



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

**Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
July 19, 2022**

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

AGENDA

10:30 A.M.

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

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-2)**
- B. Approval of Minutes of April 19, 2022 (3-4)**
- C. Reminders: Scheduling Concerns
- D. Introductions, Announcements, and Recognition
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) 2023 Meeting Schedules
 - 3) Board Member – Term Expiration Date
 - a. Adell, Cynthia C. – 7/1/2023
 - b. Brown, Cynthia – 7/1/2023
 - c. Erickson, Terrance C. – 7/1/2025
 - d. Hansen, Shawna R. – 7/1/2026
 - e. Lee Yang, Sheng B. – 7/1/2023
 - f. Luster, Marietta S. – 7/1/2025
 - g. Marsh, Lindsey E. – 7/1/2024
 - h. Scheidegger, Tammy H. – 7/1/2020
 - i. Simon, Andrea L. – 7/1/2023
 - j. Stumbras, Patrick J. – 7/1/2025
 - k. Webster, Christopher J. – 7/1/2023
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (5)**

- 1) Adoption Order: CR 21-094: MPSW 11, Relating to Professional Counselor Training Licenses **(6-9)**
- 2) Adoption Order: CR 21-053: MPSW 3, 11, and 17, Relating to Reciprocal Credentialing for Service Members **(10-15)**
- 3) Pending or Possible Rulemaking Projects **(16)**

H. COVID-19 – Discussion and Consideration

I. Section Reports – Discussion and Consideration

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

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Administrative Rule Matters
- 10) Legislative and Policy Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Motions
- 16) Petitions
- 17) Appearances from Requests Received or Renewed
- 18) Speaking Engagements, Travel, or Public Relation Requests, and Reports

K. Public Comments

ADJOURNMENT

NEXT MEETING: OCTOBER 18, 2022

 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 disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND
SOCIAL WORK EXAMINING BOARD
MEETING MINUTES
APRIL 19, 2022**

PRESENT: Terrance Erickson, Shawna Hansen, Sheng Lee Yang (*arrived at 10:46 a.m.*), Marietta Luster, Lindsey Marsh, Tammy Scheidegger, Andrea Simon, Patrick Stumbras, Christopher Webster

EXCUSED: Cynthia Adell, Cynthia Brown

STAFF: Brad Wojciechowski, Executive Director; Jameson Whitney, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Tammy Scheidegger, Chairperson, called the meeting to order at 10:33 a.m. A quorum was confirmed with eight (8) members present.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES OF JANUARY 25, 2022

MOTION: Terrance Erickson moved, seconded by Patrick Stumbras, to approve the Minutes of January 25, 2022 as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS, RECOGNITION

Recognition of Elizabeth Krueger, Government Social Worker Member (Resigned: 2/8/2022)

MOTION: Terrance Erickson moved, seconded by Andrea Simon, to recognize and thank Elizabeth Krueger for her service to the Social Worker Section, the MPSW Examining Board, and the State of Wisconsin. Motion carried unanimously.

Sheng Lee Yang arrived at 10:46 a.m.

BOARD CHAIR MEETING AND OPTIONS TO ADDRESS DEPARTMENT RESOURCES

MOTION: Lindsey Marsh moved, seconded by Terrance Erickson, to request that the legislature allow DSPS to use fee revenue to add more Full Time Employees (FTE) to their staff. Motion carried unanimously.

ADMINISTRATIVE RULES MATTERS

Adoption Order: CR 19-166 (MPSW 20), Relating to Unprofessional Conduct

MOTION: Terrance Erickson moved, seconded by Marietta Luster, to approve the Adoption Order for Clearinghouse Rule 19-166 (MPSW 20) relating to unprofessional conduct. Motion carried unanimously.

