



VIRTUAL/TELECONFERENCE
MARRIAGE AND FAMILY THERAPY SECTION
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND
SOCIAL WORK EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
April 18, 2023

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

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of January 25, 2023 (4-11)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements, and Recognitions
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Section Updates
 - 2) Section Member – Term Expiration Dates
 - a. Marsh, Lindsey E. – 7/1/2024
 - b. Stumbras, Patrick J. – 7/1/2025
 - c. Webster, Christopher J. – 7/1/2023
- F. Legislative and Policy Rule Matters – Discussion and Consideration**
 - 1) 2021 Wisconsin Act 121 – Funding for Free and Charitable Clinics and Defining Telehealth
 - 2) 2021 Wisconsin Act 222 – Advanced Practice Social Workers and Independent Social Workers Treating Substance Use Disorder as a Specialty
- G. Administrative Rule Matters – Discussion and Consideration**
 - 1) Pending or Possible Rulemaking Projects **(12-13)**
- H. 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) Public Health Emergencies
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

I. 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.).

J. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) **Monitoring Matters**
 - a. Anthony Scott Phillips, Marriage and Family Therapist – Requesting Reinstatement of License **(14-56)**

K. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs

- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: JULY 18, 2023

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

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of 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, or the Meeting Staff at 608-267-7213.

**VIRTUAL/TELECONFERENCE
MARRIAGE AND FAMILY THERAPY SECTION
MEETING MINUTES
JANUARY 25, 2023**

PRESENT: Lindsey Marsh, Patrick Stumbras, Christopher Webster

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

CALL TO ORDER

Christopher Webster, Chairperson, called the meeting to order at 9:02 a.m. A quorum was confirmed with three (3) members present.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES OF OCTOBER 18, 2022

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to approve the Minutes of October 18, 2022 as published. Motion carried unanimously.

APPEARANCE: MICHAEL TIERNEY, LEGISLATIVE LIAISON – DSPS

Discussion Regarding the Legislative Budgetary Process

MOTION: Patrick Stumbras moved, seconded by Christopher Webster, to acknowledge and thank Michael Tierney, DSPS Legislative Liaison, for his appearance and presentation to the Section. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Lindsey Marsh nominated Patrick Stumbras for the Office of Chairperson. Patrick Stumbras accepted the nomination.

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

Patrick Stumbras was elected as Chairperson by unanimous voice vote.

(Patrick Stumbras requested that Christopher Webster continue to serve as the Chairperson for the duration of the meeting.)

Vice Chairperson

NOMINATION: Lindsey Marsh nominated herself for the Office of Vice Chairperson. Lindsey Marsh accepted the nomination.

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

Lindsey Marsh was elected as Vice Chairperson by unanimous voice vote.

Secretary

NOMINATION: Lindsey Marsh nominated Christopher Webster for the Office of Secretary. Christopher Webster accepted the nomination.

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

Christopher Webster was elected as Secretary by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Patrick Stumbras
Vice Chairperson	Lindsey Marsh
Secretary	Christopher Webster

Appointment of Liaisons

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Christopher Webster <i>Alternate: Lindsey Marsh</i>
Education & Examination Liaison(s)	Lindsey Marsh <i>Alternate: Patrick Stumbras</i>
Monitoring Liaison(s)	Patrick Stumbras <i>Alternate: Lindsey Marsh</i>
Professional Assistance Procedure (PAP) Liaison(s)	Lindsey Marsh <i>Alternate: Patrick Stumbras</i>

Legislative Liaison(s)	Lindsey Marsh <i>Alternate: Christopher Webster</i>
Travel Authorization Liaison(s)	Patrick Stumbras <i>Alternate: Lindsey Marsh</i>
WAMFT Liaison(s) <i>(WI Association for Marriage and Family Therapy)</i>	Patrick Stumbras <i>Alternate: Lindsey Marsh</i>
AMFTRB Liaison(s) <i>(Association of Marriage and Family Therapy Regulatory Boards)</i>	Christopher Webster <i>Alternate: Lindsey Marsh</i>
SCREENING PANEL APPOINTMENTS	
Screening Panel	Christopher Webster, Patrick Stumbras <i>Alternate: Lindsey Marsh</i>

Delegation of Authorities

Document Signature Delegations

MOTION: Christopher Webster moved, seconded by Lindsey Marsh, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to sign documents on behalf of the Section in order to carry out its duties
Motion carried unanimously.

