



**VIRTUAL/TELECONFERENCE MEETING
SUBSTANCE ABUSE COUNSELORS
CERTIFICATION REVIEW COMMITTEE
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
April 1, 2025**

The following agenda describes the issues that the Committee 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 record of the actions of the Committee.

AGENDA

9:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-2)**
- B. Approval of Minutes of February 25, 2025 (3)**
- C. Conflicts of Interest, Scheduling Concerns**
- D. Administrative Matters – Discussion and Consideration**
 - 1. Department, Staff and Committee Updates
 - 2. Committee Members
 - a) Boyle-Prior, Melinda
 - b) Bryan, Gina
 - c) Kriescher, Mari
 - d) Lettman-Shue, Tanya
 - e) Mattingly, Kathryn
 - f) Olson, Jeremiah
 - g) Scheidegger, Tammy
- E. Administrative Rule Matters – Discussion and Consideration (4-34)**
 - 1. Discussion: SPS 160 to 168, relating to comprehensive review
 - 2. Pending and possible rulemaking projects.
- F. Public Comments**

ADJOURNMENT

NEXT MEETING: MAY 6, 2025

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://dsps.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 the 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.

**VIRTUAL/TELECONFERENCE
SUBSTANCE ABUSE COUNSELORS
CERTIFICATION REVIEW COMMITTEE
MEETING MINUTES
FEBRUARY 25, 2025**

PRESENT: Gina Bryan, Mari Kriescher, Tanya Lettman-Shue, Jeremiah Olson, Tammy Scheidegger

ABSENT: Melinda Boyle-Prior, Kathryn Mattingly

STAFF: Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Brenda Taylor, Board Services Supervisor; and other DSPS Staff

CALL TO ORDER

Tammy Scheidegger, Chairperson, called the meeting to order at 9:30 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

MOTION: Gina Bryan moved, seconded by Jeremiah Olson, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 28, 2025

MOTION: Gina Bryan moved, seconded by Mari Kriescher, to adopt the Minutes of January 28, 2025 as published. Motion carried unanimously.

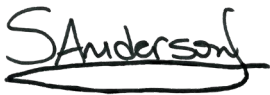
ADJOURNMENT

MOTION: Tanya Lettman-Shue moved, seconded by Gina Bryan, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:37 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: 03/20/2025 <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: Substance Abuse Counselors Certification Review Committee			
4) Meeting Date: April 1, 2025	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rules Matters – Discussion and Consideration 1. Discussion: SPS 160 to 168, relating to comprehensive review 2. Pending and 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: 1. SPS 160 to 168 redlined chapters. 2. SPS 162 proposed changes draft. 3. Clinical Supervision Chart.			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  Signature of person making this request </div> <div style="text-align: center;"> 03/20/2025 Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> Supervisor (if required) </div> <div style="text-align: center;"> Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="text-align: center;"> 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 SPS 160

APPLICABILITY AND DEFINITIONS

[SPS 160.01](#) Authority.

[SPS 160.015](#) Applicability.

[SPS 160.02](#) Definitions.

[SPS 160.03](#) Use of title.

Note: Chapter RL 160 was created as an emergency rule effective 9-10-07. Chapter RL 160 was renumbered chapter SPS 160 under s. 13.92 (4) (b) 1., Stats., [Register November 2011 No. 671](#).

SPS 160.01 Authority. Chapters [SPS 160](#) to [168](#) are adopted pursuant to s. [227.11 \(2\)](#), Stats., and subch. [VIII of ch. 440](#), Stats.

SPS 160.015 Applicability.

~~(1) Except as provided in sub. (2), no person may represent himself or herself to the public as a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist or use in connection with his or her name a title or description that conveys the impression that he or she is a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist unless he or she is so certified under s. 440.88, Stats.~~

(1) USE OF TITLE. Except as consistent with s. SPS 160.015 (2), a person may use the title "addiction counselor," "substance abuse counselor," "alcohol and drug counselor," "substance use disorder counselor" or "chemical dependency counselor" only if the individual is certified as a substance abuse counselor, or as a clinical substance abuse counselor under s. 440.88, Stats.

(2) Chapters [SPS 160](#) to [168](#) do not apply to any of the following:

(a) A physician, as defined in s. [448.01 \(5\)](#), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of ~~his or her~~ their licensure.

(b) A clinical social worker, as defined in s. [457.01 \(1r\)](#), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of ~~his or her~~ their licensure.

(bg) An advanced practice social worker, as defined in s. 457.01 (1c), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of their licensure.

(br) An independent social worker, as defined in s. 457.01 (2g), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of their licensure.

(c) A licensed psychologist, as defined in s. [990.01 \(31m\)](#), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of ~~his or her~~ [their](#) licensure.

(d) A marriage and family therapist, as defined in s. [457.01 \(3\)](#), ~~or a professional counselor, as defined in s. [457.01 \(7\)](#)~~, who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of ~~his or her~~ [their](#) licensure.

~~(dm) A professional counselor, as defined in s. [457.01 \(7\)](#), who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of their licensure.~~

(e) The preparation of a patient for substance use disorder treatment by referral, the treatment of a patient for substance use disorder until a referral for substance use disorder treatment is completed, and the continuation of treatment with the nonsubstance use disorder issues of a person, when performed by a mental health provider practicing within the scope of ~~his or her~~ [their](#) credential.

SPS 160.02 Definitions. In chs. [SPS 160](#) to [168](#):

(1) "Accredited" means accredited by an accrediting agency recognized by the U.S. Department of Education.

(2) "Assessment" means the process and procedures by which a counselor or service identifies and evaluates an individual's strengths, weaknesses, problems and needs in order to develop a treatment plan for the individual ~~based on an approved placement criteria as defined in DHS 75.~~

(2m) "Assessment training" means education on the comprehensive process of collecting pertinent data about patients or patient systems and their environment, and appraising the data as a basis for making decisions regarding substance use disorder diagnosis and treatment or referral. The education shall consist of culturally inclusive studies in understanding addiction, psychopharmacology, recognition and differentiation of co-occurring medical and psychological disorders, clinical evaluation, and treatment planning.

(3) "Behavioral science field" means any of the following:

(a) Health science.

(b) Psychology.

(c) Sociology.

(d) Criminal justice.

(e) Social work, ~~as defined in s. [457.01 \(9\)](#), Stats.~~

(f) A field approved by the department.

(g) Marriage and family therapy, as defined in s. [457.01 \(5\)](#), Stats.

