SOCIAL WORKER SECTION
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK JOINT EXAMINING BOARD
Room 121B, 1400 East Washington Avenue, Madison
Contact: Dan Williams (608) 266-2112
June 14, 2017

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 record of the actions of the Section. A quorum of the Marriage and Family Therapy, Professional Counseling and Social Work Joint Examining Board may be present.

AGENDA

10:00 A.M.
(Or immediately following the Marriage and Family Therapy, Professional Counseling, and Social Work Joint Examining Board Meeting)

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes from January 24, 2017 (4-9)

C. Administrative Updates
   1) Staff Updates
   2) Board Member – Term Expiration Date
      a. Jennifer Anderson-Meger – Resignation effective 06/30/2017
      b. Kristin Koger – 07/01/2018
      c. Elizabeth Krueger – 07/01/2020 (reappointed, not yet confirmed)
      d. Gregory Winkler – 07/01/2019 (reappointed, not yet confirmed)
      e. SOC Public Member – Vacant

D. Delegation of Authority to Department Monitor and Monitoring Liaison (10-11)

E. Section Update Request as to 5% Background Check Audit – Discussion and Consideration (12)

F. Legislation and Rule Matters – Discussion and Consideration (13-23)
   1) MPSW 19.02(3) Relating to Initial Credential Requiring Continuing Education (14-15)
   2) AB 29/SB 5 Relating to Practice Requirement for Licensure as a Clinical Social Worker (16-20)
   3) AB 30/SB 6 Relating to Examinations (21-23)
   4) Update on Legislation and Pending and Possible Rulemaking Projects
G. Interstate Mobility of Licensure/Certification, Current Reciprocity Policy and Procedure - Discussion and Consideration

H. Informational Items (24-26)
   1) Association of Social Work Boards (ASWB) Pass Rate Reports

I. Deliberation on Items Added After Preparation of Agenda:
   1) Introductions, Announcements and Recognition
   2) Administrative Updates
   3) Appointment of Section Liaison(s)
   4) Division of Legal Services and Compliance Matters
   5) Presentations of Petitions for Summary Suspension
   6) Petitions for Designation of Hearing Examiner
   7) Presentation of Proposed Stipulations, Final Decisions and Orders
   8) Presentation of Proposed Final Decision and Orders
   9) Education and Examination Matters
   10) Credentialing Matters
   11) Practice Questions/Issues
   12) Legislative and Administrative Rule Matters
   13) Liaison/Committee Reports
   14) Informational Items
   15) Speaking Engagement(s), Travel, or Public Relation Request(s)
   16) Consulting with Legal Counsel

J. 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.).

K. Deliberation on Credentialing Matters (27-105)
   1) Application Review
      a. Kollasch-Roberts, Jesse – Military Experience Equivalency Review (27-54)
      b. Dominic Lang – CIB Review (54-105)

L. Deliberation on Monitoring Matters (106-156)
   1) Requesting Initial Stay of Suspension (T.K.)

M. Deliberation of Division of Legal Services and Compliance (DLSC) Matters (157-178)
   1) Administrative Warnings
   2) Proposed Stipulations, Final Decisions and Orders
      a. 16 SOC 034 (K.J.O.) (157-164)
      b. 16 SOC 037 (A.L.B.) (165-171)
      c. 16 SOC 059 (L.E.S.) (172-178)
   3) Case Closing(s)

N. Consulting with Legal Counsel

O. Deliberation of Items Added After Preparation of the Agenda
   1) Education and Examination Matters
   2) Credentialing Matters
3) DLSC Matters  
4) Monitoring Cases  
5) Professional Assistance Procedure (PAP) Cases  
6) Petitions for Summary Suspensions  
7) Petitions for Designation of Hearing Examiner  
8) Proposed Stipulations, Final Decisions and Order  
9) Administrative Warnings  
10) Review of Administrative Warnings  
11) Proposed Final Decision and Orders  
12) Matters Relating to Costs/Orders Fixing Costs  
13) Case Status Report  
14) Case Closings  
15) Application Matters, including reviews  
16) Motions

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

Q. Section Training Review – Public Records and Ethics and Lobbying – Discussion and Consideration (179-184)

ADJOURNMENT

The Next Scheduled Meeting is July 26, 2017.

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

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board’s agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.
SOCIAL WORKER SECTION
MEETING MINUTES
JANUARY 24, 2017

PRESENT: Jennifer Anderson-Meger, Kristin Koger (via GoToMeeting), Elizabeth Krueger (via GoToMeeting), Gregory Winkler

STAFF: Dan Williams, Executive Director; Kimberly Wood, Program Assistant Supervisor; and other DSPS Staff

CALL TO ORDER

Gregory Winkler called the meeting to order at 10:05 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:
• Update Item C.4.c. (Open Session) to reflect an expiration date of 07/01/2020.

