

(NOTE: This is an addition to the JCRAR materials for the April 11th hearing.)

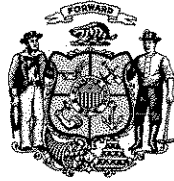
Drafts regarding Clearinghouse Rule 01-094

Relating to the minimum number of hours to be required in a social worker training certificate internship. Submitted by the Department of Regulation and Licensing.

The committee will consider drafts as a result of their concurrence action with the Assembly Committee on Health's objection.

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**

Scott McCallum
Governor
Oscar Herrera
Secretary



1400 East Washington Avenue
PO Box 8935
Madison WI 53708-8935
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April 16, 2002

Senator Judith Robson
Co-Chair, Joint Committee on Review of Administrative Rules
Room 15 South, State Capitol

Representative Glenn Grothman
Co-Chair, Joint Committee on Review of Administrative Rules
Room 15 North, State Capitol

Dear Senator Robson and Representative Grothman:

The Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors met today and voted to withdraw its request for a rule change to require a minimum of 400 hours in an internship taken by a holder of a social work training certificate, CR 01-094.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas V. Knight'. The signature is fluid and cursive, with a large initial 'D' and 'K'.

Douglas V. Knight, Chair

cc: Gregg Underheim, Chair, Assembly Committee on Health
Oscar Herrera, Secretary, DRL
Kimberly Nania, Bureau Director, Health Services Professions
William Dusso, General Counsel
Pamela Haack, Rules Clerk
All members of the Social Workers Section

SENATOR JUDITH B. ROBSON
Co-CHAIR
P.O. Box 7882
MADISON, WI 53707-7882
(608) 266-2253



REPRESENTATIVE GLENN GROTHMAN
Co-CHAIR
P.O. Box 8952
MADISON, WI 53708-8952
(608) 264-6486

JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

March 20, 2002

BY INTER-D

Secretary Oscar Herrera
Department of Regulation and Licensing
1400 East Washington Avenue
Madison, Wisconsin

Re: Clearinghouse Rule 01-094

Dear Secretary Herrera:

We are writing to inform you that the Joint Committee for the Review of Administrative Rules (JCRAR) held a public hearing and executive session on March 20, 2002. At that meeting, the JCRAR received public testimony regarding Clearinghouse Rule 01-094, relating to the minimum number of hours to be required in a social worker training certificate internship.

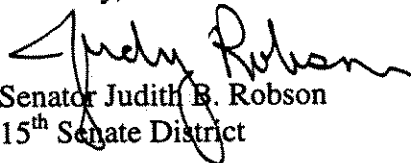
Based on that testimony, the committee adopted the following motion on an 8 to 2 vote. Moved,

That, pursuant to section 227.19(5)(b)2., Stats., the Joint Committee for the Review of Administrative Rules requests that the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors modify Section 1 of Clearinghouse Rule 01-094 to require a human services internship of at least 300 hours; and


That, if the Board does not notify the Committee in writing by 5:00 p.m. on March 29, 2002 that it is willing to make the requested modification, then the Committee, pursuant to its authority under section 227.19(5)(d), Stats., objects to CR 01-094. The Committee objects for the reasons specified in sections 227.19(4)(d)3. and 6., Stats., that is, the rule fails to comply with legislative intent and the rule is arbitrary and imposes an undue hardship.

Please notify us in writing by the deadline described above whether the Examining Board is willing to make the requested modification. Thank you for your attention to this matter.

Sincerely,

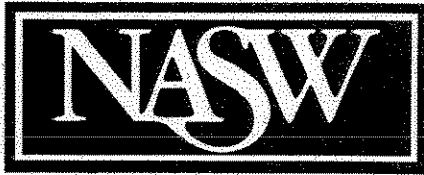


Senator Judith B. Robson
15th Senate District



Representative Glenn Grothman
59th Assembly District

JBR:GG:da



TESTIMONY IN SUPPORT OF CLEARINGHOUSE RULE 01-094 PRESENTED TO
THE JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES

NATIONAL ASSOCIATION OF SOCIAL WORKERS, WISCONSIN CHAPTER

MARC HERSTAND, EXECUTIVE DIRECTOR

MARCH 20, 2002

On behalf of the National Association of Social Workers, Wisconsin Chapter, I am speaking in strong support for Clearinghouse Rule 01-094, which would require a minimum of 400 hours for a social worker training certificate internship in lieu of completing one year of employment.

NASW WI strongly supports the 400-hour requirement for several reasons:

First, the Council on Social Work Education, the national body that accredits professional social work programs has established 400 hours as the minimal number for a social work internship. Many social work programs actually require much more than 400 hours. Since the Social Work Training Certificate specifically aims to achieve "social work equivalency" allowing fewer than 400 hours would contradict this provision of the law.