(h) Professional counseling, as defined in s. [457.01 \(6\)](#), Stats.

(3m) “Case management” means education on culturally appropriate administrative, clinical, and evaluative activities included in the process of coordinating and prioritizing patient treatment goals and working with the patient and significant others, as well as other services, agencies, and resources to achieve those treatment goals. The education shall include studies in implementing treatment plans including continuing assessment, the referral process, service coordination, including for co-occurring medical and psychological disorders, record management and documentation, and utilizing the written client record to guide and monitor services to reach measurable goals and objectives.

~~(4) “CEH” means continuing education hour.~~

~~(4) “Continuing education credit hour” means 50 minutes of instruction or participation spent by the credential holder in actual attendance or completion of an approved educational activity.~~

(5) “Clinical substance abuse counselor” means an individual who holds a clinical substance abuse counselor certificate granted by the department.

(6) “Clinical supervision” means a specific and definitive process of oversight of a counselor's professional development in the didactic, experiential and application of the transdisciplinary foundations, and practice dimensions including core functions. Supervision takes place in intermittent in person contact between a clinical supervisor and a counselor provided on or off the site of a service to ensure that each patient has an individualized treatment plan and is receiving quality care. A primary purpose of “clinical supervision” is to ensure quality patient care.

~~(7) “Clinical supervisor” means an individual who holds a clinical supervisor in training certificate, an intermediate clinical supervisor certificate or an independent clinical supervisor certificate granted by the department.~~

~~“Clinical supervisor” means an individual who practices or has training in substance abuse clinical supervision; provides substance abuse counseling, treatment, or prevention services within the scope of their credential; and holds an unencumbered and active credential in good standing granted by the department or respective examining board as one of the following:~~

- ~~(a) A certified clinical supervisor in training, except as provided in SPS 162.03 (3).~~
- ~~(b) A certified intermediate or independent clinical supervisor.~~
- ~~(c) A licensed physician.~~
- ~~(d) A licensed clinical social worker.~~
- ~~(e) A licensed psychologist.~~
- ~~(f) A licensed marriage and family therapist.~~
- ~~(g) A licensed professional counselor.~~

(8) "Clinical supervisor-in-training" means an individual who holds a clinical supervisor-in-training certificate granted by the department.

(10m) "Counseling training" means education that includes the study of fundamental theories, principles, and techniques of substance use disorder counseling to facilitate the progress of diverse patients toward mutually determined treatment goals and objectives using culturally sensitive modalities. Counseling education shall include studies of understanding addiction, recognized treatment theory and practice, the recovery process, effective strategies for meeting the counseling needs of diverse patients, crisis management skills, and awareness of co-occurring medical and psychological disorders.

(11) "Credential" ~~means a certificate or license granted by the department~~ has the meaning given in s. 440.01 (2) (a), Stats.

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

(13) "DSM" means the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

(13m) "Encumbrance" means a revocation or suspension of, or any limitation on, the full and unrestricted practice of substance abuse counseling imposed by the department.

~~(15) "Hour" for purposes of the educational requirement means a period of education consisting of no less than 50 minutes.~~

(17) "Independent clinical supervisor" means an individual who holds an independent clinical supervisor certificate granted by the department.

(18) "Intermediate clinical supervisor" means an individual who holds an intermediate clinical supervisor certificate granted by the department.

(19) "Patient" means an individual who has completed the screening, placement and intake process and is receiving substance use disorder treatment services.

(19m) "Patient education" means education about the process of providing patients, groups, families, couples, significant others, and communities with information on risks related to substance use, the processes of dependence including signs, symptoms, and behavior patterns, and available resources for prevention, treatment, and recovery in culturally relevant ways. The education shall include studies in understanding addiction including addiction to nicotine, the classification and basic pharmacology of drugs, basic physiology and the effects of drug use on the human body and patient, learning styles and teaching methods, delivery of educational programs, health and behavior problems related to substance use including transmission of HIV/AIDS, tuberculosis, sexually transmitted infections, and other infectious diseases, and basic life skills such as stress management, communication, and assertiveness.

(20) "Practice dimensions" means the 8 counselor practice dimensions used to effectively treat substance use disorders. They are:

(a) Clinical evaluation.

(b) Treatment planning.

(c) Referral.

(d) Service coordination.

(e) Counseling.

(f) Patient, family and community education.

(g) Documentation.

(h) Professional and ethical responsibilities.

(21) "Prevention" means a pro-active process of promoting supportive institutions, neighborhoods and communities that foster an environment conducive to the health and well being of individuals and families. Prevention may be targeted to specific populations or the larger community by any of the following:

(a) Promoting knowledge, attitudes, skills, values and relationships conducive to the health and well being of individuals and families.

(b) Promoting personal competence, significance and empowerment.

(c) Promoting responsibility, judgment, communication and conflict resolution.

(d) Promoting cultural competency and sensitivity to differences.

(e) Promoting community-wide asset building initiatives.

(f) Promoting healthy support systems in families, schools, workplaces and communities.

(g) Promoting healthy lifestyles and resistance to physical and psychological illness or psychological injury.

(h) Involving citizens in creating cultural changes related to health and wellness.

(i) Counteracting harmful circumstances such as substance use, health and safety hazards, isolation, violence, economic hardship and inadequate housing, childcare, transportation, education or social services.

(23) "Prevention specialist" means an individual who holds a prevention specialist certificate granted by the department.

(24) "Prevention specialist-in training" means an individual who holds a prevention specialist-in-training certificate granted by the department.

(24m) "Professional responsibility" means education that addresses standards of conduct or professional behavior expectations for counselors, supervisors, and prevention workers. Professional behavior areas to be studied shall include, at a minimum, legal issues specific to substance use disorder professional practice, patient welfare as a primary concern, responsibility for professional competence and professional development, participation in ongoing supervision

and consultation, counselor values and self-care, relationships with other professionals and institutions, and the establishment of limits and boundaries in the patient relationship. This education shall also address the impact of specific cultural, ethnic, and racial influences and expectations.

(25) "Substance" ~~means a psychoactive agent or chemical which principally affects the central nervous system and alters mood or behavior~~ has the meaning given in s. DHS 75.03 (84).

(26) "Substance abuse counselor" means an individual who holds a substance abuse counselor certificate granted by the department.

(27) "Substance abuse counselor-in-training" means an individual who holds a substance abuse counselor-in-training certificate granted by the department.

