



**VIRTUAL/TELECONFERENCE
SOCIAL WORKER 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

12:30 P.M.

(OR IMMEDIATELY FOLLOWING THE MPSW EXAMINING BOARD MEETING)

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of January 24, 2023 (4-12)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Appointments and Recognition
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Section Updates
 - 2) Appointment of Liaisons and Alternates **(13)**
 - 3) Section Member – Term Expiration Date
 - a. Adell, Cynthia C. – 7/1/2023
 - b. Erickson, Terrance C. – 7/1/2025
 - c. Hansen, Shawna R. – 7/1/2026
 - d. Lee Yang, Sheng B. – 7/1/2023
 - e. Luster, Marietta S. – 7/1/2025
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (14)**
 - 1) Preliminary Rule Draft: MPSW 1, Relating to Substance Use Disorder Practice for APSW and ISW **(15-24)**
 - 2) Pending or Possible Rulemaking Projects **(25)**
- H. Speaking Engagements, Travel, or Public Relation Requests, and Reports**

- 1) Travel Report: 2022 Association of Social Work Boards (ASWB) Annual Meeting of the Delegate Assembly on November 18-19, 2022 in Scottsdale, AZ – Sheng Lee Yang

I. 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) Approval(s) for Psychometric Testing
- 9) Practice Matters
- 10) Administrative Rule Matters
- 11) Legislative and Policy Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Public Health Emergencies
- 16) Division of Legal Services and Compliance (DLSC) Matters
- 17) Presentations of Petitions for Summary Suspension
- 18) Petitions for Designation of Hearing Examiner
- 19) Presentation of Stipulations, Final Decisions and Orders
- 20) Presentation of Proposed Final Decisions and Orders
- 21) Presentation of Interim Orders
- 22) Petitions for Re-Hearing
- 23) Petitions for Assessments
- 24) Petitions to Vacate Orders
- 25) Requests for Disciplinary Proceeding Presentations
- 26) Motions
- 27) Petitions
- 28) Appearances from Requests Received or Renewed
- 29) Speaking Engagements, Travel, or Public Relation Requests, and Reports

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 Division of Legal Services and Compliance (DLSC) Matters

- 1) **Case Closings**
 - a. 22 SOC 030 – M.A.T. **(26-35)**
- 2) **Proposed Stipulation and Final Decision and Orders**
 - a. 22 SOC 015 – Michelle S. Britzman, SW **(36-42)**
- 3) **Monitoring Matters (43-44)**
 - a. Jenny Clark, APSW, LCSW – Termination of Drug Screening **(45-88)**

- b. Steven Kassof, LCSW – Requesting Modification to Psychiatric Treatment Requirement **(89-127)**
- c. Chrystal Ognan, SW – Requesting Full Licensure **(128-144)**
- d. Laura Rucks, APSW – Requesting Termination of AODA Treatment and Termination of Alcohol Abstinence **(145-167)**
- e. Ashley Steltz, LCSW – Requesting Full Licensure **(168-191)**

L. 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

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: JULY 19, 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://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, or the Meeting Staff at 608-267-7213.

**VIRTUAL/TELECONFERENCE
SOCIAL WORKER SECTION
MEETING MINUTES
JANUARY 24, 2023**

PRESENT: Cynthia Adell, Terrance Erickson, Shawna Hansen, Marietta Luster

EXCUSED: Sheng Lee Yang

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

Shawna Hansen, Vice Chairperson, called the meeting to order at 12:34 p.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

MOTION: Terrance Erickson moved, seconded by Cynthia Adell, to approve the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 18, 2022

MOTION: Marietta Luster moved, seconded by Cynthia Adell, to approve the Minutes of October 18, 2022 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Slate of Officers

NOMINATION: Shawna Hansen nominated the 2022 slate of officers to continue in 2023. All officers accepted their nominations.