Pending or Possible Rulemaking Projects

Possible Rule Project: Adding Definition of Telehealth Based on 2021 WI Act 121

MOTION: Sheng Lee Yang moved, seconded by Terrance Erickson, to request DSPTS staff draft a Scope Statement revising MPSW 1 through 20, relating to telehealth, and to authorize the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to review and approve the drafted Scope Statement for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

Possible Rule Project: Implementing 2021 WI Act 222, Relating to APSW and ISW Treating Substance Use Disorder as a Specialty

MOTION: Sheng Lee Yang moved, seconded by Terrance Erickson, to request DSPTS staff draft a Scope Statement revising MPSW 1, relating to Advanced Practice Social Workers and Independent Social Workers substance abuse disorder specialty, and to authorize the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to review and approve the drafted Scope Statement for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

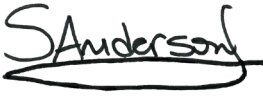
ADJOURNMENT

MOTION: Sheng Lee Yang moved, seconded by Terrance Erickson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:47 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: 07/07/2022 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board			
4) Meeting Date: July 19, 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Adoption Order CR 21-094: MPSW 11, relating to Professional Counselor Training licenses. 2. Adoption Order CR 21-053: MPSW 3, 11, and 17, relating to reciprocal credentials for service members. 3. Pending or Possible Rulemaking Projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: <ul style="list-style-type: none"> • Adoption Order for CR 21-094: MPSW 11, relating to Professional Counselor Training licenses • Adoption Order for CR 21-053: MPSW 3, 11, and 17, relating to reciprocal credentials for service members • MPSW Rule Projects chart 			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <hr/> Signature of person making this request </div> <div style="text-align: right;"> 07/07/2022 <hr/> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 80%;"><hr/>Supervisor (if required)</div> <div style="width: 15%;"><hr/>Date</div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 80%;"><hr/>Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 15%;"><hr/>Date</div> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATE OF WISCONSIN
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL
COUNSELING, AND SOCIAL WORK EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : MARRIAGE AND FAMILY THERAPY,
MARRIAGE AND FAMILY THERAPY, : PROFESSIONAL COUNSELING, AND
PROFESSIONAL COUNSELING, AND : SOCIAL WORK EXAMINING BOARD
SOCIAL WORK EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 21-094)

ORDER

An order of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board to repeal and recreate MPSW 11.015 (2); relating to professional counselor training license renewals.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Sections 457.03 (1) and 457.13 (2), Stats.

Statutory authority:

Sections 15.08 (5) (b), 457.03 (1), and 457.13 (2), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats. provides that each board shall promulgate rules for its own guidance and for the guidance of the profession to which it pertains.

Section 457.03 (1), Stats. provides the board with authority to promulgate rules establishing minimum standards for educational programs and supervised clinical training that must be completed to obtain licensure as a professional counselor.

Section 457.13 (2), Stats. gives the professional counselor section discretion to renew a professional counselor training license.

Related statute or rule:

Chapters MPSW 11.

Plain language analysis:

This rule project provides criteria for the Professional Counselor Section to consider when determining whether to grant a renewal of a professional counselor training license. The applicant is required to submit for the section's consideration a statement as to the reason for requesting the renewal, documentation of any education or other training the applicant has received since obtaining their training license, and a progress report from the applicant's supervisor.

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

None.

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

The Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board held a preliminary hearing on the statement of scope for this rule at its January 26, 2021 meeting. No comments were received.

Comparison with rules in adjacent states:

Illinois: An individual seeking a clinical professional counselor license must graduate from a master's level degree program in counseling or similar, and complete at least 2 years of supervised practice after completing the master's program. Alternatively, an individual with a doctorate in professional counseling or similar program is required to complete at least 2 years of professional counseling experience, with at least one year completed subsequent to completing the doctorate program. Illinois does not issue a training license to individuals seeking licensure as a clinical professional counselor. [225 ILCS 107/45 (b)].