Secondly, the 400-hour requirement is a critical aspect in helping to protect consumers from social work training certificate holders practicing social work incompetently and/or in a harmful manner. Social workers practice with some of the most vulnerable citizens in our country. Social workers who provide child protective services, for example, handle crisis high stress situations that can be life threatening to children. Similarly social worker providing services to elderly individuals suffering from Alzheimer's disease can encounter some extremely sensitive and volatile situations. Individuals who are not in a professional social work program will already start practicing with a handicap in providing competent human services as a result of missing out on social work courses (other than the four courses required by the training certificate) and the whole socialization process (including ethics education) that occurs in social work programs. Sanctioning social work training certificate internships of less than 40 hours just exacerbates the problem. Extra Sociology or Psychology courses are no substitute for hours of professional supervision in social work practice.

Finally opponents of the 400-hour requirement state that it would be a burden on their Sociology or Psychology programs or their students if they had to provide a 400-hour internship. I believe that the priority for regulation should be about protecting extremely vulnerable citizens, not protecting Sociology and Psychology programs or making things a little easier for students. If Sociology and Psychology programs want to participate in the Social Work Training Certificate program, they have an obligation to the State of

Wisconsin to do so in a manner that provides some minimum level of consumer protection, even if that means they have to make some adjustments to their program. If Sociology and Psychology students choose to pursue the Social Work Training certificate (instead of obtaining a Bachelors in Social work degree), they also may have to make some personal sacrifices. Once again, the predominant issue here is consumer protection, not protecting academic programs and their students.

The Department of Regulation & Licensing and its Boards are entrusted with the responsibility of consumer protection. This rule was established to meet this goal. I would ask the Joint Committee on Administrative Rules to support this proposal to protect some of our most vulnerable citizens in Wisconsin.

I appreciate your consideration of my remarks and would be happy to answer any questions.



March 19, 2002

Representative Glenn Grothman
State Capitol
PO Box 8952
Madison, WI 53708

Senator Judy Robson
State Capitol
PO Box 7882
Madison, WI 53707

Dear Representative Grothman and Senator Robson:

I am writing to oppose the administrative rule under consideration that seeks to require a 400-hour internship for those seeking social worker certification through the "social worker training certificate."

This would place an unwarranted burden on the approximately 30% of our Sociology-Criminal Justice majors who wish to pursue certification. Many of these graduates complete an internship in public or private agencies working with youth/children and families assisting counselors in group homes, outpatient/inpatient treatment centers or juvenile intake/probation. They get the specific experiences currently required in the administrative rules (SFC 3.13 including assessment, intervention planning, and counseling).

Most of our internships are taken for six credits (6 credits out of 54 total credits) and we expect the student to work half time (20 hours per week) for 14 weeks. This totals 280 hours. If we were to require 400 hours, students would not be able to take coursework in addition to their internship in order to complete their academic program. Typically this would mean taking three less classroom courses during the internship semester. This, in turn, would likely delay graduation. Social work students, on the other hand, do not have this problem because their 12 credit 480 hour internship is completely counted toward their social work major (12 credits out of 36 credits) plus a minor of 24 credits.

Although the Council on Social Work Education has recommended this to the Section, the actual number of hours is arbitrary. There is no research supporting any particular minimum. The rules that currently exist which govern the internship specify content of the experience. By requiring more hours, the Section creates a disincentive for qualified

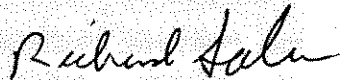
DEPARTMENT OF SOCIOLOGY

College of Letters & Sciences • 800 West Main Street • Whitewater, WI 53190-1790
Phone 414-472-1133 • FAX 414-472-2803

liberal arts graduates, whose programs are already quite demanding, to stay in school an extra semester for no discernible purpose thereby forcing already cash-strapped students to incur more costs and take out additional loans.

Moreover, internship placements which enable students to get acceptable training and conform to the supervision standards already set by the Social Worker Section are increasingly difficult to set up. Many county and private agencies would rather not provide the extended internship experience that this rule would require because staff find the supervision so time-consuming. This will increasingly happen as state funds for local services become less over the next couple of years forcing staff to take on even more substantial caseloads.

Sincerely,



Richard Salem
Professor

RS/jav

Cornelia M. Gordon-Hempe
5413 Trempealeau Trail
Madison, WI 53705

To: Members of the Joint Committee for Review of Administrative Rules
From: Cornelia M. Gordon-Hempe, ACSW, CISW, CICSW
Date: March 14, 2002
Re: Clearing House Rule 01-094

I write regarding Clearing House Rule 01-094. If passed, this rule will require social worker training certificate holders to serve an internship that involves a minimum of four hundred supervised hours. I strongly urge you to pass this rule.