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

The Slate of Officers was elected by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Sheng Lee Yang
Vice Chairperson	Shawna Hansen
Secretary	Terrance Erickson

Delegation of Authorities

Document Signature Delegations

MOTION: Shawna Hansen moved, seconded by Terrance Erickson, 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: Cynthia Adell moved, seconded by Terrance Erickson, 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: Shawna Hansen moved, seconded by Marietta Luster, 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: Shawna Hansen moved, seconded by Terrance Erickson, 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: Cynthia Adell moved, seconded by Shawna Hansen, 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: Shawna Hansen moved, seconded by Marietta Luster, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the January 24, 2023 agenda materials on pages 19-21. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Shawna Hansen moved, seconded by Terrance Erickson, 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: Shawna Hansen moved, seconded by Terrance Erickson, 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: Cynthia Adell moved, seconded by Terrance Erickson, 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: Shawna Hansen moved, seconded by Cynthia Adell, 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: Cynthia Adell moved, seconded by Marietta Luster, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of Social Work. Motion carried unanimously.

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

MOTION: Cynthia Adell moved, seconded by Terrance Erickson, to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous social work credential and there is no new discipline. Motion carried unanimously.

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

MOTION: Marietta Luster moved, seconded by Cynthia Adell, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous social work credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority for Reciprocity Reviews

Reciprocity Reviews – Social Workers

MOTION: Cynthia Adell moved, seconded by Terrance Erickson, to delegate authority to the Department Attorneys to review and approve reciprocity applications for Social Workers where the other state requires:

- A bachelor’s or master’s degree in social work from a program accredited by, or a preaccreditation program of, the council on social work education or a doctorate degree in social work, or program found to be equivalent by the other state’s credentialing authority, and
- Passes one or more examinations approved by the Social Worker Section.

Motion carried unanimously.

Reciprocity Reviews – Advanced Practice Social Workers

MOTION: Cynthia Adell moved, seconded by Marietta Luster, to delegate authority to the Department Attorneys to review and approve reciprocity applications for Advanced Practice Social Workers where the other state requires:

- A master’s degree in social work from a program accredited by, or a preaccreditation program of, the council on social work education or a doctorate degree in social work, or program found to be equivalent by the other state’s credentialing authority, and
- Passes one or more examinations approved by the Social Worker Section.

Motion carried unanimously.

Reciprocity Reviews – Independent Social Workers

MOTION: Cynthia Adell moved, seconded by Terrance Erickson, to delegate authority to the Department Attorneys to review and approve reciprocity applications for Independent Social Workers where the other state requires:

- A master’s degree in social work from a program accredited by, or a preaccreditation program of, the council on social work education or a doctorate degree in social work, or program found to be equivalent by the other state’s credentialing authority,
- Has engaged in the equivalent of at least 2 years of full–time supervised social work practice approved by the Social Worker Section, and
- Passes one of the examinations approved for WI Ind. Social Worker applicants.

Motion carried unanimously.

Reciprocity Reviews – Licensed Clinical Social Workers

MOTION: Marietta Luster moved, seconded by Shawna Hansen, to delegate authority to the Department Attorneys to review and approve reciprocity applications for Licensed Clinical Social Workers where the other state requires:

- A master’s degree in social work from a program accredited by, or a preaccreditation program of, the council on social work education or a doctorate degree in social work, or program found to be equivalent by the other state’s credentialing authority;
- Completing a clinical social work concentration and supervised practicum or field training;
- Completing, after receiving a master’s or doctorate degree, the equivalent of at least 3,000 hour of clinical social work practice, including at least 1,000 hours of direct client contact, supervised by an individual approved by the other state’s credentialing authority; and
- Passing one of the examinations approved for WI Licensed Clinical Social Worker applicants.

Motion carried unanimously.

Delegation of Authority for Military Reciprocity Reviews

MOTION: Cynthia Adell moved, seconded by Terrance Erickson, 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: Shawna Hansen moved, seconded by Marietta Luster, 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 of Authority to DSPS for Social Worker Training Certificates

MOTION: Shawna Hansen moved, seconded by Terrance Erickson, to delegate to DSPS staff the authority to approve education under Option 1 and Option 2, in form # 2998, for Social Worker Training Certificates. Motion carried unanimously.