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Christopher Webster moved, seconded by Lindsey Marsh, that in order to facilitate the completion of urgent matters between meetings, the Section delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Patrick Stumbras moved, seconded by Christopher Webster, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Delegation to Chief Legal Counsel for Stipulated Resolutions

MOTION: Christopher Webster moved, seconded by Lindsey Marsh, to delegate to DSPS Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Patrick Stumbras moved, seconded by Christopher Webster, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the January 25, 2023 agenda materials on pages 17-19. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Christopher Webster moved, seconded by Lindsey Marsh, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Section meetings on behalf of the Section Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Christopher Webster moved, seconded by Lindsey Marsh, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Section or Section liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Patrick Stumbras moved, seconded by Lindsey Marsh, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Lindsey Marsh moved, seconded by Christopher Webster, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of Marriage and Family Therapy. Motion carried unanimously.

Delegation to DSPS When Applicant's Discipline History Has Been Previously Reviewed

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to Department staff to approve applications where Applicant's prior discipline has been approved for a previous Marriage and Family Therapy credential and there is no new discipline. Motion carried unanimously.

Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed

MOTION: Christopher Webster moved, seconded by Patrick Stumbras, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous Marriage and Family Therapy credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority for Reciprocity Reviews

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements are substantially equivalent to the Section's requirements. Motion carried unanimously.

Delegation of Authority for Military Reciprocity Reviews

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Christopher Webster moved, seconded by Lindsey Marsh, to delegate authority to the Department's Attorney Supervisors to serve as the Section's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Delegation to DPCP Legal Team Paralegals and Attorneys to Approve AODA/FTP Evaluators/Assessors

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to the DPCP Legal Team Attorneys and Paralegals to review and approve Applicant's proposed Evaluators/Assessors for AODA and FTP assessments, unless the request specifically requires full Section or Section liaison approval. Motion carried unanimously.

Pre-Screening Delegation to Open Cases

MOTION: Lindsey Marsh moved, seconded by Christopher Webster, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

Pre-Screening Delegation to Close Cases

- MOTION:** Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:
1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
 2. Complaints that even if allegations are true, do not amount to a violation of law or rules.
- Motion carried unanimously.

Voluntary Surrenders

- MOTION:** Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.
- MOTION:** Christopher Webster moved, seconded by Lindsey Marsh, to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

- MOTION:** Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Section Member Contact Information to National Regulatory Related Bodies

- MOTION:** Lindsey Marsh moved, seconded by Christopher Webster, to authorize the Department staff to provide national regulatory related bodies with all section member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

- MOTION:** Christopher Webster moved, seconded by Patrick Stumbras, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to section-related business within the license renewal notice at the Section's or Section designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Patrick Stumbras moved, seconded by Christopher Webster, to delegate authority to the Legislative Liaisons to speak on behalf of the Section regarding legislative matters. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: Lindsey Marsh moved, seconded by Christopher Webster, to delegate authority to the Travel Authorization Liaison to approve any section member travel to and/or participation in events germane to the section, and to designate representatives from the Section to speak and/or act on the Section's behalf at such events. Motion carried unanimously.

WAMFT Liaison(s)

MOTION: Lindsey Marsh moved, seconded by Christopher Webster, to delegate authority to the WAMFT Liaisons to speak on behalf of the Section regarding matters impacting the WAMFT. Motion carried unanimously.

AMFTRB Liaison (s)

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to delegate authority to the AMFTRB Liaisons to speak on behalf of the Section regarding matters impacting the AMFTRB. Motion carried unanimously.

BOARD CHAIR MEETING AND OPTIONS TO ADDRESS DEPARTMENT RESOURCES

Review of Letter to Legislature Regarding Agency Resources

MOTION: Lindsey Marsh moved, seconded by Patrick Stumbras, to approve the letter to the legislature regarding agency resources and to authorize the legislative liaison to work with DSPS staff to send the letter to the legislature and to speak on behalf of the section regarding the letter to the legislature regarding agency resources. Motion carried unanimously.

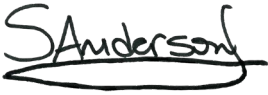
ADJOURNMENT

MOTION: Patrick Stumbras moved, seconded by Lindsey Marsh, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:37 a.m.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: 4/6/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Marriage and Family Therapist Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board			
4) Meeting Date: April 18, 2023	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. 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"> • Marriage and Family Therapist Section Rule Projects chart 			
11) Authorization			
		4/6/2023	
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.			

**Marriage and Family Therapy Section of the MPSW Examining Board
Rule Projects (updated 4/6/2023)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Synopsis	Current Stage	Next Step
	064-22	01/25/2025	MPSW 1 to 20	Telehealth Comprehensive Review	The Board requested to do a comprehensive review of all their chapters while implementing 2021 WI Act 121.	Drafting rule	EIA Comment Period and submission to Clearinghouse