MOTION: Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 25, 2016

Amendments to the Minutes:
• Page 2 of the Minutes – Update the motion under the item titled “Credentialing Matters - Barbara Jaeschke – Licensed Clinical Social Worker Application”; add the words “Motion carried unanimously.” at the end of the motion.

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, to approve the minutes of October 25, 2016 as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Section Chair

NOMINATION: Jennifer Anderson-Meger nominated Gregory Winkler for the Office of Chair.

Dan Williams called for nominations three (3) times.

Gregory Winkler was elected as Chair by unanimous consent.
Vice Chair

NOMINATION: Elizabeth Krueger nominated Jennifer Anderson-Meger for the Office of Vice Chair.

Dan Williams called for nominations three (3) times.

Jennifer Anderson-Meger was elected as Vice Chair by unanimous consent.

Secretary

NOMINATION: Jennifer Anderson-Meger nominated Elizabeth Krueger for the Office of Secretary.

Dan Williams called for nominations three (3) times.

Elizabeth Krueger was elected as Secretary by unanimous consent.

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<th>2017 ELECTION RESULTS</th>
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<tbody>
<tr>
<td>Section Chair</td>
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<td>Vice Chair</td>
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<td>Secretary</td>
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Liaison Appointments

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<th>2017 LIAISON APPOINTMENTS</th>
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| Professional Assistance Procedure (PAP) Liaison | Elizabeth Krueger  
Alternate: Jennifer Anderson-Meger |
| Monitoring Liaison        | Elizabeth Krueger  
Alternate: Kristin Koger |
| Credentialing Liaison(s)  | Jennifer Anderson-Meger, Kristin Koger, Elizabeth Krueger, Gregory Winkler |
| Exams, Education and ASWB Liaison | Jennifer Anderson-Meger |
| Continuing Education Liaison(s) | Elizabeth Krueger |
2017 SCREENING PANEL APPOINTMENTS

| January - December 2017 | Kristin Koger, Elizabeth Krueger
|                         | 1st Alternate: Gregory Winkler,
|                         | 2nd Alternate: Jennifer Anderson-Meger |

MOTION: Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to affirm the Chair’s appointment of liaisons for 2017. Motion carried unanimously.

Delegated Authorities

Delegated Authority for Urgent Matters

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, that, in order to facilitate the completion of assignments between meetings, the Section delegates its authority to the Chair to appoint liaisons to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, that the Section counsel or another department attorney is formally authorized to serve as the Section’s designee for purposes of Wis. Admin Code § SPS 1.08(1). The Section requests notifications in this regard be sent to members of the Section. Motion carried unanimously.

Document Signature Delegation

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

Credentialing Authority Delegations

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, to delegate to DSPS staff the authority to address applications where a Criminal Background check had been approved for a previous Social Work Credential and there has been no criminal activity since that approval. Motion carried unanimously.

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters. Motion carried unanimously.
MOTION: Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to delegate credentialing authority to DSPS for those submitted applications for training certificates, CSW, APSW and Reciprocity that meet the criteria of Rule and Statute and thereby would not need further Section, or Section liaison review. Motion carried unanimously.

Education Delegations

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, to delegate authority to the Exams, Education and ASWB Liaison to address all issues related to exam, education, and ASWB matters. Motion carried unanimously.

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, to delegate authority to the Continuing Education (CE) Liaison(s) to address all issues related to CE. Motion carried unanimously.

LEGISLATION AND RULE MATTERS

Proposals for Amending MPSW 1, Relating to Renewal and Reinstatement

MOTION: Elizabeth Krueger moved, seconded by Jennifer Anderson-Meger, to accept MPSW 1.085, relating to credential renewal and reinstatement procedures, as written in the packet and to recommend to the MPSW Examining Board. Motion carried unanimously.

CLOSED SESSION

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

The Section convened into Closed Session at 11:48 a.m.

RECONVENE TO OPEN SESSION

MOTION: Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to reconvene into open session. Motion carried unanimously.

The Section reconvened into Open Session at 12:38 p.m.
VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, to affirm all motions made and votes taken in closed session. Motion carried unanimously.

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

CREDENTIALING MATTERS

Brent Gust – Social Worker Application

MOTION: Jennifer Anderson-Meger moved, seconded by Kristin Koger, to offer Brent Gust a Limited License, once all requirements are met, and to designate Elizabeth Krueger to approve the final draft of the Limited License. Motion carried unanimously.