(28) "Substance use disorder" means the existence of a diagnosis of "substance use disorder" listed in the most current edition of DSM.

(29) "Telehealth" has the meaning given in s. 440.01 (1) (hm), Stats.

~~SPS 160.03 Use of title. Except as consistent with s. SPS 160.015 (2), a person may use the title "addiction counselor," "substance abuse counselor," "alcohol and drug counselor," "substance use disorder counselor" or "chemical dependency counselor" only if he or she is certified as a substance abuse counselor, or as a clinical substance abuse counselor under s. 440.88, Stats.~~

Commented [SA1]: Moved to SPS 160.015 (1)

Chapter SPS 161

REQUIREMENTS FOR CERTIFICATION

SPS 161.01 Substance abuse counselor-in-training application.

SPS 161.02 Substance abuse counselor application.

SPS 161.03 Clinical substance abuse counselor application.

SPS 161.04 Clinical supervisor-in-training application.

SPS 161.05 Intermediate clinical supervisor or independent clinical supervisor application.

SPS 161.06 Prevention specialist-in-training application.

SPS 161.07 Prevention specialist application.

SPS 161.08 Reciprocity.

Note: Chapter SPS 161 was repealed and recreated by 2017 Wis. Act 262 effective 5-1-18, Register April 2018 No. 748.

SPS 161.01 Substance abuse counselor-in-training application. An applicant for certification as a substance abuse counselor-in-training shall submit all of the following:

(1) ~~A~~ complete application ~~form~~.

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

- (2) A fee as determined by the department under s. [440.05](#), Stats.
- (3) Evidence of successful passage of the jurisprudence examination.
- (4) Evidence of completion of 100 hours of substance use disorder specialized education through a postsecondary institution, ~~department-approved continuing education~~, or department-approved education program. The 100 hours shall be in all of the following:
 - (a) Fifteen hours in assessment training.
 - (b) Fifteen hours in counseling training.
 - (c) Ten hours in case management.
 - (d) Fifteen hours in patient education.
 - (e) Twenty hours in professional responsibility.
 - (f) Twenty-five hours in electives in any of the subjects in pars. (a) to (e).
- (5) Evidence of current employment, a written offer of employment, internship, practicum, or an agreement authorizing volunteer hours at an agency providing substance use disorder treatment under the supervision of a clinical supervisor approved by the department prior to the start of the supervised practice.
- (6) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

SPS 161.02 Substance abuse counselor application. An applicant for certification as a substance abuse counselor shall submit all of the following:

- (1) ~~A complete application form.~~

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

- (2) A fee as determined by the department under s. [440.05](#), Stats.
- (3) Evidence of successful passage of the jurisprudence examination unless the applicant has previously passed the examination in the process of obtaining a substance abuse counselor-in-training credential.
- (4) Evidence of completion of 360 hours of substance use disorder specialized education through a postsecondary institution or a department-approved education program. The 360 hours shall be in all of the following:

- (a) Sixty hours in assessment training.
- (b) Sixty hours in counseling training.
- (c) Sixty hours in case management.
- (d) Sixty hours in patient education.
- (e) Sixty hours in professional responsibility.
- (f) Six hours in boundaries and ethics.
- (g) Fifty-four hours in electives in any of the subjects in pars. (a) to (f).

(5) Evidence of successful passage of the National Association for Alcoholism and Drug Abuse Counselors' NCAC I exam.

(6) Evidence of completion of 3,000 hours of work experience performing the practice dimensions supervised by an individual under ch. SPS 162 a clinical supervisor within the 5 years immediately preceding the date of application. The 3,000 hours shall include all of the following:

(a) One thousand hours in providing substance use disorder counseling with a minimum of 500 hours in a one-on-one individual modality setting.

(b) Two hundred hours of providing counseling during the 12-month period immediately preceding the date of application of which 100 hours shall have been completed using an individual modality setting.

(6m) An applicant who has completed any portion of substance use disorder treatment work experience in another state shall be given credit for those hours obtained provided the hours meet the requirements of sub. (6).

(7) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

(8) An applicant for certification as a substance abuse counselor who is credentialed by the marriage and family therapy, professional counseling, and social work examining board as a professional counselor, marriage and family therapist, advanced practice social worker, independent social worker, or clinical social worker and practices or has training in substance use disorder counseling shall submit evidence satisfactory to the department of fulfilling the requirements of subs. (1) to (3) and the following additional requirements:

(a) Evidence of (set # of hours) substance use disorder counseling training or education, including, but not limited to, continuing education credit hours or practicum completed during a graduate degree in counseling or social work.

Commented [SA2]: Discuss with Committee

What practice dimensions should be highlighted for the certification?

Commented [SA3]: Legal would like to see a minimum of one-on-one SUD counseling done and recent to the time of application.

Commented [SA4R3]: Proposal based on MPSW 11.01 (3) (a):

"Evidence of completion of 3,000 hours of work experience performing the practice dimensions supervised by a clinical supervisor and while holding a valid in-training license within the 5 years immediately preceding the date of application. The 3,000 hours shall include a minimum of at least 1,000 hours providing substance use disorder counseling of which at least 500 hours were completed during the 12-month period immediately preceding the date of application."

Commented [SA5]: Discuss with Committee

Should we keep this term, refer to one of the practice dimensions, or change it to "direct client contact"?

(b) If applicable for applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

SPS 161.03 Clinical substance abuse counselor application. An applicant for certification as a clinical substance abuse counselor shall submit all of the following:

(1) ~~A complete~~ application ~~form~~.

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

(2) A fee as determined by the department under s. 440.05, Stats.

(3) Evidence of successful passage of the jurisprudence examination unless the applicant has previously passed the examination in the process of obtaining a substance abuse counselor-in-training or substance abuse counselor credential.

(4) Evidence of one of the following:

(a) Holding a substance abuse counselor credential.

(b) Completion of 360 hours of substance use disorder specialized education through a postsecondary institution or department-approved education program. The 360 hours shall be in all of the following:

1. Sixty hours in assessment training.
2. Sixty hours in counseling training.
3. Sixty hours in case management.
4. Sixty hours in patient education.
5. Sixty hours in professional responsibility.
6. Six hours in boundaries and ethics.
7. Fifty-four hours in electives in any of the subjects in subds. 1 to 6.

(5) Evidence of an associate's degree or higher in a behavioral science field from an accredited university or college.

(6) Evidence of successful passage of the National Association for Alcoholism and Drug Abuse Counselors' NCAC I exam.