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

MOTION: Terrance Erickson moved, seconded by Marietta Luster, 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: Shawna Hansen moved, seconded by Terrance Erickson, 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: Shawna Hansen moved, seconded by Terrance Erickson, 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: Cynthia Adell moved, seconded by Terrance Erickson, 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: Terrance Erickson moved, seconded by Cynthia Adell, 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: Marietta Luster moved, seconded by Cynthia Adell, to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examination-matters. Motion carried unanimously.

ASWB Liaison(s) Delegation

MOTION: Shawna Hansen moved, seconded by Cynthia Adell, to delegate authority to the ASWB Liaison(s) to communicate with the ASWB on behalf of the Section to address all issues related to education and examinations relevant to ASWB matters. Motion carried unanimously.

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

MOTION: Cynthia Adell moved, seconded by Terrance Erickson, 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: Cynthia Adell moved, seconded by Marietta Luster, 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 board-related business within the license renewal notice at the Section’s or Section designee’s request. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: Cynthia Adell moved, seconded by Shawna Hansen, 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.

ADMINISTRATIVE RULE MATTERS

Preliminary Rule Draft: MPSW 1, Relating to Substance Use Disorder Practice for APSW and ISW

MOTION: Shawna Hansen moved, seconded by Cynthia Adell, to approve the preliminary rule draft of MPSW 1, relating to substance use disorder specialty for APSW and ISW, to be presented at the next MPSW Examining Board meeting. Motion carried unanimously.

CLOSED SESSION

MOTION: Cynthia Adell moved, seconded by Marietta Luster, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative 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.). Shawna Hansen, Vice Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Cynthia Adell-yes; Terrance Erickson-yes; Shawna Hansen-yes; and Marietta Luster-yes. Motion carried unanimously.

The Section convened into Closed Session at 1:28 p.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Proposed Stipulations and Final Decision and Orders

21 SOC 053 – Russell S. Strelnick, LCSW

MOTION: Shawna Hansen moved, seconded by Cynthia Adell, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Russell S. Strelnick, LCSW, DLSC Case Number 21 SOC 053. Motion carried unanimously.

22 SOC 011 – Kaylin J. Reeb, APSW, LCSW

MOTION: Cynthia Adell moved, seconded by Shawna Hansen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kaylin J. Reeb, APSW, LCSW, DLSC Case Number 22 SOC 011. Motion carried unanimously.

22 SOC 024 – Sarah R. Roberts, SW

MOTION: Cynthia Adell moved, seconded by Shawna Hansen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Sarah R. Roberts, SW, DLSC Case Number 22 SOC 024. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Terrance Erickson moved, seconded by Marietta Luster, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 1:35 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Terrance Erickson moved, seconded by Cynthia Adell, 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.)

ADJOURNMENT

MOTION: Terrance Erickson moved, seconded by Marietta Luster, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:37 p.m.

SOCIAL WORKER SECTION

2022 Elections and Liaison Appointments

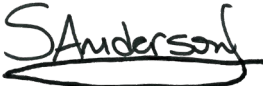
ELECTION RESULTS	
Chairperson	Sheng Lee Yang
Vice Chairperson	Shawna Hansen
Secretary	Terrance Erickson

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Cynthia Adell APSW, Sheng Lee Yang LCSW <i>Alternate: Shawna Hansen SW</i>
Education and Examination Liaison	Sheng Lee Yang <i>Alternate: Shawna Hansen</i>
ASWB Liaison <i>(Assoc. of Social Work Boards)</i>	Shawna Hansen <i>Alternate: Cynthia Adell</i>
Monitoring Liaison(s)	Cynthia Adell <i>Alternate: Terrance Erickson</i>
Professional Assistance Procedure (PAP) Liaison(s)	Elizabeth Krueger <i>Alternate: Sheng Lee Yang</i>
Travel Authorization Liaison(s)	Sheng Lee Yang <i>Alternate: Shawna Hansen</i>
Screening Panel	Sheng Lee Yang, Terrance Erickson <i>Alternate: Shawna Hansen</i>

**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: Social Worker 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. Preliminary Rule Draft: MPSW 1 relating to Substance Use Disorder practice for APSW and ISW. 2. Pending or Possible Rulemaking Projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: <ul style="list-style-type: none"> • Chapter MPSW 1 Redlined text • Preliminary Rule Draft: MPSW 1 relating substance abuse disorder for APSW and ISW • Social Worker 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.			