Barbara Jaeschke – Licensed Clinical Social Worker Application

MOTION: Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to offer Barbara Jaeschke a Limited License, once all requirements are met, and to designate Gregory Winkler to approve the final draft of the Limited License. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 15 SOC 004 - Gerald M. Roherty
2. 15 SOC 064 - Arielle L. Lundy
3. 16 SOC 018 - Mary Beth Layden
Motion carried unanimously.

16 SOC 013 (Shelly J. Gehrke)

MOTION: Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Shelly J. Gehrke DLSC case number 16 SOC 013. Motion carried unanimously. Recused: Gregory Winkler

(Gregory Winkler recused himself and left the room for deliberation, and voting in the matter concerning Shelly Gehrke, DLSC case number 16 SOC 013. Jennifer Anderson-Meger, Vice Chair, chaired the meeting for the duration of this item.)
**Case Closures**

**MOTION:** Jennifer Anderson-Meger moved, seconded by Elizabeth Krueger, to close the DLSC cases for the reasons outlined below:

1. 16 SOC 029 (T.J.) – No Violation
2. 16 SOC 035 (M.B. and H.S.) – Insufficient Evidence

Motion carried unanimously.

**ADJOURNMENT**

The meeting adjourned at 12:40 p.m.
Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

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

Current Authorities Delegated to the Monitoring Liaison

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

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor ("Monitor") will draft an order and sign on behalf of the Liaison.

2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.

3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.

4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.

5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.

6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.

7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.

8. Grant or deny a request to appear before the Board/Section in closed session.

9. Dentistry only – delegated authority to the monitoring liaison to approve or deny a request from a respondent.

Current Authorities Delegated to the Department Monitor

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

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.

2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.
2017 Proposed Delegated Authorities

Proposed Authorities Delegated to the Monitoring Liaison

1. Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

2. Grant Respondent’s petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison.
   
   a. Year 1: 49 screens (including 1 hair test, if required by original order)
   b. Year 2: 36 screens (plus 1 hair test, if required by original order)
   c. Year 3: 28 screens plus 1 hair test
   d. Year 4: 28 screens plus 1 hair test
   e. Year 5: 14 screens plus 1 hair test

Proposed Authorities Delegated to the Department Monitor

1. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
### AGENDA REQUEST FORM

<table>
<thead>
<tr>
<th>1) Name and Title of Person Submitting the Request:</th>
<th>2) Date When Request Submitted:</th>
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<tbody>
<tr>
<td>Dan Williams</td>
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<tr>
<th>Items will be considered late if submitted after 4:30 p.m. and less than:</th>
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<tr>
<td>- 10 work days before the meeting for Medical Board</td>
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<td>- 14 work days before the meeting for all others</td>
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<th>3) Name of Board, Committee, Council, Sections:</th>
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<tr>
<td>Social Worker Section</td>
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<th>4) Meeting Date:</th>
<th>5) Attachments:</th>
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<tbody>
<tr>
<td>June 14, 2017</td>
<td>☐ Yes</td>
</tr>
<tr>
<td></td>
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<tr>
<th>6) How should the item be titled on the agenda page?</th>
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<td>Section update request as to 5% background check audit – Discussion and Consideration</td>
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<th>7) Place Item in:</th>
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<tr>
<td>☑ Open Session</td>
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<td>☐ Closed Session</td>
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<th>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</th>
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<td>☐ Yes by</td>
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<th>9) Name of Case Advisor(s), if required:</th>
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<th>10) Describe the issue and action that should be addressed:</th>
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<tr>
<td>Greg Winkler asked for an update as to the audit result based upon a memo from former Secretary Dave Ross which authorized a 5% background check audit of social workers.</td>
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<th>11) Authorization</th>
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<td>Signature of person making this request</td>
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| Supervisor (if required) | Date |

| Executive Director signature (indicates approval to add post agenda deadline item to agenda) | Date |

**Directions for including supporting documents:**

1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.
1) Name and Title of Person Submitting the Request: Sharon Henes  
   Administrative Rules Coordinator

2) Date When Request Submitted: 5 June 2017

   Items will be considered late if submitted after 12:00 p.m. on the deadline date:
   $8$ business days before the meeting

3) Name of Board, Committee, Council, Sections:
   Social Worker Section

4) Meeting Date: 14 June 2017

5) Attachments: Yes [ ] No [ ]

6) How should the item be titled on the agenda page?
   Legislation and Rule Matters – Discussion and Consideration
   1. MPSW 19.02 (3) Relating to Initial Credential Requiring Continuing Education
   2. AB 29/SB 5 Relating to Practice Requirement for Licensure as a Clinical Social Worker.
   3. AB 30/SB 6 Relating to Examinations
   4. Update on Legislation and Pending and Possible Rulemaking Projects