(7) Evidence of completion of 5,000 hours of work experience **performing the practice dimensions**, supervised by ~~an individual under ch. SPS 162~~ a clinical supervisor within the 5 years immediately preceding the date of application. The 5,000 hours may include any work experience hours obtained as a requirement of the substance abuse counselor credential.

Commented [SA6]: Discuss with Committee

Consider modifying depending on the modifications in SPS 161.02 (6) for consistency.

(7m) An applicant who has completed any portion of substance use disorder treatment work experience in another state shall be given credit for those hours obtained provided the hours meet the requirements of sub. (7).

(8) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

SPS 161.04 Clinical supervisor-in-training application. An applicant for certification as a clinical supervisor-in-training shall submit all of the following:

(1) ~~A complete~~ application ~~form~~.

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

(2) A fee as determined by the department under s. 440.05, Stats.

(3) Evidence of current employment, a written offer of employment, or an agreement authorizing volunteer hours under the supervision of a clinical supervisor approved by the department prior to the start of the supervised practice as a clinical supervisor of counselors providing substance use disorder treatment services who are certified under s. 440.88, Stats., or licensed under s. 457.08 (2) to (4), 457.10, 457.11, 457.12, 457.13, or 457.14 (1) ~~(d)~~ (b) to (f), Stats.

(4) Evidence of one of the following:

(a) Holding an active clinical substance abuse counselor credential for at least 2 years.

(b) Holding an active license under s. 457.08 (2) to (4), 457.10, 457.11, 457.12, 457.13, or 457.14 (1) ~~(d)~~ (b) to (f), Stats., at the master's level or higher.

(5) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

SPS 161.05 Intermediate clinical supervisor or independent clinical supervisor application. An applicant for certification as an intermediate clinical supervisor or independent clinical supervisor shall submit all of the following:

(1) ~~A complete~~ application ~~form~~.

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

(2) A fee as determined by the department under s. 440.05, Stats.

(3) Evidence of holding an active credential of one of the following:

Commented [SA7]: MPSW 457.11 and 457.13 reference MFT-IT and LPC-IT respectively.

Currently reviewing with Legal the interpretation of s. 440.88 (3m) and if it's within the training license's scope of practice to supervise.

(a) Clinical substance abuse counselor.

(b) A license under s. 457.08 (2) to (4), 457.10, 457.11, 457.12, 457.13, or 457.14 (1) (d) (b) to (f), Stats., at the master's level or higher.

(4) Evidence of at least one year of clinical supervisory experience as a supervisor-in-training ~~or intermediate supervisor~~ within the last 5 years as the supervisor of counselors certified under s. 440.88, Stats., or having a license under s. 457.08 (2) to (4), 457.10, 457.11, 457.12, 457.13, or 457.14 (1) (d) (b) to (f), Stats.

(5) Evidence of one of the following:

~~(a) Holding an intermediate clinical supervisor credential.~~

(b) Successful completion of 30 hours of education in clinical supervision, including a minimum of 6 hours of training in each of the following:

1. Assessment and evaluation.
2. Counselor development.
3. Management and administration.
4. Professional responsibility.

(c) Holding an American Association for Marriage and Family Therapy supervisor certification.

(6) Evidence of successful passage of the National Association of Alcoholism Counselors and Trainers' NCSE exam.

(7) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

SPS 161.06 Prevention specialist-in-training application. An applicant for certification as a prevention specialist-in-training shall submit all of the following:

(1) ~~A complete~~ application ~~form~~.

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

(2) A fee as determined by the department under s. 440.05, Stats.

(3) Evidence of successful completion of 40 hours of approved education, including 5 hours specific to ethics, in the following content areas:

- (a) Planning and evaluation.
- (b) Prevention education and service delivery.

- (c) Communication.
- (d) Community organization.
- (e) Public policy and environmental change.
- (f) Professional growth and responsibility.

(4) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

SPS 161.07 Prevention specialist application. An applicant for certification as a prevention specialist shall submit all of the following:

- (1) ~~An~~ complete application ~~form~~.

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

- (2) A fee as determined by the department under s. 440.05, Stats.
- (3) Evidence of successful passage of the jurisprudence examination.
- (4) Evidence of successful completion of 120 hours of approved education, including 50 hours specific to alcohol, tobacco, and other substance abuse and 6 hours specific to ethics, in the following content areas:
 - (a) Planning and evaluation.
 - (b) Prevention education and service delivery.
 - (c) Communication.
 - (d) Community organization.
 - (e) Public policy and environmental change.
 - (f) Professional growth and responsibility.

(5) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.

SPS 161.08 Reciprocity. An applicant holding a current credential in good standing as a substance abuse counselor, clinical substance abuse counselor, clinical supervisor, or prevention specialist or its equivalent in another state or U.S. territory with requirements for the credential that are not lower than specified in this chapter shall submit all of the following:

- (1) ~~An~~ complete application ~~form~~.

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

- (2) A fee as determined by the department under s. [440.05](#), Stats.
- (3) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.
- (4) For applicants who have had disciplinary or adverse action taken on their substance abuse counselor, [clinical substance abuse counselor](#), clinical supervisor, or prevention specialist credential or its equivalent, all related information necessary for the department to determine whether the circumstances of the disciplinary action or adverse action warrant denial of the application.
- (5) Evidence of successful passage of jurisprudence examination.

SPS 161.09 Reciprocal credentials for service members, former service members, and their spouses. A reciprocal license to practice as a substance abuse counselor, clinical supervisor, or prevention specialist shall be granted to a service member, former service member, or the spouse of a service member or former service member who the department determines meets all of the requirements under s. 440.09 (2), Stats. Subject to s. 440.09 (2m), Stats., the department may request verification necessary to make a determination under this section.

Commented [SA8]: 2019 Wisconsin Act 143

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

Chapter SPS 162

SUPERVISED PRACTICE

[SPS 162.01](#) Required supervision.

[SPS 162.02](#) Who may supervise.

[SPS 162.03](#) Prohibited practice.

Note: Chapter RL 162 was created as an emergency rule effective 9-10-07. **Chapter RL 162 was renumbered chapter SPS 162 under s. 13.92 (4) (b) 1., Stats., [Register November 2011 No. 671](#).**

SPS 162.01 ~~Required supervision:~~ [Supervision requirements](#).