I have been a social worker for almost thirty years, including employment in mental health, college and social services administration, and college and university teaching. I was appointed to the first Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, and served as chair of the Social Worker section for nine and a half years until I was recently replaced by a new appointee.

This rule is essential for protection of the public and fairness to the training certificate holder.

► **Protection of the public:**

Persons who wish to become social workers at the basic or bachelor's level but who have not majored in social work should have the same amount of direct supervised exposure to clients as experienced by the persons who have majored in social work. The clients with whom they will work are often families with abused and neglected children, children under probationary supervision, battered spouses, and the elderly in nursing homes. Learning to communicate and intervene effectively with highly vulnerable and fragile clients is an absolute prerequisite of being able to provide them with meaningful assistance.

The Council on Social Work Education (CSWE), a body composed of social work educators which accredits social work programs, has deemed four hundred hours to be the minimum number of internship hours that offer students sufficient exposure to vulnerable clients and the time to develop their intervention skills. Internships of lesser duration may very well cause new social workers to make inappropriate and unfortunate decisions which result in a heavy and painful human cost. It is a cost our society can ill afford and should not have to incur.

Currently there are three alternative routes to obtaining a basic level social work certificate:

1) a) Earn a bachelor's degree in social work (BSW) work from an accredited college or university, which includes a specifically defined internship of at least 400 hours as part of the BSW degree. Persons who have done so are then required to b) pass both a state jurisprudence and a national social work examination.

2) a) Earn a bachelor's degree in psychology, sociology, criminal justice or other human service degree approved by the Social Worker Section and b) complete four specified social work courses, and c) be employed for a year under the supervision of a certified social worker who holds a bachelor's or master's degree in social work, and d) pass both a state jurisprudence and national social work examination.

3) a) Earn a bachelor's degree in psychology, sociology, criminal justice or other human service degree approved by the Social Worker Section and b) complete four specified social work courses, and c) complete an internship of an unspecified number of hours, and d) pass both a state jurisprudence and national social work examination.

The rule proposed by the Social Worker Section would make uniform the internship requirements for both social work and non-social work majors. Internships such as these (or more stringent) are common features of many respected professions including medicine, nursing, law and education. Their sole justification is protection of the public.

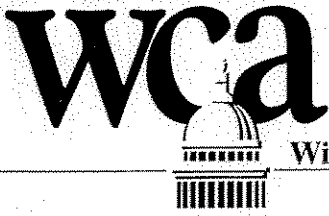
While there is no disagreement about the proposed rule among social work professionals, there is opposition from a very few human service, but non-social work university departments. They view this rule as preventing their graduates from obtaining social work jobs. This is not an issue about obtaining jobs, as jobs at the profession's entry level are prevalent. *This is about protection of the public.* And, not all colleges and universities with human service majors have objected to the proposed rule. For example, Upper Iowa University mandated that its human service majors complete internships of four hundred hours when it learned about the proposed rule and expressed no concerns about its rationale.

► **Fairness to the Training Certificate Holder**

The national social work examination, for which I write test questions, has many questions that are based upon practice experience. If a training certificate holder takes the exam and has less than the requisite number of hours internship experience, there is a stronger possibility that the person will not pass the test.

Under Wisconsin Statutes Ch. 457.09 (3)(b&c), once the person receives the test score, the training certificate expires and cannot be renewed. A person who fails the test is no longer capable of being certified as a social worker. All of the effort put into obtaining certification is for naught.

Isn't it better to give the training certificate holder more time to gain experience and have a better chance of passing the national exam?



Wisconsin Counties Association

MEMORANDUM

TO: Honorable Members of the Joint Committee for Review of
Administrative Rules

FROM: Sarah Diedrick-Kasdorf, Legislative Associate *SDK*

DATE: March 20, 2002

SUBJECT: Opposition to Clearinghouse Rule 01-094

The Wisconsin Counties Association (WCA) opposes Clearinghouse Rule 01-094 relating to the minimum number of hours to be required in a social worker training certificate internship.

Requiring additional internship hours in order to obtain a social work certificate will make it more difficult for individuals desiring to enter the field of social work. As a result it will become difficult for county human services departments to hire the staff necessary to operate the state-mandated programs.

WCA respectfully requests your opposition to Clearinghouse Rule 01-094.

Thank you for considering our comments.

Cornelia M. Gordon-Hempe
5413 Trempealeau Trail
Madison, WI 53705
608-233-3331

Testimony on Clearing House Rule 01-094
Before the Joint Committee for Review of Administrative Rules
Wednesday, March 20, 2002

Good Morning, Chair Robson and Chair Grothman. I am Cornelia Gordon-Hempe, a long time social worker in Wisconsin. I have worked in mental health, college and social services administration, and university teaching. I was appointed to the first Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors in 1992. I served as chair of the Social Worker section until this past winter when a successor was chosen to replace me on the board.

