state shall have the power to take adverse action against a licensed professional counselor's license issued by the home state.

(b) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the

conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(c) The home state shall complete any pending investigations of a licensed professional counselor who changes primary state of residence during the course of the investigations. The home state shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any adverse actions.

(d) A member state, if otherwise permitted by state law, may recover from the affected licensed professional counselor the costs of investigations and dispositions of cases resulting from any adverse action taken against that licensed professional counselor.

(e) A member state may take adverse action based on the factual findings of the remote state, provided that the member state follows its own procedures for taking the adverse action.

(f) Joint investigations:

1. In addition to the authority granted to a member state by its respective professional counseling practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(g) If adverse action is taken by the home state against the license of a licensed professional counselor, the licensed professional counselor's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against the license of a licensed professional counselor shall include a statement that the licensed professional counselor's privilege to practice is deactivated in all member states during the pendency of the order.

(h) If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

(i) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

(9) ESTABLISHMENT OF COUNSELING COMPACT COMMISSION. (a) The compact member states hereby create and establish a joint public agency known as the counseling compact commission:

1. The commission is an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and

exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(b) *Membership, voting, and meetings.* 1. Each member state shall have and be limited to one delegate selected by that member state's licensing board.

2. The delegate shall be either:

a. A current member of the licensing board at the time of appointment, who is a licensed professional counselor or public member; or

b. An administrator of the licensing board.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state licensing board shall fill any vacancy occurring on the commission within 60 days.

5. Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

6. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

8. The commission shall by rule establish a term of office for delegates and may by rule establish term limits.

(c) The commission shall have the following powers and duties:

1. Establish the fiscal year of the commission;

2. Establish bylaws;

3. Maintain its financial records in accordance with the bylaws;

4. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

5. Promulgate rules which shall be binding to the extent and in the manner provided for in the compact;

6. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state licensing board to sue or be sued under applicable law shall not be affected;

7. Purchase and maintain insurance and bonds;

8. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

9. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and pro-

grams relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

10. Accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

11. Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

12. Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

13. Establish a budget and make expenditures;

14. Borrow money;

15. Appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

16. Provide and receive information from, and cooperate with, law enforcement agencies;

17. Establish and elect an executive committee; and

18. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of professional counseling licensure and practice.

(d) *The executive committee.* 1. The executive committee shall have the power to act on behalf of the commission according to the terms of this compact.

2. The executive committee shall be composed of up to 11 members:

a. Seven voting members who are elected by the commission from the current membership of the commission; and

b. Up to 4 ex officio, nonvoting members from 4 recognized national professional counselor organizations.

c. The ex officio members will be selected by their respective organizations.

3. The commission may remove any member of the executive committee as provided in bylaws.

4. The executive committee shall meet at least annually.

5. The executive committee shall have the following duties and responsibilities:

a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the privilege to practice;

b. Ensure compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the commission;

e. Monitor compact compliance of member states and provide compliance reports to the commission;

f. Establish additional committees as necessary; and

g. Other duties as provided in rules or bylaws.

(e) *Meetings of the commission.* 1. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rule-making provisions in sub. (11).

2. The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

a. Noncompliance of a member state with its obligations under the compact;

b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated litigation;

d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

e. Accusing any person of a crime or formally censuring any person;

f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

h. Disclosure of investigative records compiled for law enforcement purposes;

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

j. Matters specifically exempted from disclosure by federal or member state statute.

3. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

4. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(f) *Financing of the commission.* 1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

(g) *Qualified immunity, defense, and indemnification.* 1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this subdivision shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person

from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

(10) **DATA SYSTEM.** (a) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

(b) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or privilege to practice;
4. Nonconfidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason(s) for such denial;
6. Current significant investigative information; and
7. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(c) Investigative information pertaining to a licensee in any member state will only be available to other member states.

(d) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(e) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(f) Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

(11) **RULE MAKING.** (a) The commission shall promulgate reasonable rules in order to effectively and effi-

ciently achieve the purpose of the compact. Notwithstanding the foregoing, in the event the commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force or effect.

(b) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this subsection and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(c) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within 4 years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(d) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(e) Prior to promulgation and adoption of a final rule or rules by the commission, and at least 30 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rule making:

1. On the website of the commission or other publicly accessible platform; and

2. On the website of each member state professional counseling licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(f) The notice of proposed rule making shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

2. The text of the proposed rule or amendment and the reason for the proposed rule;

3. A request for comments on the proposed rule from any interested person; and

4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(g) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

(h) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least 25 persons;

2. A state or federal governmental subdivision or agency; or

3. An association having at least 25 members.

(i) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than 5 business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings will be recorded. A copy of the recording will be made available on request.