Iowa: The Board of Behavioral Science within the Iowa Department of Public Health regulates marital and family therapists and mental health counselors. Iowa law allows for temporary licensure for the purpose of fulfilling a postgraduate supervised clinical experience. The temporary licensee must notify the board immediately in writing of any proposed change in supervisor(s) and obtain approval of any change in supervisor(s). Within 30 days of completion of the supervised clinical experience, the attestation of the completed supervised experience must be submitted to the board office. The temporary licensee remains under supervision until a permanent license is issued. A temporary license for the purpose of fulfilling the postgraduate supervised clinical experience requirement is valid for three years and may be renewed at the discretion of the board. [IAC Rule 645.31.2]

Michigan: The Michigan Department of Licensing and Regulatory Affairs regulates marriage and family therapists, professional counselors, and social workers. The Department may grant a limited professional counselor license to an individual who is at

least 18 years old, has received a master's or doctoral degree in counseling from a qualified program and is practicing professional counseling under the supervision of a licensed professional counselor who meets statutory requirements. [MI Admin Code R 338.1772]

A limited license may be renewed annually, but for no more than 10 years. In cases of hardship, the board may consider a request for an extension of this time period. [MI Admin Code R 338.1776 (2)]

Minnesota: The Minnesota Board of Behavioral Health and Therapy regulates licensed professional counselors (LPC) and licensed professional clinical counselor (LPCC). However, an individual does not need to have a LPC in order to apply for the LPCC. The LPCC requires completion of a master's or doctoral degree in counseling or related field determined by the board to be equivalent to a qualified counseling program, and that the individual completes graduate level clinical course as determined by the board. Additionally, an individual must have completed 4,000 hours of professional practice. [MN 148B.5301 Subd. 1, Stats.]

Summary of factual data and analytical methodologies:

The section would like to provide greater clarity for both its members reviewing requests for professional counselor training license renewals, as well as for applicants seeking renewals. The current rules state that the section may approve a renewal at its discretion, but does not state for how long the renewal lasts or what factors the section should consider in making such a determination.

The section believes that reviewing the applicant's reason for requesting the renewal, considering any education or other training the applicant has received since obtaining their training license, and reviewing the supervisor's progress report on the applicant, will provide the section with valuable information as to whether a renewal of the training license is appropriate.

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

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

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

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

TEXT OF RULE

SECTION 1. MPSW 11.015 (2) is repealed and recreated to read:

MPSW 11.015 (2) A professional counselor training license is valid for 48 months, and may be renewed in two year intervals at the discretion of the professional counselor section. In determining whether to renew a professional counselor training license, the professional counselor section may request any of the following from the applicant:

- (a) A statement explaining why the applicant needs additional time to complete the hours of professional counselor practice experience required under s. MPSW 11.01 (3).
- (b) Documentation of any continuing education or graduate level courses the applicant has completed since obtaining their professional counselor training license.
- (c) A report from a person actively supervising the applicant under s. MPSW 12.02 (1), demonstrating that the applicant is making satisfactory progress towards completion of the professional counselor practice experience required under s. MPSW 11.01 (3).
- (d) Other relevant documentation.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____

Agency _____

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

STATE OF WISCONSIN
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL
COUNSELING, AND SOCIAL WORK EXAMINING BOARD

IN THE MATTER OF RULEMAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : MARRIAGE AND FAMILY THERAPY,
MARRIAGE AND FAMILY THERAPY, : PROFESSIONAL COUNSELING, AND
PROFESSIONAL COUNSELING, AND : SOCIAL WORK EXAMINING BOARD
SOCIAL WORK EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 21-053)

ORDER

An order of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board to amend MPSW 3.12 (1), 11.04 (intro.), and 17.02 (intro.); to repeal and recreate MPSW 17.02 (4); and to create MPSW 3.125, 11.045, and 17.025 relating to application requirements for credentials.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Sections 111.321, 111.322, 111.335, and 440.09, Stats.

Statutory authority: Sections 15.08 (5) (b), and 227.11 (2) (a), Stats.

Explanation of agency authority:

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

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

Related statute or rule:

None.

Plain language analysis:

The proposed rule revises MPSW 17 to bring the chapter into compliance with ch. 111, Stats., as it relates to discrimination in licensing based upon an arrest or conviction

record. This chapter was inadvertently not revised when board otherwise updated its rules for conformity with 2017 Wisconsin Act 278 through CR 19-116.

The proposed also rule creates provisions to implement s. 440.09, Stats., as created by 2019 Wisconsin Act 143. Section 440.09, Stats., specifies the requirements for issuing expedited reciprocal credentials to service members, former service members, and the spouses of service members and former service members.