7) Place Item in:
   [ ] Open Session
   [ ] Closed Session
   [ ] Both

   8) Is an appearance before the Board being scheduled?
      [ ] Yes [ ] No
      (Fill out Board Appearance Request)

9) Name of Case Advisor(s), if required:

10) Describe the issue and action that should be addressed:

11) Authorization

   Sharon Henes  
   5 June 2017

   Signature of person making this request
   Date

   Supervisor (if required)
   Date

   Executive Director signature (indicates approval to add post agenda deadline item to agenda)
   Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.
Chapter MPSW 19

CONTINUING EDUCATION

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. Unless granted a postponement or waiver of the continuing education requirement under s. 19.04, Stats., 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).


5. Wisconsin Rehabilitation Counseling Association (WRCA).


7. American Counseling Association (ACA).

8. Wisconsin Counseling Association (WCA).


10. Commission on Rehabilitation Counselor Certification (CRCC).


12. National Association of Social Workers (NASW) or affiliated chapters.


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.

History: CR 13−117: cr. Register February 2015 No. 710, eff. 3−1−15; corrections in (1) (f), (2) (a) 1. made under s. 35.17, Stats., Register February 2015 No. 710.

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.

History: CR 13−117: cr. Register February 2015 No. 710, eff. 3−1−15.

MPSW 19.05 Record retention and audits. (1) 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.

(2) The section may conduct audits or investigations, including random audits, to determine compliance by credential holders with this chapter.

History: CR 13−117: cr. Register February 2015 No. 710, eff. 3−1−15.
January 20, 2017 – Introduced by JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES. Referred to Committee on Health and Human Services.

AN ACT to amend 457.08 (4) (c) (intro.) of the statutes; relating to: practice requirement for licensure as a clinical social worker.

Analysis by the Legislative Reference Bureau

Under current law, the social worker section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board must grant a clinical social worker license to an individual who, among other things, has engaged in the equivalent of at least 3,000 hours of supervised clinical social work practice, including at least 1,000 hours of face-to-face client contact. Under this bill, that 1,000 hours of face-to-face client contact must include the diagnosis and treatment of individuals based on a standard diagnostic protocol approved by the board for a number of hours determined by the board.

The bill is introduced as required by s. 227.19 (5) (g), stats., in support of the objection of the Joint Committee for Review of Administrative Rules to promulgation by the board of a portion of clearinghouse rule number 14-057. The relevant portion of the proposed rule provides for the elimination of the requirement that an applicant for licensure as a clinical social worker complete training in the diagnosis and treatment of individuals based on the Diagnostic and Statistical Manual of Mental Disorders, commonly referred to as the DSM.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
SECTION 1. 457.08 (4) (c) (intro.) of the statutes is amended to read:

457.08 (4) (c) (intro.) Submits evidence satisfactory to the social worker section that after receiving a master’s or doctorate degree in social work he or she has engaged in the equivalent of at least 3,000 hours of clinical social work practice supervised by one of the following, including at least 1,000 hours of face-to-face client contact, supervised by one of the following that shall include a number of hours, as determined by the examining board, of diagnosis and treatment of individuals based on a standard diagnostic protocol approved by the examining board:

(END)
ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 29

April 24, 2017 – Offered by Representative BALLWEG.

AN ACT to amend 457.08 (4) (c) (intro.) of the statutes; relating to: practice requirement for licensure as a clinical social worker.

Analysis by the Legislative Reference Bureau

This substitute amendment differs from 2017 Assembly Bill 29 in the following respects: The bill requires that the 1,000 hours of clinical social work practice involving face-to-face client contact required to obtain a clinical social worker license must include a number of hours, as determined by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, of treatment of individuals based on a standard diagnostic protocol approved by the examining board. The substitute amendment requires that those 1,000 hours of face-to-face client contact include the diagnosis and treatment of individuals based on the Diagnostic and Statistical Manual of Mental Disorders, commonly referred to as the DSM. The substitute amendment does not specify how the amount of time spent performing such diagnosis and treatment that is necessary to satisfy that requirement is to be determined.

For further information, see the analysis for the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
1 Section 1. 457.08 (4) (c) (intro.) of the statutes is amended to read:

2 457.08 (4) (c) (intro.) Submits evidence satisfactory to the social worker section

3 that after receiving a master’s or doctorate degree in social work he or she has

4 engaged in the equivalent of at least 3,000 hours of clinical social work practice,

5 including at least 1,000 hours of face-to-face client contact that includes the

6 diagnosis and treatment of individuals based on the applicable edition of the

7 Diagnostic and Statistical Manual of Mental Disorders, supervised by one of the

8 following:

9 (END)
ASSEMBLY AMENDMENT 1,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 29

May 22, 2017 – Offered by Representative BALLWEG.