(1) ~~Except as provided in SPS 162.03 (3),~~ clinical supervisors shall exercise supervisory responsibility over substance abuse counselors-in-training, substance abuse counselors, clinical substance abuse counselors, clinical supervisors-in-training and intermediate clinical supervisors in regard to all activities including, but not limited to, counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility. A clinical supervisor shall provide a minimum of:

(a) Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.

(b) Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.

(c) One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.

(d) One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor or clinical substance abuse counselor. This meeting may fulfill a part of the requirements of pars. (a) to (c).

(e) One hour of clinical supervision for every 40 hours of counseling provided by a clinical supervisor-in-training.

Commented [SA9]: Should CSITs also have this meeting? It is not clear based on the current rules that CSITs would need to have this in-person meeting.

~~(2) Clinical supervisors shall exercise supervisory responsibility over clinical supervisors in training in regard to all activities. A clinical supervisor shall provide a minimum of one hour of clinical supervision for every 40 hours of work performed by a clinical supervisor in training.~~

Commented [SA10]: Moved to SPS 162.01 (1) (e)

~~(3) The required clinical supervision shall include in person individual or group sessions consisting of no more than 6 supervisees per group. The clinical supervision hourly requirement may be averaged out over a period no longer than one month.~~

(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.

~~(4) Methods for supervision may include, but are not limited to, auditing of patient files, case review and discussion of active cases, direct observation of treatment, video or audio review and observation of the counselor's professional interaction with patients and staff.~~

Commented [SA11]: Moved to SPS 162.02 (3) Supervised practice.

~~(5) The goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and core functions, provide a context for professional growth and development and ensure a continuance of quality patient care.~~

Commented [SA12]: Moved to SPS 162.02 (5) Supervised practice.

SPS 162.02 ~~Who may supervise.~~ Supervised practice.

(1) Except as provided in ~~subs. (2) and (5)~~ SPS 162.03 (3), clinical supervision may be provided by a ~~clinical supervisor in training, an intermediate or independent clinical supervisor, a physician knowledgeable in addiction treatment, or a psychologist knowledgeable in psychopharmacology and addiction treatment~~ clinical supervisor as defined in s. SPS 160.02 (7).

~~(2) Beginning June 1, 2008, a credential holder acquiring supervised experience as a substance abuse counselor in training may not practice under the supervision of an individual holding a certificate as a clinical supervisor in training.~~

(2) A period of supervised practice of substance use disorder counseling shall include the performance of the practice dimensions and, but not be limited to, practice in each of the following activities:

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

~~(3) The supervisor shall not permit a supervisee to engage in any practice that the supervisee is not competent to perform. The supervisor shall not permit a supervisee to engage in any practice that the supervisor cannot competently supervise.~~

Commented [SA13]: Moved to SPS 162.03 Prohibited Practice.

(3) Methods of supervision may include, but are not limited to:

- (a) Auditing of patient files.
- (b) Case review and discussion of active cases.
- (c) Direct observation of treatment.
- (d) Video or audio review and observation of the counselor's professional interaction with patients and staff.

~~(4) A supervisor is legally and ethically responsible for the supervised activities of the substance use disorder professional supervisee. Supervisors shall be available or make appropriate provision for emergency consultation and intervention. Supervisors shall be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases, and to terminate the supervised relationship, if necessary.~~

(4) CLINICAL SUPERVISOR RESPONSIBILITIES. The clinical 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 the required hours of supervision per week during the supervised practice period.

- (b) Permit a supervisee to engage in only substance abuse 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.

~~(5) Until January 1, 2011, a licensed clinical social worker as defined in s. 457.01 (1r), Stats., who worked as a clinical supervisor as defined in s. DHS 75.02 (11) (a), in a ch. DHS 75 clinic prior to December 1, 2007, may act as a clinical supervisor and provide clinical supervision under chs. SPS 160 to 168.~~

(5) The goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and core functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SPS 162.03 Prohibited practice.

(1) A clinical supervisor may not permit students, employees, or supervisees to perform or hold themselves out as competent to perform professional services beyond their training, level of experience, competence or credential.

(2) Clinical supervisors may not disclose supervisee confidences, except:

- (a) As mandated by law.
- (b) To prevent a clear and immediate danger to a person or persons.
- (c) In educational or training settings where there are multiple supervisors, and then only to other professional colleagues who share responsibility for training of the supervisee.

(3) ~~Beginning June 1, 2008, a~~ A clinical supervisor-in-training shall not supervise a credential holder acquiring supervised experience as a substance abuse counselor-in-training or as a clinical supervisor-in-training.

(4) The clinical supervisor shall not permit a supervisee to engage in any practice that the supervisee or the clinical supervisor is not competent to perform.

(5) The clinical supervisor shall not sign off on supervised experience that the clinical supervisor did not directly supervise. The department may on a case-by-case basis review supervised experience accrued under a clinical supervisor who is no longer available to sign off the supervised experience of the applicant due to extraordinary circumstances including, but not limited to, death of the supervisor or unplanned relocation of the supervisor.

Commented [SA14]: Committee proposal: Maybe CSIT could be allowed to supervise SAC-ITs?

Currently being reviewed by Legal.

Chapter SPS 163

PRACTICE RESTRICTIONS

SPS 163.02 Substance abuse counselor-in-training; limited scope of practice.

Note: Chapter RL 163 was created as an emergency rule effective 9-10-07. Chapter RL 163 was renumbered chapter SPS 163 under s. 13.92 (4) (b) 1., Stats., [Register November 2011 No. 671](#).

SPS 163.02 Substance abuse counselor-in-training; limited scope of practice. The granting of a substance abuse counselor-in-training certificate does not denote or assure competency to provide substance use disorder ~~counseling treatment~~. A substance abuse counselor-in-training may provide services if authorized and documented by the clinical supervisor.

Chapter SPS 164

UNPROFESSIONAL CONDUCT SUBSTANCE ABUSE PROFESSIONALS

SPS 164.01 Unprofessional conduct.

Note: Chapter RL 164 was renumbered chapter SPS 164 under s. 13.92 (4) (b) 1., Stats., [Register November 2011 No. 671](#).

SPS 164.01 Unprofessional conduct.

(1) For the purposes of this chapter:

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

(b) "Substance abuse professional" means the holder of any ~~license, permit, certificate, or registration~~ credential issued by the department pursuant to s. 440.88, Stats., ~~or issued by the Wisconsin certification board.~~

(2) Unprofessional conduct comprises any practice or behavior that violates the minimum standards of the profession necessary for the protection of the health, safety, or welfare of a patient or the public. Misconduct or unprofessional conduct includes the following:

(a) Submitting fraudulent, deceptive, or misleading information in conjunction with an application for a credential.