I was on the Board when this rule was initiated and in fact am responsible for its origin. I believe this rule is essential both for protection of the public and for fairness to the training certificate holder.

► Protection of the public:

There is no question but that social service departments in more remote and rural counties need to expand the applicant pool of potentially eligible social workers. Having applicants who are college graduates who have majored in psychology, sociology, criminal justice or other human service field approved by the social worker section increases the number of potential applicants.

People who work at the basic or bachelors level of social work certification are generally employed in child protective services, with juveniles on probation, battered women's centers and nursing homes. They do the front line work, are often on call at the wee hours of the morning and have to make critical judgments under highly stressful circumstances. In our increasingly diverse society they have to know how to understand and communicate with persons of varied backgrounds during times of crisis.

The Council on Social Work Education (CSWE) is the body composed of social work educators which accredits social work academic programs. This body has deemed four hundred hours to be the minimum number of internship hours necessary to offer social work students the requisite exposure to vulnerable and diverse clients, and to develop their intervention skills. The belief (almost certainly made from experience) is that fewer internship hours will not prepare students to make appropriate decisions with clients.

We cannot have inadequately trained social workers making inappropriate and unfortunate decisions which result in a heavy and painful human cost to impressionable and vulnerable clients.

Currently there are three ways one can obtain a basic level social work certificate in this state.

- 1) Earn a bachelor's degree in social work from a CSWE accredited college or university, which includes a specifically defined internship of at least 400 hours as part of the degree requirements. Persons who have done so much then pass both a state jurisprudence (open book) exam and a national social work exam.

- ▶ 2) Earn a bachelor's degree in psychology, sociology, criminal justice or other approved human service degree, complete four specified social work courses (either during the undergraduate course work or after graduation), be employed for a year under the supervision of a certified social worker who holds a bachelor's or master's social work degree, and pass both the state jurisprudence and national social work examinations. This path is usually taken by those who have already graduated from college.
- ▶ 3) Earn a bachelor's degree in psychology, sociology, criminal justice or other approved human service degree, complete four specific social work courses (which can be taken either while undergraduates or as special students after graduation, complete an internship of an unspecified number of hours, and then pass both the state jurisprudence and national social work exams. This is the path often taken by students who are still undergraduates and the internship which is under consideration in this rule.

This proposed rule would make uniform the internship requirements for both social work and non-social work majors. Education, nursing, medicine, and law have internships as part of their degree requirements. **Their sole justification is protection of the public.**

▶ **Fairness to the Social Work Training Certificate Holder**

The national social work exam, for which I write questions, has many items that are based upon practice and field experience. If a training certificate holder takes the national exam and has less than the requisite number of internship hours, there is a greater chance that the person will not pass the test. Under current statutes, once the applicant receives his or her exam score the training certificate expires and cannot be renewed. All of the effort put into taking courses and having the internship or employment is for naught. This means the person cannot work in a setting where the job entails being called a social worker.

In summary, if we want to protect a vulnerable public with adequately trained social workers and if we want to be fair to holders of social work training certificates, and to provide adequately trained staff to more remote parts of the state, it is imperative that the training certificate holders have at least four hundred internship hours.

STATE OF WISCONSIN



**Statement of the
EXAMINING BOARD OF SOCIAL WORKERS,
MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS
By: Douglas V. Knight, Chair, Social Worker Section**

**Before the
Joint Committee for Review of Administrative Rules
Senator Judith Robson, Co-Chair
Representative Glenn Grothman, Co-Chair**

**Concerning Senate Clearinghouse Rule 01-094
Relating to the minimum number of hours to be required in a
social worker training certificate internship.**

**411 South, State Capitol
Wednesday, March 20, 2002, 10:00 A.M.**

Good morning Chairpersons Robson and Grothman and members of the committee. I am Douglas Knight, chairman of the Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors. Thank you for this opportunity to speak to you this morning in favor of Senate Clearinghouse Rule 01-094. Our board has deemed SFC 3.13(3)(a) essential to more effective public protection for one minimal competency element to be met in the professional training of bachelor level graduates from related fields to practice social work.

As you know, I have been a member of this board since its inception and have served on a number of special assignments/roles as we have sought to serve Wisconsin citizens safely through fairness, consistency and competency. As you are further aware, this entailed taking a protracted position at times, even within my own profession. This time, I come to you seeking your assistance and application of your honest judgement in supporting our efforts to protect the public. In 1996, legislation was passed which created a training certificate for potential entry level social workers. This would allow sociology, criminal justice, psychology and other human

Contact the Board at 1400 East Washington Avenue, PO Box 8935, Madison, WI 53708-8935.