4. Nothing in this subsection shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this subsection.

(j) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(k) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(L) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rule-making record and the full text of the rule.

(m) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rule-making procedures provided in the compact and in this subsection shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;

2. Prevent a loss of commission or member state funds;

3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or

4. Protect public health and safety.

(n) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made,

the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

(12) OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT. (a) *Oversight.* 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(b) *Default, technical assistance, and termination.* 1. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the commission; and

b. Provide remedial training and specific technical assistance regarding the default.

(c) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(d) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(e) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(f) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(g) The defaulting state may appeal the action of the commission by petitioning the U.S. district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

(h) *Dispute resolution.* 1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and non-member states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(i) *Enforcement.* 1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the commission may initiate legal action in the U.S. district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

(13) DATE OF IMPLEMENTATION OF THE COUNSELING COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT. (a) The compact shall come into effect on the date on which the compact statute is enacted into law in the 10th member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rule-making powers necessary to the implementation and administration of the compact.

(b) Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(c) Any member state may withdraw from this compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until 6 months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's professional counseling licensing board to comply with the investigative and

adverse action reporting requirements of this act prior to the effective date of withdrawal.

(d) Nothing contained in this compact shall be construed to invalidate or prevent any professional counseling licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this compact.

(e) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

(14) CONSTRUCTION AND SEVERABILITY. This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

(15) BINDING EFFECT OF COMPACT AND OTHER LAWS.

(a) A licensee providing professional counseling services in a remote state under the privilege to practice shall adhere to the laws and regulations, including scope of practice, of the remote state.

(b) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(c) Any laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(d) Any lawful actions of the commission, including all rules and bylaws properly promulgated by the commission, are binding upon the member states.

(e) All permissible agreements between the commission and the member states are binding in accordance with their terms.

(f) In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

457.51 Implementation of the counseling compact. (1) In this section:

(a) “Examining board” means the marriage and family therapy, professional counseling, and social work examining board.

(b) “Privilege to practice” has the meaning given in s. 457.50 (2) (s).

(c) “Professional counselor section” means the professional counselor section of the examining board.

(2) The department may impose a fee for an individual to receive a privilege to practice as provided in s. 457.50 (3) (c).

(3) The professional counselor section may, by rule, require an individual applying for a license under s. 457.12 (2m) or an individual seeking a privilege to practice under s. 457.12 (3m) to meet a jurisprudence requirement in accordance with s. 457.50 (4) (a) 8., if such a requirement is imposed by the professional counselor section under s. 457.16 in order to obtain a license under s. 457.12 (1m).

(4) (a) An individual who is exercising the privilege to practice in this state shall comply with s. 440.03 (13) (am).

(b) Subject to s. 457.50 and any rules promulgated thereunder, ss. 440.20 to 440.22 and the rules promulgated under s. 440.03 (1) shall apply to an individual who is exercising the privilege to practice in this state in the same manner that they apply to holders of licenses issued under subch. I.

SECTION 72. 632.89 (1) (dm) of the statutes is amended to read:

632.89 (1) (dm) “Licensed mental health professional” means a clinical social worker who is licensed under subch. I of ch. 457, a marriage and family therapist who is licensed under s. 457.10, or a professional counselor who is licensed under s. 457.12 or who is exercising the professional counselor privilege to practice, as defined in s. 457.50 (2) (s), in this state.

SECTION 73. 632.89 (1) (e) 4. of the statutes is amended to read:

632.89 (1) (e) 4. A licensed mental health professional practicing within the scope of his or her license credential under subch. I of ch. 457 and applicable rules.

SECTION 74. 800.035 (2m) of the statutes is amended to read:

800.035 (2m) A municipal court shall appoint a guardian ad litem or social worker certified or licensed under subch. I of ch. 457 for any defendant that the court has reason to believe lacks substantial mental capacity to understand the proceedings or assist in his or her defense. The person appointed under this paragraph shall assist the court in making a determination concerning the defendant’s mental capacity. If the court determines that the defendant lacks the mental capacity to understand the proceedings or assist in his or her defense, the court shall suspend the proceedings. The cost of the guardian ad litem or social worker shall be paid by the municipality or municipalities that established the court. The governing body may by ordinance or bylaw authorize the appointment of a guardian ad litem by the municipal judge in any other matter within the jurisdiction of the municipal court.