(b) Violating, or aiding and abetting a violation of, any law or rule substantially related to practice as a substance abuse professional. A certified copy of a judgment of conviction is prima facie evidence of a violation.

Note: Pursuant to s. SPS 4.09, all credential holders licensed by the department need to report a criminal conviction within 48 hours after entry of a judgment against them. ~~The department form for reporting convictions is available on the~~

~~department's web site at <http://dps.wi.gov/Home>. Instructions on how to report can be found on the department of safety and professional services' website at <http://dps.wi.gov>.~~

- (c) Having a license, certificate, permit, registration, or other practice credential granted by another state or by any agency of the federal government to practice as a **substance abuse professional**, which the granting jurisdiction limits, restricts, suspends, or revokes, or having been subject to other adverse action by a licensing authority, any state agency or an agency of the federal government, including the denial or limitation of an original credential, or the surrender of a credential, whether or not accompanied by findings of negligence or unprofessional conduct. A certified copy of a state or federal final agency decision is prima facie evidence of a violation of this provision.
- (d) Failing to notify the department that a license, certificate or registration for the practice of any profession issued to the **substance abuse professional** has been revoked, suspended, limited or denied, or subject to any other disciplinary action by the authorities of any jurisdiction.
- (e) Violating or attempting to violate any term, provision, or condition of any order of the department.
- (f) Performing or offering to perform services for which **the substance abuse professional** is not qualified by education, training or experience.
- (fm) Allowing students or supervisees to perform services for which the **substance abuse professional** is not qualified by education, training, or experience to perform.
- (g) Practicing or attempting to practice while **the substance abuse professional** is impaired as a result of any illness that impairs the **substance abuse professional's** ability to appropriately carry out ~~his or her~~ **their** professional functions in a manner consistent with the safety of patients or the public.
- (h) Using alcohol or any drug to an extent that such use impairs the ability of the **substance abuse professional** to safely or reliably practice, or practicing or attempting to practice while the **substance abuse professional** is impaired due to the utilization of alcohol or other drugs.
- (i) Engaging in false, fraudulent, misleading or deceptive behavior associated with the practice as **a substance abuse professional**, including advertising, billing practices, or reporting or falsifying or inappropriately altering patient records.
- (j) Discriminating in practice on the basis of age, race, color, sex, religion, creed, national origin, ancestry, disability, gender identity, or sexual orientation.
- (k) Revealing to other personnel not engaged in the care of a patient or to members of the public information which concerns a patient's identity or condition unless release of the information is authorized by the patient or required or authorized by law. This provision

shall not be construed to prevent a credential holder from cooperating with the department in the investigation of complaints.

(L) Abusing a patient by any single or repeated act of force, violence, harassment, deprivation, neglect, or mental pressure which reasonably could cause physical pain or injury, mental anguish, or fear.

(m) Engaging in inappropriate sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient. For the purposes of this subsection, an adult shall continue to be a patient for 2 years after the termination of professional services. If the person receiving services is a minor, the person shall continue to be a patient for the purposes of this subsection for 2 years after termination of services, or for one year after the patient reaches age 18, whichever is longer.

(n) Failing to avoid dual relationships or relationships that may impair the substance abuse professional's objectivity or create a conflict of interest.

(o) Obtaining or attempting to obtain anything of value from a patient without the patient's consent.

(p) Obtaining or attempting to obtain any compensation by fraud, misrepresentation, deceit or undue influence in the course of practice.

(q) Offering, giving or receiving commissions, rebates or any other forms of remuneration for a patient referral.

(r) Failing to provide the patient or patient's authorized representative a reasonable description of anticipated tests, consultation, reports, fees, billing, therapeutic regimen or schedule, or failing to inform a patient of financial interests which might accrue to the substance abuse professional for referral to or for any use of service, product or publication.

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

(t) Failing to maintain adequate records relating to services provided a patient in the course of a professional relationship.

(u) Failing to make reasonable efforts to notify a patient or a patient's authorized representative when professional services will be interrupted or terminated by the substance abuse professional.

(v) Engaging in a single act of gross negligence or in a pattern of negligence as a substance abuse professional.

(w) Failing to respond honestly and in a timely manner to a request for information from the department. Taking longer than 30 days to respond to a department request creates a rebuttable presumption that the response is not timely.

(x) Failing to report to the department or to supervisory personnel any violation of the rules of this chapter by a **substance abuse professional**.

(y) Disclosing supervisee confidences, except as follows:

1. As mandated by law.
2. To prevent a clear and immediate danger to a person.
3. In educational or training settings where there are multiple supervisors who share responsibility for training of the supervisee.

(z) Withholding documentation, or approval for submission, of a supervisee's substance use disorder treatment work experience hours required to obtain a credential.

Chapter SPS 165

RENEWAL AND REINSTATEMENT

SPS 165.01 Late renewal.

SPS 165.02 Reinstatement.

Note: Chapter SPS 165 was repealed and recreated by 2017 Wis. Act 262 effective 5-1-18, Register April 2018 No. 748.

SPS 165.01 Late renewal.

(1) GENERAL. A person with an expired credential under s. 440.88, Stats., may not reapply for a credential using the initial application process.

(2) RENEWAL WITHIN 5 YEARS. A person renewing a credential under s. 440.88, Stats., within 5 years after its expiration shall do all of the following:

(a) Pay the renewal fee as determined by the department under s. 440.03 (9) (a), Stats., and any applicable late renewal fee.

(b) Certify the completion of continuing education under ch. SPS 168 during the 2-year period preceding the last renewal date.

(3) RENEWAL AFTER 5 YEARS. This subsection does not apply to a credential holder who has unsatisfied disciplinary requirements. A person renewing a credential under s. 440.88, Stats., after 5 years of its expiration shall do all of the following:

(a) Pay the renewal fee as determined by the department under s. 440.03 (9) (a), Stats., and the late renewal fee.

(b) Provide evidence of one of the following:

1. Holding a substantially equivalent credential in another state.

2. Completion of 60 hours of continuing education in the last 2 years, including 6 hours on ethics and boundaries and 6 hours of psychopharmacology.