E-mail: clete.hansen@drl.state.wi.us; Voice: 608-266-5439; Fax: 608-267-3816; TTY: 608-267-2416

service degreed bachelor's level graduates an opportunity to enter the social work market and become credentialed as basic certified social workers (CSW) within two years through completion of four (4) courses in social policy and social work methodology and complete field practicums/placements. Field placements, in short, allow the beginner to demonstrate the application of the social work body of knowledge through practice.

With no fiscal note attached, there was no provision for the Department of Regulation and Licensing to add staff to detail the implementation of the training certificate provisions; thus, the social worker section of the board was directed to do so.

We sought to approximate the accepted educational standards of the profession as much as possible without causing undue hardship on students wishing to gain employment in an established profession--yet, at the same time, we felt compelled to not set new, lower standards than what is required of those established in the profession or entering through accredited programs.

The item in question today, i.e. requiring 400 hours for a practicum is required for programs accredited by the Council on Social Work Education. This is not an arbitrary number. It is an established minimum if one is expected to gain minimal competency toward beginner's learning (not mastering) of field practicum experience objectives. NOTE: If your committee wishes to study the competencies I refer to, they are in the compilation of materials I have with me which were gathered in 1996 from social work departments of UW-Milwaukee, UW-Madison, UW-Green Bay, Concordia University, UW-Whitewater, Carthage College, and UW-Eau Claire.

Despite the enormous amount of work the training certificate generated, a strong lobbying effort from non-social work entities resulted in a line-item veto of the 400 hours requirement in 1996 -- a stroke of the pen which professionally trained social workers and those concerned for public safety see as most unfortunate at best.

Ladies and gentlemen, the social worker section has tried several times to negotiate ways to meet this standard without causing undue hardships. Each time we have met with opposition, whose demand is to reduce standards without supporting documentation for their demands, established standards are disregarded as being arbitrary. Although, the critics lack background knowledge and lack experience in ever having worked as social workers.

Finally, there are pockets or catchment areas that are not getting a sufficient number of applicants from current social work programs to meet demand. This has not always been the case but it is today. Thus, this rule cannot be regarded as a gatekeeping measure. It is a measure to protect established standards as being sound policy and continue to assure Wisconsin citizens

Joint Committee for Review of Administrative Rules
Statement of the Examining Board of Social Workers,
Marriage and Family Therapists and Professional Counselors
Page 3

at all levels a minimum competency level that can support the concept of reasonable public safety – even for our most vulnerable citizens.

The bottom line is: It does not make sense to have trainees with education related but not comparable for an established profession to also have less training in skill application of acquired knowledge and yet be given the same credential. This not only raises concern for public safety, it begs fairness and equity.

Thank you for providing this opportunity to address you. I would be pleased to answer any questions you might have at this time.

DOUGLAS V. KNIGHT, Chairman

Social Worker Section
Examining Board of Social Workers, Marriage and
Family Therapists and Professional Counselors

I:\Social Worker Rule-D. Knight.doc/mls

Austin, David

From: Flury, Kelley
Sent: Friday, March 15, 2002 10:19 AM
To: Austin, David
Subject: FW: 400 hours in placement for the social work training certificate

Is this something you are dealing with?

-----Original Message-----

From: Charles Zastrow [mailto:zastrowc@mail.uww.edu]
Sent: Thursday, March 14, 2002 6:31 PM
To: Sen.Robson@legis.state.wi.us
Subject: 400 hours in placement for the social work training certificate

Dear Senator Robson: I am a Professor in Social Work at UW-Whitewater, and have been the Field Placement Coordinator in our Department for the last 4 years. I am also a Commission member (there are 23 others) of the Commission on Accreditation (COA) of the Council on Social Work Education, which accredits all the baccalaureate and masters programs in social work in the USA. COA requires Undergraduate programs to have a minimum of 400 hours of field placement hours for their students. Is Dr. Salem requesting fewer hours in placement for the social work training certificate as he is now acknowledging that the training certificate is inferior to graduating from a COA accredited program? From my 31 years of teaching in social work I am fully aware that the fewer hours students spend in placement, the more the nature of the placement is simply observational--rather than an internship. I strongly urge you to support a requirement that a placement in a social work training certificate program must have a minimum of 400 hours. Chuck Zastrow

Austin, David

From: Flury, Kelley
Sent: Monday, March 18, 2002 8:50 AM
To: Austin, David
Subject: FW: Social Work Training Certificate - Internship Requirement

-----Original Message-----

From: Mel Morgenbesser [mailto:mmorgenb@facstaff.wisc.edu]
Sent: Sunday, March 17, 2002 2:42 PM
To: Sen.Robson@legis.state.wi.us; Rep.Grothman@legis.state.wi.us
Subject: Social Work Training Certificate - Internship Requirement

Dear Senator Robson and Representative Grothman,

On Wed. March 20th you will meet to consider the recommendation of the Social Work Section (License and Regs) that people interested in obtaining the Social Work Training certificate have a minimum of 400 hours of internship experience. I am writing to offer my strong support of that proposal. Professional social work education and training has always required a significant direct service, supervised, internship experience. Allowing people to use the title of social worker by obtaining a Social Work Training Certificate is already questionable (they have significantly less practice relevant course work than students who graduate from accredited undergraduate social work programs and receive a BSW degree). To not require certificate holders to complete supervised practice experience would further undermine the major intent of any professional certification - the protection of the public by assuring that practitioner meets basic professional competencies.