Chapter MPSW 1

AUTHORITY AND PRACTICE

MPSW 1.01 Authority. This chapter is adopted pursuant to ss. [15.08 \(5\) \(b\)](#), [15.405 \(7c\) \(d\)](#) and [227.11 \(2\)](#), Stats.

MPSW 1.02 Definitions. In chs. [MPSW 1](#) to [6](#) and [10](#) to [20](#):

(1) "AODA" means alcohol or other drug abuse.

(1g) "Board" means the marriage and family therapy, professional counseling, and social work examining board.

(1q) "Credential" means a certificate or a license granted by the board.

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

(2d) "DSM" means the diagnostic and statistical manual of mental disorders and refers to the most recent edition.

(2h) "ICRC" means the international certification reciprocity consortium.

(2m) "Psychotherapy" means the diagnosis and treatment of mental, emotional, or behavioral disorders, conditions, or addictions through the application of methods derived from established psychological or systemic principles for the purpose of assisting people in modifying their behaviors, cognitions, emotions, and other personal characteristics, which may include the purpose of understanding unconscious processes or intrapersonal, interpersonal, or psychosocial dynamics.

(3) "Section" means either the marriage and family therapist section, the professional counselor section, or the social worker section of the marriage and family therapy, professional counseling and social work examining board.

MPSW 1.035 Rule-making.

(1) Except as provided in sub. [\(2\)](#), each section shall be responsible for proposing and drafting rules applying to its profession, and for holding public hearings on those rules. The board may approve and adopt rules proposed by any section of the board.

(2) The board shall be responsible for promulgating rules applying to matters that the board determines are of joint interest among the sections.

MPSW 1.04 Application procedures for all sections of the board. An application for certification is incomplete until all materials requested are received by the board office, in English or accompanied by a certified English translation.

Note: The board's mailing address is Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, Department of Safety and Professional Services, P.O. Box 8935, Madison, Wisconsin 53708-8935.

MPSW 1.05 Examination provisions for all sections.

(1) The board or its designee shall administer the examinations required of applicants for certification as a social worker, advanced practice social worker, or independent social worker, or for licensure as a clinical social worker, marriage and family therapist or professional counselor at least once a year.

(6) The passing grade on each examination is determined by the board to represent competence sufficient to protect the public health, safety and welfare. The board may adopt the recommended passing score of the examination provider for the examination testing entry level competency.

MPSW 1.08 Credential renewal and reinstatement procedures.

(1) Renewal by expiration date. A credential holder shall renew the credential by the expiration date by paying the renewal fee determined by the department under s. [440.03 \(9\) \(a\)](#), Stats. and attesting to completion of the continuing education required under s. [MPSW 19.02](#).

(2) Renewal within 5 years. If the credential is renewed after the expiration date and within 5 years of the expiration date, a credential holder shall renew the credential by paying the renewal fee determined by the department under s. [440.03 \(9\) \(a\)](#), Stats., attesting to completion of the continuing education required under s. [MPSW 19.02](#), and paying a late renewal fee.

(3) Renewal after 5 years of renewal date. This subsection does not apply to credential holders who have unmet disciplinary requirements or whose credentials have been surrendered or revoked. A credential holder who has failed to renew a credential within 5 years after the renewal date holds an expired credential and may not reapply for the credential using the initial application process. A credential may be renewed after 5 years of the renewal date by complying with all of the following:

(a) Payment of the renewal fee determined by the department under s. [440.03 \(9\) \(a\)](#) and the late renewal fee.