At the locations indicated, amend the substitute amendment as follows:

1. Page 2, line 7: delete “Disorders” and substitute “Disorders, or its equivalent, as determined by the examining board”.

2. Page 2, line 8: after that line insert:

   “SECTION 2m. 457.08 (5) of the statutes is created to read:

   457.08 (5) USE OF THE DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS. In its discretion, the examining board may establish a number of hours required for the diagnosis and treatment of individuals based on the applicable edition of the Diagnostic and Statistical Manual of Mental Disorders or its equivalent for purposes of sub. (4) (c).”.

(END)

AN ACT to amend 457.08 (1) (c), 457.08 (2) (c), 457.08 (3) (d), 457.08 (4) (d), 457.10 (4), 457.12 (4) and 457.16 (2); and to create 457.03 (1m) of the statutes; relating to: examinations for certification or licensure by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau
This bill requires the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board to promulgate rules establishing examination requirements for certification and licensure by the board. Under current law, the board’s examinations for certification and licensure must generally test an applicant’s minimum competency in subjects substantially related to the practice of social work, advanced practice social work, independent social work, clinical social work, marriage and family therapy, or professional counseling, as appropriate. The bill specifies that the board’s examinations for certification and licensure may include an examination that tests an applicant’s knowledge of state law relating to the relevant practice.

The bill is introduced as required by s. 227.19 (5) (g), stats., in support of the objection of the Joint Committee for Review of Administrative Rules to promulgation by the board of a portion of clearinghouse rule number 15-082. The relevant portion of the proposed rule provides for the elimination of the requirement that certain applicants for certification or licensure by the board pass an examination that tests
an applicant’s knowledge of state law relating to the practice for which the applicant is seeking certification or licensure.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 457.03 (1m) of the statutes is created to read:

457.03 (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.

SECTION 2. 457.08 (1) (c) of the statutes is amended to read:

457.08 (1) (c) Passes an examination one or more examinations approved by the social worker section to determine minimum competence to practice as a social worker as specified in the rules promulgated under s. 457.03 (2).

SECTION 3. 457.08 (2) (c) of the statutes is amended to read:

457.08 (2) (c) Passes an examination one or more examinations approved by the social worker section to determine minimum competence to practice as an advanced practice social worker as specified in the rules promulgated under s. 457.03 (2).

SECTION 4. 457.08 (3) (d) of the statutes is amended to read:

457.08 (3) (d) Passes an examination one or more examinations approved by the social worker section to determine minimum competence to practice as an independent social worker as specified in the rules promulgated under s. 457.03 (2), or passes the Academy of Certified Social Workers examination administered by the National Association of Social Workers.
except that the examining board may require an individual who passes the Academy of Certified Social Workers examination to also pass an examination approved by the examining board that tests the individual’s knowledge of state law relating to independent social work.

SECTION 5. 457.08 (4) (d) of the statutes is amended to read:

457.08 (4) (d) Passes an examination one or more examinations approved by the social worker section to determine minimum competence to practice as a clinical social worker.

SECTION 6. 457.10 (4) of the statutes is amended to read:

457.10 (4) Passes an examination one or more examinations approved by the marriage and family therapist section to determine minimum competence to practice marriage and family therapy.

SECTION 7. 457.12 (4) of the statutes is amended to read:

457.12 (4) Passes an examination one or more examinations approved by the professional counselor section to determine minimum competence to practice professional counseling.

SECTION 8. 457.16 (2) of the statutes is amended to read:

457.16 (2) Examinations shall consist of written or oral tests, or both, requiring applicants to demonstrate minimum competency in subjects substantially related to the practice of social work, advanced practice social work, independent social work, clinical social work, marriage and family therapy, or professional counseling, as appropriate, and may include an examination that tests an applicant’s knowledge of state law relating to the relevant practice.

(END)
TO: Social Work Board Administrators

FROM: Mary Jo Monahan, MSW, LCSW
Chief Executive Officer

DATE: March 1, 2017

RE: 2016 ASWB Examination Pass Rates

Enclosed are the 2016 pass rate reports for North America and your jurisdiction, for your information and comparison. Please share this information with the members of the social work regulatory board in your jurisdiction.

Please be aware that the best indication of a true pass rate for both your jurisdiction and overall is the first-time rate rather than the total group. A note of caution, percentages of pass and fail are most representative for groups of candidates numbering more than 200. These percentages are not representative of groups with fewer than 100 candidates, and generalizations should not be made from rates for these groups.