SPS 165.02 Reinstatement. A credential holder who has unsatisfied disciplinary requirements and has not renewed a credential under s. [440.88](#), Stats., within 5 years of its expiration or whose credential under s. [440.88](#), Stats., has been surrendered or revoked may apply for the credential to be reinstated by submitting all of the following:

- (1) Evidence of completion of the requirements in s. [SPS 165.01 \(3\)](#) if the credential has not been active within the past 5 years.
- (2) Evidence of completion of disciplinary requirements, if applicable.
- (3) Evidence of rehabilitation or change in circumstances warranting reinstatement.

Chapter SPS 166

EDUCATION APPROVAL

[SPS 166.01](#) Approval of substance abuse counselor education.

[SPS 166.02](#) Approved prevention specialist education.

Note: Chapter SPS 166 was repealed and recreated by [2017 Wis. Act 262](#) effective 5-1-18, [Register April 2018 No. 748](#).

SPS 166.01 Approval of substance abuse counselor education.

- (1) An application to be a department-approved education program shall include all of the following:
 - (a) A detailed outline of each course, or for core competency programs a detailed outline of each core competency and how the competency will be measured.
 - (b) For each course or core competency, indicate the allocation of hours or competency hour equivalencies for the following content areas:
 1. Assessment training.
 2. Counseling training.
 3. Case management.
 4. Patient education.
 5. Professional responsibility.
 6. Boundaries and ethics.
 - (c) Evidence that each instructor satisfies one of the following:

1. The instructor holds one of the following credentials in good standing:

a. Substance abuse counselor.

b. Clinical substance abuse counselor.

c. A license under s. [457.08 \(4\)](#), [457.10](#), [457.11](#), [457.12](#), [457.13](#), or [457.14 \(1\) \(d\)](#) to [\(f\)](#), Stats.

2. The instructor is a physician with knowledge and experience related to substance use disorder counseling.

3. The instructor is a psychologist with knowledge and experience related to substance use disorder counseling.

4. The instructor is an instructor of substance use disorder related courses at an accredited institution.

(2) An instructor whose credential has been limited, suspended, or revoked may not instruct in an approved program while the disciplinary action is in effect.

(3) An approved program shall inform the department in advance of any major change in a course or instructor qualifications.

(4) An approval of a program remains in effect for 5 years. After 5 years, the program shall resubmit a new application to become an approved educational program.

(5) An approved program shall provide a certificate of completion or transcript to each student and shall retain student records for at least 7 years after a student has completed the program.

SPS 166.02 Approved prevention specialist education. The department shall accept prevention specialist training provided, sponsored, or approved by any of the following:

(1) An accredited college or university.

(2) The ~~Wisconsin Association of Alcohol and Drug Abuse Recovery and Addiction Professionals of Wisconsin.~~

(3) The National Association of Alcohol and Drug Abuse Counselors.

~~(4) The Wisconsin Clearinghouse for Prevention Resources.~~

~~(5) The Federal Center for Substance Abuse Prevention.~~

~~(6) The National Center for the Application of Prevention Technologies or its regional centers.~~

(7) The federal department of health and human services, or its agencies, institutes, administrations, or centers.

(8) The White House Office of National Drug Control Policy.

(9) The department of health services.

(10) The department of public instruction.

Chapter SPS 167

PROFESSIONAL LIABILITY INSURANCE

SPS 167.01 Insurance requirement.

Note: Chapter RL 167 was created as an emergency rule effective 9-10-07. **Chapter RL 167 was renumbered chapter SPS 167 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.**

SPS 167.01 Insurance requirement.

(1) Except as provided in sub. (2), a person certified under s. 440.88, Stats., shall not practice substance use disorder counseling ~~unless he or she has in effect without an active~~ 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 substance use disorder counseling as an employee of a federal, state, or local governmental agency, if the practice is part of ~~the their~~ duties ~~for which he or she is employed for which they were employed~~ and is solely within the confines of or under the jurisdiction of the agency ~~by which he or she is employed that employs them.~~

Chapter SPS 168

CONTINUING EDUCATION

SPS 168.01 Continuing education requirements.

SPS 168.02 Approved continuing education.

SPS 168.03 Postponement or waiver.

Note: Chapter SPS 168 was repealed and recreated by Wis. Act 262 effective 5-1-18, Register April 2018 No. 748.

SPS 168.01 Continuing education requirements.

(1) Unless granted a postponement or waiver of the continuing education requirements under s. SPS 168.03, a substance abuse counselor or prevention specialist shall complete 30 continuing education credit hours in approved continuing education programs during each 2-year credential period and shall certify on the renewal application that all required continuing education was completed.

(2) A minimum of 4 continuing education credit hours of the required 30 credit hours shall be in the area of professional ethics and boundaries.

(3) A credential holder who also holds an active license granted under s. [457.08 \(2\)](#) to [\(4\)](#), [457.10](#), [457.11](#), [457.12](#), [457.13](#), or [457.14 \(1\) \(a\) \(b\)](#) to [\(f\)](#), Stats., may satisfy the continuing education requirements by meeting the continuing education requirements under s. [457.22](#), Stats.

(4) A clinical supervisor shall complete 4 hours of continuing education each 2-year credential period related to the supervision of **substance abuse counselors**. The 4 hours completed under this subsection may count toward the continuing education required for renewal of a clinical substance abuse counselor certification.

(5) A new credential holder is not required to satisfy continuing education requirements during the time between initial credentialing and commencement of a full 2-year credential period.

(6) Continuing education credit hours shall apply only to the 2-year credential period during which the credit hours are completed. If a credential holder fails to satisfy the continuing education requirements 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 during which they are earned.

SPS 168.02 Approved continuing education.

(1) A continuing education program is approved if it is relevant to the practice of substance ~~abuse~~ **use disorder** counseling and any of the following applies:

(a) The program is approved, sponsored, provided, endorsed, or authorized by any of the following:

1. The National Association of Alcohol and Drug Abuse Counseling or one of its affiliated divisions.
2. The International Certification & Reciprocity Consortium.
3. The American Association for Marriage and Family Therapy or one of its affiliated divisions.
4. The Wisconsin Association for Marriage and Family Therapy.
5. The National Rehabilitation Counseling Association.
6. The American Rehabilitation Counseling Association.
- ~~7. The Wisconsin Rehabilitation Counseling Association.~~
8. The National Board for Certified Counselors.
9. The Commission on Rehabilitation Counselor Certification.
10. The Association of Social Work Boards.
11. The National Association of Social Workers or one of its affiliated chapters.