(b) Evidence of one of the following:

1. An active credential in good standing in another state.

2. Completion of 60 hours of approved continuing education, including 8 hours of professional ethics and boundaries, within the preceding 2 years.

(4) Reinstatement. A credential holder who has unmet disciplinary requirements and failed to renew the credential within 5 years or whose credential has been surrendered or revoked may apply to have the credential reinstated in accordance with all of the following:

(a) Evidence of completion of the requirements in sub. (3) if the credential has not been active within the last 5 years.

(b) Evidence of completion of disciplinary requirements, if applicable.

(c) Evidence of rehabilitation or change in circumstances, warranting reinstatement of the credential.

MPSW 1.09 Substance abuse disorder specialty.

(1) Use of title and scope of practice.

(a) A person certified by the board may use the title “alcohol and drug counselor” or “chemical dependency counselor” only if the person is credentialed as a substance abuse counselor under s. [440.88](#), Stats., or satisfies the educational and supervised training requirements established in this section.

(b) A person who is certified by the board may treat substance use disorder as a specialty if the person is credentialed under s. [440.88](#), Stats., or satisfies the educational and supervised training requirements established in this section.

(c) A person certified by the board may do all of the following:

1. Prepare a client for substance use disorder treatment by referral.
2. Continue to work with the non-substance use disorder issues of a person who has been referred for substance use disorder treatment.
3. Continue to treat a client who is in recovery following treatment for substance use disorder.

~~**(2)** Specialty requirements for individuals certified as an advanced practice social worker or independent social worker. To be authorized to treat substance use disorder as a specialty, an advanced practice social worker or independent social worker shall meet all of the following:~~

~~**(a)** A minimum of 135 contact hours of substance use disorder education, which may be obtained within the master’s degree or additional to the master’s degree. The education shall contain all of the following topics:~~

- ~~1. Understanding addiction.~~
- ~~2. Knowledge of addiction treatment.~~
- ~~3. Application to addiction practice.~~
- ~~4. Professional readiness in addiction treatment.~~

~~**(b)** A minimum of 200 hours of face to face client treatment with individuals diagnosed with substance use disorders, under the supervision of a qualified supervisor.~~

(3) Specialty requirements for individuals certified by the board other than as advanced practice social workers or independent social workers. To be authorized to treat substance use disorder as a specialty, an individual certified under s. [457.08 \(1\)](#), [457.09 \(1\)](#) or [457.14 \(1\) \(a\)](#), Stats., shall meet all of the following:

(a) A minimum of 180 contact hours of substance use disorder education, which may be obtained within the bachelor or master's degree or in addition to the bachelor or master's degree. The education shall be in all of the following:

1. Thirty hours in assessment training.
2. Thirty hours in counseling training.

3. Thirty hours in case management.
4. Thirty hours in patient education.
5. Thirty hours in professional responsibility.
6. Three hours in boundaries and ethics.
7. Twenty-seven hours in electives in any of the subjects in subds. [1.](#) to [6.](#)

(b) A minimum of 1,000 of hours of face-to-face substance use disorder treatment experience, under the supervision of a qualified supervisor, with individuals diagnosed with substance use disorders. The supervised hours can be either the same as or separate from the hours obtained for the credential issued by the board.

(4) Qualified supervisors. A qualified supervisor is a person who is knowledgeable in psychopharmacology and addiction treatment and is any of the following:

- (a) A clinical supervisor, as defined in s. [SPS 160.02 \(7\)](#).
- (b) A licensed marriage and family therapist.
- (c) A licensed professional counselor.
- (d) A licensed [advanced practice, independent, or](#) clinical social worker.
- (e) A licensed psychologist.
- (f) A licensed physician.
- (g) An individual, other than an individual specified in pars. [\(a\)](#) to [\(f\)](#), who is approved in advance by the board.

(5) Continuing education. To maintain the authority to treat substance use disorder, an individual certified by the board must complete at least 6 continuing education hours during each biennial credentialing period in substance use disorder. The continuing education may be counted toward the continuing education required for renewal of the underlying credential.