Mel Morgenbesser
Clinical Professor and
Director of Field Education
School of Social Work
UW Madison

Glenn Grothman

STATE REPRESENTATIVE

59TH ASSEMBLY DISTRICT

- For your information
- In response to your request
- Please comment after you have reviewed these materials.

David -

Please find attached
a copy of the CRQI-094
jacket.

Thank you,

Maggie

Room 125 West, State Capitol
Post Office Box 8952
Madison, Wisconsin 53708

Office: (608) 264-8486
Home: (414) 338-8061



State Representative

GREGG UNDERHEIM

Chair: Assembly Committee on Health

Chair: Assembly Select Committee on State & Local Finance

December 3, 2001

The Honorable Oscar Herrera
Secretary, Department of Regulation & Licensing
1400 E. Washington Avenue
PO Box 8935
Madison, WI 53708-8935

Dear Secretary Herrera:

I write regarding Clearinghouse Rule 01-094 relating to the minimum number of hours to be required in a social worker training certificate internship.

Pursuant to §227.19 (4)(b) 1.a., I respectfully request a meeting with you to discuss the above referenced clearinghouse rule.

I look forward to hearing from you regarding this request. Please feel free to contact me with any questions.

Sincerely,

GREGG UNDERHEIM

State Representative

Chair, Assembly Committee on Health

GU/sjl

Cc: Members, Assembly Committee on Health
Senator Judy Robson, Chair
Senate Committee on Human Services & Aging

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Rep.Underheim@legis.state.wi.us

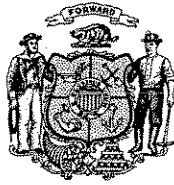
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**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**

Scott McCallum
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December 21, 2001

Representative Gregg Underheim
Chair, Assembly Committee on Health
Room 11 North, State Capitol

DEC 28 2001

Dear Representative Underheim:

Thank you for conveying your concerns over the proposed rule changes in CR 01-094, and for meeting with Secretary Herrera, Section Chair Cornelia Gordon Hempt, Bureau Director Nania and me on Monday. At your suggestion, a special meeting of the Social Worker Section was held today by telephone conference, at which the Section voted to consider modifications to the proposed rule. The next regularly-scheduled meeting of the Section is on January 17, 2002, at which time a full discussion of the issues you raised will be held.

Sincerely,

John Schweitzer, Legal Counsel

cc: Senator Judy Robson, Chair, Senate Committee on Human Services and Aging
Oscar Herrera, Secretary, DRL
Kimberly Nania, Bureau Director, Health Services Professions
all members of the Social Workers Section

WISCONSIN DEPARTMENT OF
REGULATION & LICENSING

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JAN 18 2002

January 16, 2002

JAN 18 2002

Representative Gregg Underheim
Chair, Assembly Committee on Health
Room 11 North, State Capitol

Dear Representative Underheim:

The Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors met today and considered modifications to the proposed rule changes in CR 01-094. As part of that discussion, the Section invited comments from Professor Richard Salem, who attended the entire discussion.

The Section agreed that the effective date of the proposed rule change could present a problem for students in ongoing academic programs, and the Section voted to modify the proposed rule to set an effective date of August 1, 2002. Based on the need to ensure that holders of social work training certificates be prepared to practice safely, for the protection of the public, the Section decided not to depart from the recommended guidelines of the Council on Social Work Education, and not to modify the minimum number of hours for a social work internship from the 400 in the current proposal.

I have attached a revised copy of the proposed rule change. Please proceed with the committee review.

Sincerely,

John Schweitzer, Legal Counsel

att: Revised version of CR 01-094

cc: Senator Judy Robson, Chair, Senate Committee on Human Services and Aging
Oscar Herrerra, Secretary, DRL
Kimberly Nania, Bureau Director, Health Services Professions
William Dusso, General Counsel
Pamela Haack, Rules Clerk
All members of the Social Workers Section

JAN 18 2002

CR 01-094 revised 01/16/02

Language for proposed rule regarding a minimum number of hours to be required in a Social Worker Training Certificate internship.

SFC 3.13 Social worker training certificate.

...