SECTION 75. 905.04 (1) (bm) of the statutes is amended to read:

905.04 (1) (bm) “Marriage and family therapist” means an individual who is licensed as a marriage and family therapist under subch. I of ch. 457 or an individual reasonably believed by the patient to be a marriage and family therapist.

SECTION 76. 905.04 (1) (dm) of the statutes is amended to read:

905.04 (1) (dm) “Professional counselor” means an individual who is licensed as a professional counselor under subch. I of ch. 457, an individual who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state, or an individual reasonably believed by the patient to be a professional counselor.

SECTION 77. 905.04 (1) (g) of the statutes is amended to read:

905.04 (1) (g) “Social worker” means an individual who is certified or licensed as a social worker, advanced practice social worker, independent social worker, or clinical social worker under subch. I of ch. 457 or an individual reasonably believed by the patient to be a social worker, advanced practice social worker, independent social worker, or clinical social worker.

SECTION 77m. Effective dates. This act takes effect on the day after publication, except as follows:

(1) If either 2023 Senate Bill 391 or 2023 Assembly Bill 382 is enacted into law, then the treatment of ss. 46.90 (4) (ab) 4., 48.56 (2), 48.561 (2), 55.043 (1m) (a) 4., 146.81 (1) (hg), 146.89 (1) (r) 6. and 7., 146.997 (1) (d) 11., 252.14 (1) (ar) 7., 252.15 (1) (er), 253.10 (2) (f), 303.08 (1) (f), 450.10 (3) (a) 10., 457.035 (1), 457.24 (1), 632.89 (1) (dm), and 905.04 (1) (g) by this act is void.

**Professional Counselor Section of the MPSW Examining Board
Rule Projects (updated 10/03/2024)**


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.	Legislative Review once the Legislature comes back in session in early 2025.	If no objection after the legislative review, the board can adopt the rule.
	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.
	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.	Drafting rule.	EIA Comment Period, Clearinghouse Review, and Public Hearing.

Professional Counselor Section of the MPSW Examining Board

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Synopsis	Current Stage	Next Step
	052-24	11/20/2026	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.	Drafting rule.	EIA Comment Period, Clearinghouse Review, and Public Hearing.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		2) Date when request submitted: 9/30/2024 <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>	
3) Name of Board, Committee, Council, Sections: Professional Counselor Section			
4) Meeting Date: 10/15/2024	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Professional Counseling Compact – Discussion and Consideration 1) Report: Full Commission Meeting, October 8, 2024 – Virtual, Dr. Tim Strait, Josh Lee	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: Agenda of items discussed are included in the packet.			
11) Authorization			
		9/30/2024	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Counseling Compact **Fall 2024 Commission Meeting**

Public Notice Information

October 8, 2024, 12:00 p.m. ET

<https://us06web.zoom.us/j/89177169459?pwd=BqDyHoHt9VthLbLtZUPAzKIWnYullQ.1>

Meeting Agenda

12:00 p.m.	Welcome & Call to Order	Chair
	Roll Call	Executive Director
	Review and Adopt Agenda*	Chair
12:10 p.m.	Review and Adopt Minutes* January Meeting Minutes	Chair
12:15 p.m.	Rule Hearing and Review of Comments on Proposed Rules <ul style="list-style-type: none"> • Rule on Implementation of Criminal Background Check • Rule on Legacy Eligibility for Privilege to Practice 	Rules Chair
12:40 p.m.	Vote on Proposed Rules*	Chair
12:50 p.m.	Budget Review and Vote*	Treasurer
1:00 p.m.	Database and Website Update	Isabel Eliassen & Brad Weber
1:30 p.m.	Overview of Election Procedure and Reminder of Positions Elected at Annual Business Meeting	Chair
1:40 p.m.	Questions and Comments from Commissioners, Alternates, and the Public	Chair
2:00 p.m.	Adjourn¹	Chair


Next Meeting: Annual Business Meeting February 12, 2024, Myrtle Beach, SC, and Virtual

* Indicates agenda item requires Commission vote. Votes on agenda items without an asterisk may occur if determined necessary at the meeting.

¹ Having completed the agenda and no further business being before the Commission, the Chair may adjourn the meeting by proclamation.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		2) Date when request submitted: 9/30/2024 <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>	
3) Name of Board, Committee, Council, Sections: Professional Counselor Section			
4) Meeting Date: 10/15/2024	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration 1) 2025 Counseling Commission Annual Business Meeting: February 12, 2025 – Myrtle Beach, SC	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: The agenda for the meeting will be provided upon receipt.			
11) Authorization			
		9/30/2024	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			