MPSW 1.10 Professional liability insurance.

(1) Except as provided in sub. [\(2\)](#), a person licensed as a clinical social worker, marriage and family therapist, or professional counselor may not practice clinical social work, marriage and family therapy, or professional counseling unless he or she has in effect professional liability insurance in the amount of at least \$1,000,000 for each occurrence and \$3,000,000 for all occurrences in one year.

(2) Subsection [\(1\)](#) does not apply to a person practicing clinical social work, marriage and family therapy, or professional counseling as an employee of a federal, state, or local governmental agency, if the practice is part of the duties for which he or she is employed and is solely within the confines of or under the jurisdiction of the agency by which he or she is employed.

MPSW 1.11 Psychometric testing.

(1) Authority. This rule is adopted pursuant to ss. [15.08 \(5\) \(b\)](#), [227.11 \(2\)](#) and [457.033](#), Stats.

(2) Definition. In this section, the term “psychometric test” means a procedure for measuring psychological, behavioral or interpersonal characteristics in which a sample of an examinee's behavior is obtained and subsequently evaluated and scored using a standardized process. A person credentialed by the board may not use a testing instrument for diagnostic or assessment purposes unless he or she satisfies the requirements in sub. [\(5\)](#). Psychometric testing does not include a test instrument used solely to screen for problems, to assist in treatment planning, to clarify treatment goals, to plan for interventions, to monitor progress in treatment or an unstandardized questionnaire, unstructured behavior sample or a test used to evaluate performance in education or training or training prepared by a teacher or trainer.

(3) Requirements for performing psychometric testing. The competent use of a psychometric test requires that the licensee or person supervised by the licensee have the requisite knowledge, skills, training and experience needed to do all of the following:

- (a)** Independently select and administer tests appropriate to the practice setting and area of practice.
- (b)** Accurately administer, score, and interpret the test.
- (c)** Understand and communicate the strengths and limitations of the test appropriate to the context in and purpose for which it is given.
- (d)** Use culturally appropriate and sensitive instruments and norms.
- (e)** Analyze the results within a broad context of information about the examinee's life.
- (f)** Seek supervision or consultation as needed from any licensee who are authorized to perform psychometric testing under this subsection.

(4) Licenses authorized to perform psychometric testing. Psychometric testing may be performed by the following individuals:

- (a)** A psychologist licensed under ch. [455](#), Stats.
- (b)** A licensed or training licensed marriage and family therapist, a licensed or training licensed professional counselor or a licensed or training licensed clinical social worker or a certified advanced practice social worker or independent social worker who satisfies the requirements in sub. [\(5\) \(a\)](#) and is acting under the supervision of a licensed psychologist.
- (c)** A licensed marriage and family therapist, licensed professional counselor or licensed clinical social worker who satisfies the requirements in sub. [\(5\) \(a\)](#) and [\(b\)](#).
- (d)** A licensed or training licensed marriage and family therapist, a licensed or training licensed professional counselor or a licensed or training licensed clinical social worker or a certified advanced practice social worker or independent social worker who satisfies the requirements in sub. [\(5\) \(a\)](#) and is acting under the supervision of another licensee of the board specified in par. [\(c\)](#).

(5) Educational requirements for performing psychometric testing without supervision. A person who meets the requirements in s. [MPSW 1.11 \(4\) \(b\)](#), [\(c\)](#) or [\(d\)](#) may engage in psychometric testing without

supervision only if the appropriate section of the board has received and approved the following information demonstrating generic and specific qualifications to perform psychometric testing:

(a) Academic training at the graduate or postgraduate level from a regionally accredited program that covered:

1. Descriptive statistics.
2. Reliability and measurement error.
3. Validity and meaning of test scores.
4. Normative interpretation of test scores.
5. Selection of appropriate tests.
6. Test administration procedures.
7. Ethnic, racial, cultural, gender, age and linguistic variables.
8. Testing individuals with disabilities.