(3) INTERNSHIP AND EMPLOYMENT. To qualify to take the national social work examination, a training certificate holder shall demonstrate to the section, by written certification from his or her supervisor sent directly to the section, that he or she engaged in and successfully completed one of the following:

(a) A human services internship of at least 400 hours that was part of the program leading to the degree the certificate holder specified to satisfy the requirement in s. 457.09 (1) (c) and (4m) (b), Stats., or completed while holding the training certificate, and involved direct practice with clients and that was supervised by a social worker certified under s. 457.08, Stats., and who has a bachelor's or master's degree in social work and provides direct, on-site supervision of the intern.

1. A human services internship shall be approved by the section provided that the supervising social worker certifies on forms provided by the department that the internship provided training and experience, and the student demonstrated competency, in each of the following areas:

- a. Evaluation and assessment of difficulties in psychosocial functioning of a group or another individual.
- b. Developing plans or policies to alleviate those difficulties, and either carrying out the plan or referring individuals to other qualified resources for assistance.
- c. Intervention planning, which may include psychosocial evaluation and counseling of individuals, families and groups; advocacy; referral to community resources, and facilitation of organizational change to meet social needs, based on subd. 1.a.
- d. Knowledge of other disciplines relevant to the evaluation of clients, plans and policies to alleviate client difficulties, and intervention planning.
- e. The ability to intervene effectively on behalf of diverse populations and populations most vulnerable and discriminated against, including development of cultural competence, provision of culturally competent services, and ability to collaborate with others to develop services.
- f. Application of professional ethics and standards in the delivery of social work services to clients.

2. A human services internship completed prior to August 1, 1995, that otherwise qualifies under par. (a), may be approved by the section if it was supervised by a person holding a bachelor's or master's degree in social work and in good professional standing, but who was not certified under s. 457.08, Stats.

...

The effective date of this rule change is August 1, 2002.

1/16/02 jns



State Representative

GREGG UNDERHEIM

Chair: Assembly Committee on Health

Chair: Assembly Select Committee on State & Local Finance

January 22, 2002

TO: Members, Assembly Health Committee

FR: Gregg Underheim

RE: Clearinghouse Rule 01-094

Attached is a germane modification to Clearinghouse Rule 01-094 relating to the minimum number of hours to be required in a social worker training certificate internship from the Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors. The jurisdiction on this rule ends on Monday, February 4, 2003.

The modification consists only of a modest change in the effective date of the rule. The Section failed to heed the Committee's direction to reach a compromise with the opponents of the proposed rule and modify the minimum number of hours required for those seeking social worker certification. Rather than seeking a compromise with the other educational disciplines that qualify for certification, the Section chose to place an unwarranted and unnecessary burden on those students, which effectively creates disincentives for non-social work degree students to enter into the profession and therefore, limits the number of people in the Social Work profession.

It is unreasonable for the Social Worker Section to demand Sociology, Criminal Justice, Human Resources and Psychology Departments all over this state to modify their curricula by August 1, 2002 based on an arbitrary number that serves their own purpose – to limit the number of non-social work degree students eligible for the social worker training certificate.

This rule will once again be scheduled for executive action on Tuesday, January 29, 2002. I ask for your vote to object to this rule pursuant to §227.19(4)(d) 3. and 6.

(d) Committee action.

A committee, by a majority vote of a quorum of the committee during the review period under par. (b), may object to a proposed rule for one or more of the following reasons:

3. A failure to comply with legislative intent.
6. Arbitrariness and capriciousness, or imposition of an undue hardship.

If you have any questions or concerns, please feel free to contact me.

Capitol:

P.O. Box 8953
Madison, Wisconsin 53708-8953
(608) 266-2254
(608) 282-3654 Fax

Toll-Free (888) 534-0054
TDD: (800) 228-2115
Rep.Underheim@legis.state.wi.us

Printed on recycled paper with soy base ink.

District:

1652 Beech Street
Oshkosh, Wisconsin 54901
(920) 233-1082

**STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS,
MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS**

**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF : WORKERS, MARRIAGE AND FAMILY
SOCIAL WORKERS, MARRIAGE : THERAPISTS AND PROFESSIONAL
AND FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 01-094)**

TO: Scott Jensen
Speaker of the Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS is submitting in final draft form rules relating to the minimum number of hours to be required in a social worker training certificate internship.

If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

**STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS**

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE :
EXAMINING BOARD OF SOCIAL : **REPORT TO THE LEGISLATURE**
WORKERS, MARRIAGE AND : **ON CLEARINGHOUSE RULE 01-094**
FAMILY THERAPISTS AND : **(s. 227.19 (3), Stats.)**
PROFESSIONAL COUNSELORS :

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

These rules will have no significant impact upon state or local units of government.