If you have any questions, please contact Tanya Carpenter, Director of Examination Administration, at 800.225.6880 ext. 3003.

Enclosures
### North American Pass Rates for the ASWB Examinations 2016

<table>
<thead>
<tr>
<th>Exam Category and Group Type</th>
<th>Total Number of Examinations</th>
<th>Pass Rate</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Associate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First-Time</td>
<td>674</td>
<td>448</td>
<td>66.5</td>
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<tr>
<td>Repeat Group</td>
<td>420</td>
<td>145</td>
<td>34.5</td>
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<tr>
<td>Total Group</td>
<td>1,094</td>
<td>593</td>
<td>54.2</td>
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<tr>
<td>Bachelors</td>
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</tr>
<tr>
<td>First-Time</td>
<td>4,097</td>
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<tr>
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<tr>
<td>Masters</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>First-Time</td>
<td>15,442</td>
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<tr>
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<td>First-Time</td>
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<td>Total Group</td>
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<td>49.1</td>
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<tr>
<td>Clinical</td>
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<td>30,861</td>
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Pass Rates of WI in 2016

<table>
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<tr>
<th>Exam Category and Group Type</th>
<th>Total Number of Examinations</th>
<th>Pass Rate</th>
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<tbody>
<tr>
<td></td>
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<td>Percentage</td>
</tr>
<tr>
<td>Associate</td>
<td></td>
<td></td>
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<tr>
<td>First-Time</td>
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<tr>
<td>Repeat Group</td>
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<tr>
<td>Total Group</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bachelors</td>
<td></td>
<td></td>
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<td>First-Time</td>
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<tr>
<td>Masters</td>
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<td>First-Time</td>
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<td>Repeat Group</td>
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<tr>
<td>Total Group</td>
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<tr>
<td>Advanced Generalist</td>
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<td>First-Time</td>
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<tr>
<td>Repeat Group</td>
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<td>2</td>
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<tr>
<td>Clinical</td>
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<td>First-Time</td>
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<td>149</td>
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<tr>
<td>Total</td>
<td>964</td>
<td>782</td>
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# AGENDA REQUEST FORM

<table>
<thead>
<tr>
<th>1) Name and Title of Person Submitting the Request:</th>
<th>2) Date When Request Submitted:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dan Williams, Executive Director</td>
<td>03/01/17</td>
</tr>
</tbody>
</table>

Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting.

<table>
<thead>
<tr>
<th>3) Name of Board, Committee, Council, Sections:</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Boards, Committees, Councils and Sections</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4) Meeting Date:</th>
<th>5) Attachments:</th>
<th>6) How should the item be titled on the agenda page?</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/14/17</td>
<td>☒ Yes</td>
<td>Section Training Review – Public Records and Ethics and Lobbying – Discussion and Consideration</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>7) Place Item in:</th>
<th>8) Is an appearance before the Board being scheduled?</th>
<th>9) Name of Case Advisor(s), if required:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ Open Session</td>
<td>☒ Yes</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>☐ No</td>
<td></td>
</tr>
</tbody>
</table>

10) Describe the issue and action that should be addressed:

Please review the materials previously emailed, and included herein, in preparation for discussion at the meeting.

1) Public Records and Ethics and Lobbying Training
   i. Email from 3/1/17
   ii. Wisconsin Public Records Law Basics
   iii. DSPS Public Records Information
   iv. Ethics and Lobbying Law One Pager

11) Authorization

Signature of person making this request __________________________ Date __________

Supervisor (if required) __________________________ Date __________

Executive Director signature (indicates approval to add post agenda deadline item to agenda) __________ Date __________

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.
Wood, Kimberly - DSPS

From: Wood, Kimberly - DSPS
Sent: Wednesday, March 01, 2017 3:27 PM
To: Boullion, James - DSPS
Cc: Lewin, Brittany - DSPS; Ryan, Thomas - DSPS; Williams, Dan - DSPS; Zadrazil, Chad J - DSPS
Subject: Completion Reminder: Public Records and Ethics and Lobbying Training

**DSPS Board, Council or Committee member,**

For those of you that have not already done so, this is a reminder to review the training materials we sent you a few weeks ago regarding what you need to know about Wisconsin’s ethics and lobbying laws and how to handle public records. You will have a chance to raise any questions and discuss these topics at your next board, council or committee meeting.

We have also included an additional document called “DSPS Public Records Information.pdf” that identifies who you should talk to at DSPS about public records questions. Some people had difficulty opening the public records training file, therefore we have also attached a PDF version of the training called “WisconsinPublicRecordsLawBasics_PPT.pdf”.