(b) A signed statement from a professional qualified to supervise psychometric testing as set forth in sub. [\(4\) \(a\)](#) and [\(c\)](#) that the supervised licensee meets the requirements to use psychometric tests as set forth in this subsection. A licensee determined to be qualified to use psychometric tests by prior affidavit is not required to resubmit a signed statement and is deemed to meet the requirements of pars. [\(a\)](#) and [\(b\)](#).

(6) Licenses qualified to supervise psychometric testing. The only professionals qualified to supervise psychometric testing are licensed psychologists, licensed marriage and family therapists, licensed professional counselors, and licensed clinical social workers who meet the requirements in sub. [\(5\) \(a\)](#) and [\(b\)](#).

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

IN THE MATTER OF RULE-MAKING : PROPOSED 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 *)

PROPOSED ORDER

An order of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board to repeal MPSW 1.09 (2); and to amend MPSW 1.09 (4) (d); relating to substance use disorder practice for Advanced Practice Social Workers and Independent Social Workers.

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), 440.88 (3m), 457.02 (5m). and 457.03 (1), 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 440.88 (3m), Stats., states that certification as a substance abuse counselor, clinical supervisor, and prevention specialist “does not apply to a physician, as defined in s. 448.01 (5), a clinical social worker, as defined in s. 457.01 (1r), an independent social worker, as defined in s. 457.01 (2g), an advanced practice social worker, as defined in s. 457.01 (1c), a psychologist licensed under s. 455.04 (1) or (2), a marriage and family therapist, as defined in s. 457.01 (3), or a professional counselor, as defined in s. 457.01 (7), who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her credential.”

Section 457.02 (5m), Stats., states that MPSW 1 does not “[a]uthorize any individual who is certified under s. 457.08 (1), 457.09 (1), or 457.14 (1) (a) to (c) to treat substance use

disorder as a specialty unless the individual is a certified substance abuse counselor, clinical supervisor, or prevention specialist under s. 440.88, or unless the individual satisfies educational and supervised training requirements established in rules promulgated by the examining board.”

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.

Related statute or rule:

Ch. SPS 160 and s. 440.88, Stats.

Plain language analysis:

2021 Wisconsin Act 222 authorizes individuals certified as independent social workers and advanced practice social workers to treat substance use disorder without having to apply for a specialty and satisfy additional educational and supervised training requirements.

This rule project repeals the subsection in chapter MPSW 1, which requires advanced practice social workers and independent social workers to apply for a substance use disorder specialty. The project also amends who can supervise social workers licensees or social worker certificate holders if they are pursuing a substance use disorder specialty.

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 October 18, 2022 meeting. No comments were received.

Comparison with rules in adjacent states:

Illinois:

Illinois does not have requirements for a social worker to obtain specified education or training to specialize in substance use disorder treatment.

Iowa:

Iowa does not have requirements for a social worker to obtain specified education or training to specialize in substance use disorder treatment.

Michigan:

Michigan does not have requirements for a social worker to obtain specified education or training to specialize in substance use disorder treatment.

Minnesota:

Minnesota does not have requirements for a social worker to obtain specified education or training to specialize in substance use disorder treatment.

Summary of factual data and analytical methodologies:

The proposed rules were developed by reviewed chapter MPSW 1 and implementing 2021 Wisconsin Act 222 to ensure that the code is compliant with statutory changes and with current standards of practice. No additional factual data or analytical methodologies were used to develop the proposed rules.

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

The rule draft will be posted on the department's website for 14 days to solicit economic impact comments from local governments and small businesses.

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 Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

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.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the

beginning of the public hearing scheduled for TBD to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. MPSW 1.09 (2) is repealed.

SECTION 2. MPSW 1.09 (4) (d) is amended to read:

MPSW 1.09 (4) (d) A licensed advanced practice social worker, independent social worker, or clinical social worker.

SECTION 3. 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)

**Social Work 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
	063-22	01/25/2025	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.	Drafting rule	EIA Comment Period and submission to Clearinghouse