IV. STATEMENT EXPLAINING NEED:

The Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors amends s. SFC 3.13 (3) (a) to specify a minimum number of hours to be required in an internship performed by a holder of a social worker training certificate. Holders of social worker training certificates must complete either a human services internship or one year of supervised social work experience. Current law specifies no minimum duration for an internship. Specifying a minimum number of hours for a human services internship will help to protect the public by ensuring that holders of social worker training certificates, who by definition are seeking to enter the social work profession without an adequate background, supplement their education and experience.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on September 18, 2001. Gail Johnson, NASW-WI, Milwaukee, appeared in support of the proposed rules. There were no other appearances at the public hearing nor were any written comments received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The recommendation suggested in the Clearinghouse Report was accepted in whole.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

g:\rules\sfc19leg.doc
10/25/01

STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND
FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND FAMILY
WORKERS, MARRIAGE AND : THERAPISTS AND PROFESSIONAL
FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 01-094)

PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to amend SFC 3.13 (3) (a), relating to the minimum number of hours to be required in a social worker training certificate internship.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 457.03 (1), Stats.

Statutes interpreted: s. 457.09 (1) (c) and (4m) (b), Stats.

The Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors amends s. SFC 3.13 (3) (a) to specify a minimum number of hours to be required in an internship performed by a holder of a social worker training certificate. Holders of social worker training certificates must complete either a human services internship or one year of supervised social work experience. Current law specifies no minimum duration for an internship. Specifying a minimum number of hours for a human services internship will help to protect the public by ensuring that holders of social worker training certificates, who by definition are seeking to enter the social work profession without an adequate background, supplement their education and experience.

TEXT OF RULE

SECTION 1. SFC 3.13 (3) (a) is amended to read:

SFC 3.13 (3) (a) A human services internship of at least 400 hours that was part of the program leading to the degree the certificate holder specified to satisfy the requirement in s. 457.09 (1) (c) and (4m) (b), Stats., or completed while holding the training certificate, and involved direct practice with clients and that was supervised by a social worker certified under

s. 457.08, Stats., and who has a bachelor's or master's degree in social work and provides direct, on-site supervision of the intern.

(END OF TEXT OF RULE)

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.

Dated _____ Agency _____

Chairperson
Examining Board of Social Workers
Marriage and Family Therapists
and Professional Counselors

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

FINAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

g:\rules\sf19.doc
10/25/01



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 01-094

AN ORDER to amend SFC 3.13 (3) (a), relating to the minimum number of hours to be required in a social worker training certificate internship.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

08-03-01 RECEIVED BY LEGISLATIVE COUNCIL.

08-31-01 REPORT SENT TO AGENCY.

RNS:AS:jal;tlu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 01-094

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

The analysis of the rule states that the Social Worker Section of the Examining Board is promulgating this rule. Is it actually the Examining Board, with the advice of the Social Worker Section, that is promulgating the rule? If so, this should be clarified.

Austin, David

From: Flury, Kelley
Sent: Wednesday, March 20, 2002 1:11 PM
To: Austin, David
Subject: FW: Social Work Training Certificate



Card for Mary Ann
Suppes

-----Original Message-----

From: Mary Ann Suppes [mailto:suppesm@mtmary.edu]
Sent: Tuesday, March 19, 2002 6:38 PM
To: Sen.Robson@legis.state.wi.us
Subject: Social Work Training Certificate

Dear Senator Robson,

I am writing to encourage you to support the Social Workers Section proposed rule that will require completion of a minimum of 400 hours of internship for social work training certificates. The training certificate is already relatively weak in terms of academic preparation. If less than 400 hours of internship were required, it would further diminish the integrity of professional training required of people entering social work positions via the training certificate route. Weakening any further the training required would truly be a disservice to the vulnerable children, families, and older adults who are the recipients of social services in the State of Wisconsin.

Mary Ann Suppes, Professor
Mount Mary College

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**

Scott McCallum
Governor
Oscar Herrera
Secretary



1400 East Washington Avenue
PO Box 8935
Madison WI 53708-8935
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March 29, 2002

Senator Judith Robson
Co-Chair, Joint Committee on Review of Administrative Rules
Room 15 South, State Capitol
sen.robson@legis.state.wi.us

Representative Glenn Grothman
Co-Chair, Joint Committee on Review of Administrative Rules
Room 15 North, State Capitol
rep.grothman@legis.state.wi.us

Dear Senator Robson and Representative Grothman:

The Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors met today by telephone conference, discussed the committee hearing of March 20th, and considered modifications to the proposed rule changes in CR 01-094.

Based on the need to ensure that holders of social work training certificates be prepared to practice safely, for the protection of the public, the Section decided not to depart from the recommended guidelines of the Council on Social Work Education, and not to modify the minimum number of hours for a social work internship from the 400 in the current proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Schweitzer', written over a circular stamp or seal.

John Schweitzer, Legal Counsel

cc: Oscar Herrera, Secretary, DRL
Kimberly Nania, Bureau Director, Health Services Professions
William Dusso, General Counsel
Pamela Haack, Rules Clerk
All members of the Social Workers Section