Hello,

Below you will find information about two requirements recently communicated to state agencies.

All Board, Council, Section and Committee members are required to receive training in two separate areas: 1) Public Records, and; 2) Ethics and Lobbying. **These required trainings must be completed at your earliest opportunity. Please complete the web-based public records training and review the attached ethics and lobbying guidance document by March 1st.** At your next meeting, you will have the opportunity to discuss the public records training and we will review the ethics and lobby law training.

Background information and instructions for both trainings is included below.

1) **Public Records**

On March 11, 2016, the Governor issued [Executive Order #189](http://dsps.wi.gov/Documents/Board%20Services/Other%20Resources/RecordsTraining/Wisconsin_Public_Records_Law_Basics.pdf) reaffirming the importance of transparency in state government. Specifically, the Governor asked agencies to implement best practices to promote the public’s access to the records of their government under Wisconsin’s Public Records Law. The Governor also directed each state agency to provide public records resources and training for all employees and members of all boards, councils, commissions and committees attached to the agency.

This training has been developed and is available online at the following web link: [http://dsps.wi.gov/Documents/Board%20Services/Other%20Resources/RecordsTraining/Wisconsin_Public_Records_Law_Basics.pdf](http://dsps.wi.gov/Documents/Board%20Services/Other%20Resources/RecordsTraining/Wisconsin_Public_Records_Law_Basics.pdf)

*Please note that this link will require Adobe Flash Player which may not be available for your hand held device. *If you are unable to open the training, you may view the attached PDF titled “WisconsinPublicRecordsLawBasics_PPT” instead.*
If you have difficulty in accessing this information please contact Kimberly Wood at Kimberly.Wood@wisconsin.gov and she will assist you.

2) Ethics and Lobbying

Recently the Wisconsin Ethics Commission withdrew a formal opinion that had created a pathway for agency officials to remove themselves from the prohibitions of the lobbying law. A number of questions were received in response to the action by the Ethics Commission.

A guidance document is attached in an effort to clarify the current status of the law. The attachment is a one-page overview of specific provisions in the state ethics and lobbying laws that apply to persons appointed by Governor Walker throughout state government.

While the ethics law provisions apply to all appointees of the Governor, the lobbying law only applies to members of boards, councils, or commissions and committees that are involved with rule writing.

If you have any questions, please feel free to reach out to your Executive Director or the Wisconsin Ethics Commission at any time.

Thank you,

Jim Boullion
Administrator, Division of Policy Development
Department of Safety and Professional Services
james.boullion@wisconsin.gov
Phone: (608) 266-8419
What Is a Public Record?

Anything paper or electronic with information about government business, with a few exceptions.

Public records can be paper or electronic.

Examples of electronic public records:
- Emails
- Videos
- Audio files
- Database content
- Instant messages

Record Location

The location of the record does not matter!

Emails, text messages, or files about government business on your personal device are public records. You must keep them and turn them over upon request.

Public Records Responsibility 3

When you have a public record, understand how to properly retain it.

- If it is a public record, follow your agency’s record retention schedule.
- Check with your agency’s records officer(s) or records coordinator(s) to learn:
  - How long to keep records.
  - Where to send records when time expires.
- Before you get rid of a record, make sure there are no pending records requests, audits, or lawsuits that require you to hold on to it.

Key Points

Key points to remember:
- Don’t delete emails or any other records unless you know that you don’t need to keep them.
- Organize hard copy documents so you know where to find them if a member of the public requests them.
- Know how long you are required to keep your records and what to do with them when that time is up.

Key Points, Continued

- Keep all your emails in a place where someone can search them when requests come in.
- Manage your own emails. Don’t rely on disaster recovery backup systems. If you run out of storage in your mailbox, ask your agency’s help desk for assistance with .pst files or similar solutions.
- Text messages on your personal cell phone are public records if they pertain to government business.
- Emails in your personal email are public records if they pertain to government business.

Public Records Responsibility 4

Recognize a public records request and handle the request appropriately.

A public records request:
- Is any request for government records.
- Does not require magic words or precise format.
- Can be submitted by email, by letter, by phone, in person, or by any other method.
- Can be written or verbal.
- Does not need to identify the requestor or the purpose of the request.
The purpose of this memo is to provide information on public records requests that is specific to the Department of Safety and Professional Services (DSPS).