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

None.

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

The board held a preliminary hearing on the statement of scope at its January 26, 2021 meeting. No comments were received.

Comparison with rules in adjacent states:

Illinois:

Marriage and family therapists, social workers, and professional counselors are regulated by the Illinois Department of Financial and Professional Regulation.

The rules of professional conduct for marriage and family therapists provide that a therapist convicted of any crime, or who engages in conduct which could lead to a conviction, related to the therapist's qualifications or professional responsibilities may be subject to disciplinary action. (s. 1283.100 Professional Conduct).

The rules of professional conduct for social workers provide that the division may revoke, refuse to issue, or renew a license or take other disciplinary action if a social worker providing services or supervising services commits any dishonest, corrupt, or fraudulent act that is substantially related to the social worker's functions or duties. (s. 1470.96 Unethical, Unauthorized, and Unprofessional Conduct).

The Department of Financial and Professional Regulation code does not provide for disciplinary action against professional counselors who face charges or have a conviction record.

Illinois Statutes provide for the expedited licensure of service members and their spouses (20 ILCS 5/5-715). "Service member" includes a person whose active duty service concluded within the 2 years preceding application for licensure. A license issued to a service member or the spouse of a service member may be renewed.

Iowa:

The Board of Behavioral Science within the Iowa Department of Public Health regulates marital and family therapists and mental health counselors. Marital and family therapists and mental health counselors may be disciplined if convicted of a crime related to the profession, or a crime that would affect the ability to practice within the profession (Iowa Administrative Code s. 645.33.2). There is no provision in the rules to discipline a licensee who merely has a pending charge.

The Board of Social Work within the Iowa Department of Public Health regulates social workers. Social workers may be disciplined if convicted of a crime related to the profession, or a crime that would affect the ability to practice within the profession (Iowa Administrative Code s. 645.283.2). There is no provision in the rules to discipline a licensee who merely has a pending charge.

Rules of the Professional Licensure Division of the Iowa Department of Public Health provide for the expedited reciprocal licensure of a veteran or a spouse of an active duty service member (645 IAC 645.20.3). A reciprocal license issued to a veteran or a spouse of an active duty service member may be renewed.

Michigan:

The Michigan Department of Licensing and Regulatory Affairs regulates marriage and family therapists, professional counselors, and social workers. Individuals licensed under the Michigan Public Health Code (including marriage and family therapists, professional counselors, and social workers) must be “of good moral character.” (MCL 333.16174 (1) (b)). The agency may consider a judgment of guilt in a criminal prosecution or a judgment in a civil action in determining whether an individual is of good moral character. The individual can provide evidence showing that they are of good moral character to rebut a previous criminal or civil judgment (MCL 338.42).

The Michigan Statutes provide for temporary licensure of the spouse of an active duty service member (MCL 339.213). A temporary license is valid for 6 months and may be renewed for one additional 6-month term if it is determined the licensee continues to meet the requirements for temporary licensure and needs additional time to fulfill the requirements for initial licensure.

Minnesota:

The Minnesota Marriage and Family Therapy Board regulates marriage and family therapists. The board may suspend, revoke, condition, limit, qualify, or restrict a license if the individual is convicted of a crime that renders the person unfit to practice marriage and family therapy. These crimes are enumerated in 5300.0330 Sup. 2 of the Minnesota Administrative Rules.

The Minnesota Board of Behavioral Health and Therapy regulates professional counselors. A professional counselor may not violate any law in which the facts giving rise to the violation involve the practice of professional counseling.

The Minnesota Board of Social Work regulates social workers. The Board’s rules have all been repealed and codified into statute. Section 148E.210 of the Minnesota Statutes provides that the board may take action against a social worker who “engages in acts or conduct adversely affecting the applicant or licensee’s current ability or fitness to engage in social work practice, whether or not the acts or conduct occurred while engaged in the practice of social work.”