12. The Association of Baccalaureate Program Directors.

13. The Council on Social Work Education.

14. The Wisconsin Counseling Association.

15. The American Counseling Association.

16. The American Mental Health Counselors Association.

(b) The program or course is offered by a training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

(c) The program is 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) The program or course is offered by an accredited college or university. A credential holder shall receive 15 continuing education credit hours for completing a semester course approved under this paragraph.

(e) The program is an employee sponsored in-service training and development program. No more than 15 continuing education credit hours earned through employee sponsored in-service training and development programs that are not approved under par. (a), (b), (c), or (d) may count toward satisfying continuing education requirements.

(2)

(a) A person may earn continuing education credit hours for engaging in any of the following activities, if the activity is relevant to the practice of substance ~~abuse~~ use ~~disorder~~ counseling:

1. *Presenting professional material.* One continuing education credit hour is earned under this subdivision for each hour of a continuing education presentation, except that 15 credit hours are earned for presenting a semester-long educational course. No continuing education credit hours are earned by a person for repeating a presentation for which the person has previously earned continuing education credit hours. A person who presents for any of the following may earn continuing education credit hours under this subdivision:

a. A seminar, workshop, program, or institution that is approved under sub. (1).

b. A university, college, or vocational technical adult education course.

2. *Developing professional material.* One continuing education credit hour is earned under this subdivision for each hour spent developing continuing education professional material.

3. *Authoring a published textbook or professional resource book.* Fifteen continuing education credit hours are earned for authoring a book under this subdivision.

4. *Authoring a professional journal article or a chapter published in a textbook or professional resource book.* Eight continuing education credit hours are earned for authoring an article or chapter under this subdivision.

(b) A person may earn up to 15 continuing education credit hours that count toward satisfying continuing education requirements by completing continuing education that is approved under par. (a).

SPS 168.03 Postponement or waiver. A holder of a credential under s. [440.88](#), Stats., may apply to the department for a postponement or waiver of the requirements under this chapter on grounds of prolonged illness, disability, or other grounds constituting extreme hardship. The department shall consider each application individually on its merits.

Chapter SPS 162

SUPERVISED PRACTICE

[SPS 162.01](#) Required supervision.

[SPS 162.02](#) Who may supervise.

[SPS 162.03](#) Prohibited practice.

Note: Chapter RL 162 was created as an emergency rule effective 9-10-07. **Chapter RL 162 was renumbered chapter SPS 162 under s. 13.92 (4) (b) 1., Stats., [Register November 2011 No. 671](#).**

SPS 162.01 Supervision requirements.

(1) Except as provided in SPS 162.03 (3), clinical supervisors shall exercise supervisory responsibility over substance abuse counselors-in-training, substance abuse counselors, clinical substance abuse counselors, clinical supervisors-in-training and intermediate clinical supervisors in regard to all activities including, but not limited to, counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility. A clinical supervisor shall provide a minimum of:

- (a)** Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.
- (b)** Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.
- (c)** One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.
- (d)** One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor or clinical substance abuse counselor. This meeting may fulfill a part of the requirements of pars. (a) to (c).
- (e)** One hour of clinical supervision for every 40 hours of counseling provided by a clinical supervisor-in-training.

(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.

SPS 162.02 Supervised practice.

(1) Except as provided in SPS 162.03 (3), clinical supervision may be provided by a clinical supervisor as defined in s. SPS 160.02 (7).

(2) A period of supervised practice of substance use disorder counseling shall include the performance of the practice dimensions and, but not be limited to, practice in each of the following activities:

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

(3) Methods of supervision may include, but are not limited to:

- (a) Auditing of patient files.
- (b) Case review and discussion of active cases.
- (c) Direct observation of treatment.
- (d) Video or audio review and observation of the counselor's professional interaction with patients and staff.

(4) CLINICAL SUPERVISOR RESPONSIBILITIES. The clinical 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 the required hours of supervision per week during the supervised practice period.
- (b) Permit a supervisee to engage in only substance abuse 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.

(5) The goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and core functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SPS 162.03 Prohibited practice.

(1) A clinical supervisor may not permit students, employees, or supervisees to perform or hold themselves out as competent to perform professional services beyond their training, level of experience, competence or credential.

(2) Clinical supervisors may not disclose supervisee confidences, except:

(a) As mandated by law.

(b) To prevent a clear and immediate danger to a person or persons.

(c) In educational or training settings where there are multiple supervisors, and then only to other professional colleagues who share responsibility for training of the supervisee.

(3) A clinical supervisor-in-training shall not supervise a credential holder acquiring supervised experience as a substance abuse counselor-in-training or as a clinical supervisor-in-training.

(4) The clinical supervisor shall not permit a supervisee to engage in any practice that the supervisee or the clinical supervisor is not competent to perform.

(5) The clinical supervisor shall not sign off on supervised experience that the clinical supervisor did not directly supervise. The department may on a case-by-case basis review supervised experience accrued under a clinical supervisor who is no longer available to sign off the supervised experience of the applicant due to extraordinary circumstances including, but not limited to, death of the supervisor or unplanned relocation of the supervisor.

Clinical Supervision Chart		
Credential	Minimum hours a clinical supervisor must supervise	Number of hours or time required for licensure
Substance Abuse Counselor In-Training	<ul style="list-style-type: none"> • 2 hours of clinical supervision for every 40 hours of work performed. • One in-person meeting each calendar month. 	N/A
Substance Abuse Counselor	<ul style="list-style-type: none"> • 2 hours of clinical supervision for every 40 hours of counseling provided. • One in-person meeting each calendar month. 	3,000 hours within the 5 years immediately preceding the date of application: <ul style="list-style-type: none"> • 1,000 hours of SUD counseling with at least 500 hours in one-on-one individual modality setting. • 200 hours of counseling during the 12-month period immediately preceding the date of application of which 100 hours were used in an individual modality setting.
Clinical Substance Abuse Counselor	<ul style="list-style-type: none"> • One hour of clinical supervision for every 40 hours of counseling provided. • One in-person meeting each calendar month. 	5,000 hours within the 5 years immediately preceding the date of application, which can include the hours accrued for the substance abuse counselor credential.
Clinical Supervisor In-Training	<ul style="list-style-type: none"> • One hour of clinical supervision for every 40 hours of counseling provided. 	N/A
Independent Clinical Supervisor		One year of supervisory experience holding a clinical supervisor in-training credential within the 5 years immediately preceding the date of application.