DSPS receives public record requests in a number of ways. Most public record requests are received via US mail or by email. DSPS has a public records mailbox accessible from the DSPS website. In addition, the DSPS website contains a public records notice which sets out the procedure for making a request and information about fees. Here is the link to the public records notice: http://dsps.wi.gov/other-services/open-records-notice-and-requests

Records requests should always be considered a priority. If you are an employee of DSPS and you receive a request you should immediately notify your supervisor or a record custodian. Any records that may be covered by the request should be preserved. If you are a member of a board or council and you receive a request you should immediately notify your primary contact at DSPS, normally the executive director of your board or council. Again, any records that may be covered by the request should be preserved. The record request should be forwarded to the supervisor, custodian or executive director within one business day.

Deputy record custodians process the requests. The custodians will work in conjunction with the DSPS public information officer on requests involving media or legislative issues. The custodians will also work with the employees or board/council members if there is a need to search emails or other records in possession of the employee or board/council member. The goal is for the custodian to provide a response as soon as practicable. For this reason, cooperation with the custodians is essential.

The agency record custodian is Michael Berndt.

The following lists reflect deputy record custodians for each agency division:

**DLSC**
- Meena Balasubramanian
- Beth Cramton
- Zach Hendrickson
- Terri Rees

**DPCP**
- Kris Hendrickson

**DPCP**
- Michael Berndt
- Alicia Bork

**DPD**
- Shawn Leatherwood

**DIS/Field Offices**
- Peggy Thran

Public records are retained for periods of time set out in Record Destruction Authorizations, commonly called RDAs, or as required by the General Record Schedules. If you have questions about how long some record is supposed to be retained, please talk with you supervisor. Record officers update the agency RDAs and are familiar with the General Record Schedules. The agency record officers are Michael Berndt and Peggy Thran.
The guidance below provides a summary of the prohibitions on solicitation and acceptance of items of value under Wisconsin law. This guidance does not provide a comprehensive overview of the regulations that apply to state officials. For further information, please consult the Wisconsin Ethics Commission (http://ethics.wi.gov/content/resources) and Chapters 13 and 19 of the Wisconsin Statutes.

**Lobbying law.** Chapter 13, Wisconsin Statutes.

**General Rule:** Members of state agencies, boards, commissions, or councils that have rulemaking authority cannot solicit or accept anything of pecuniary value from a lobbyist or lobbying principal, even if they offer to pay for it. (§13.62, §13.625, 80 OAG 205). [Involvement in rulemaking is defined very broadly; you are likely considered to be involved in rulemaking just by virtue of the fact that you are appointed to a board, commission or council with rulemaking authority. §13.62(3)]. Note that the Wisconsin Ethics Commission recently withdrew a formal opinion that allowed agency officials to remove themselves from the prohibitions of the lobbying law by refraining from engaging in rulemaking activities.

**Exceptions:**

- If the thing provided by a principal (not an individual lobbyist) is available to the general public on the same terms and conditions and is available to anyone who wants it and who meets the criteria for eligibility. [§13.625(2); 80 OAG 205]. For example, a member of the State Bar could attend a generally advertised continuing legal education conference put on by the State Bar (a lobbying principal) so long as it was available to anyone who wished to attend and met the criteria for eligibility, such as membership in the State Bar.
  - The criteria for eligibility must be:
    - Established and readily identifiable; and
    - Drawn without the purpose or effect of giving a preference to or conferring an advantage upon you.
  - There must be no offer or notice of availability directed to you that gives you an advantage.
- The lobbyist or principal is your employer and the thing provided does not exceed what the employer customarily provides to all employees (e.g., a paycheck). [§13.625(6r)]. (Note that one’s status as a lobbyist does not prevent service as an agency official.)
- The expense is provided as a benefit to the state, such as meals, transportation or lodging in connection with an event related to your state duties, which the state would otherwise pay. [§13.625(7); §19.56(3)(a)].
- Informational or educational materials. [§13.625(6t)].
- The lobbyist is a relative or resides in the same household [§13.625(6)].

*All lobbyists and lobbying principals are required to register here: https://lobbying.wi.gov/Home/Welcome.*

**Ethics Law.** Chapter 19, Wisconsin Statutes.

**General Rule:** No state public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. [§19.45(2); §19.42(2)].

**Applies to individuals appointed by the governor, and other positions defined in Wis. Stat. 19.42(13).**

**Exceptions:** (Note that these exceptions are to the ethics code only. They are not exceptions to prohibitions under the lobbying code.)

- The thing offered is unrelated to your state position (e.g. a family member or long-time friend).
- The expense is provided as a benefit to the state, such as meals, transportation or lodging in connection with an event related to your state duties which the state would otherwise pay. [§19.56(3)(a)].

*IF YOU HAVE ANY DOUBT IF SOMETHING IS PERMITTED, ASK YOUR LEGAL OFFICE OR THE ETHICS COMMISSION*