The Minnesota Statutes provide for temporary licensure of an individual who is an active duty military member, the spouse of an active duty military member, or a veteran who has left service in the 2 years preceding the date of license application (2019 Minnesota Statutes, Section 197.4552). A temporary license allows a qualified individual to perform regulated professional services for a limited length of time as determined by the applicable licensing board. During the temporary license period, the individual must complete the full application procedure as required by applicable law.

Summary of factual data and analytical methodologies:

The proposed rule was developed by reviewing the provisions of s. 440.09, Stats., as created by 2019 Wisconsin Act 143, and obtaining input and feedback from the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board.

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

The rule was posted for 14 days on the department’s website to solicit input on possible economic impact. No comments were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

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

TEXT OF RULE

SECTION 1. MPSW 3.12 (1) is amended to read:

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

SECTION 2. MPSW 3.125 is created to read:

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

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

SECTION 3. MPSW 11.04 (intro.) is amended to read:

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

SECTION 4. MPSW 11.045 is created to read:

MPSW 11.045 Reciprocal credentials for service members, former service members, and their spouses. The professional counselor section shall grant a reciprocal a license to practice professional counseling to a service member, former service member, or the spouse of a service member or former service member who the board determines meets all of the requirements under s. 440.09, Stats. Subject to s. 440.09 (2m), Stats., the board may request verification necessary to make a determination under this section.

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

SECTION 5. MPSW 17.02 (intro.) is amended to read:

MPSW 17.02 (intro.) Reciprocal license. ~~The~~ Except as provided in MPSW 17.025, the marriage and family therapist section shall grant a license as a marriage and family

therapist under s. 457.10, Stats., to an applicant who pays the fee required by s. 440.05 (2), Stats., and provides evidence of all of the following to the section:

SECTION 6. MPSW 17.02 (4) is repealed and recreated to read:

MPSW 17.02 (4) Documentation necessary for the section to determine, subject to ss. 111.321, 111.322, and 111.335, Stats., whether any of the following apply:

(a) The applicant has a pending charge for an exempt offense as defined in s. 111.335 (1m) (b), Stats. or a violent crime against a child, as defined in s. 111.335 (1m) (d), Stats., which is substantially related to the practice of a marriage and family therapist.

(b) The applicant has been convicted of a crime substantially related to the practice of a marriage and family therapist.

SECTION 7. MPSW 17.025 is created to read:

MPSW 17.025 Reciprocal credentials for service members, former service members, and their spouses. The marriage and family therapist section shall grant a reciprocal a license to practice marriage and family therapy to a service member, former service member, or the spouse of a service member or former service member who the board determines meets all of the requirements under s. 440.09, Stats. Subject to s. 440.09 (2m), Stats., the board may request verification necessary to make a determination under this section.

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

SECTION 8. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____

Agency _____

Chairperson

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

**MPSW Examining Board
Rule Projects (updated 7/7/2022)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Synopsis	Current Stage	Next Step
CR 21-094	002-21	07/04/2023	MPSW 11	PC Training licenses	The board will consider creating criteria for the PC section to consider when deciding to grant a renewal of a training license.	Adoption Order ready to be presented at the July meeting.	Once Adoption Order is approved, it will be submitted for publication in the Administrative Register.
CR 21-053	114-20	02/24/2023	MPSW 3, 11, and 17	Reciprocal credentials service members	Creates provisions allowing for a streamlined process for service members, former service members, and their spouses to apply for a reciprocal credential as required by 2019 Act 143.	Adoption Order ready to be presented at the July meeting.	Once Adoption Order is approved, it will be submitted for publication in the Administrative Register.
			MPSW 1 to 20	Telehealth Comprehensive Review	The Board requested to do a comprehensive review of all their chapters while implementing 2021 WI Act 121.	Scope Statement submitted to Governor on 6/10/2022.	Once we receive the Governor's approval, Scope Statement will be submitted to Administrative Register for publication.
			MPSW 1	Substance Use Disorder practice for APSW and ISW	The Board would like to update MPSW 1 in order to implement 2021 WI Act 222 relating to APSW and ISW being able to provide substance use disorder treatment without a specialty.	Scope Statement submitted to Governor on 6/10/2022.	Once we receive the Governor's approval, Scope Statement will be submitted to Administrative Register for publication.