



(FORM UPDATED: 08/11/2010)

# WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

## 2009-10

(session year)

## Joint

(Assembly, Senate or Joint)

## Committee for Review of Administrative Rules ...

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

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**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 08-089)**

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TO: Senator Jim Holperin, Senate Co-Chairperson  
Joint Committee for the Review of Administrative Rules  
Room 409 South, State Capitol  
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the MARRIAGE AND FAMILY THERAPY,  
PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING BOARD is submitting  
in final draft form rules relating to practice hours and internship for social workers.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any  
questions concerning the final draft form or desire additional information, please contact Pamela  
Haack at 266-0495.

Thank you.

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

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**IN THE MATTER OF RULE-MAKING :**  
**PROCEEDINGS BEFORE THE :**                   **REPORT TO THE LEGISLATURE**  
**MARRIAGE AND FAMILY THERAPY, :**           **ON CLEARINGHOUSE RULE 08-089**  
**PROFESSIONAL COUNSELING AND :**           **(s. 227.19 (3), Stats.)**  
**SOCIAL WORK EXAMINING BOARD :**

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**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:**

The Department of Regulation and Licensing estimates that this rule will require staff time in the Office of Legal Counsel. The total one-time salary and fringe costs are estimated at \$16,477. The department finds that this rule has no significant fiscal effect on the private sector.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

Among the requirements for becoming licensed in Wisconsin as a clinical social worker is the completion of at least 3,000 hours of supervised clinical practice, including 1,000 hours of face-to-face client contact. Currently, the social worker section cannot consider those hours that were accrued out-of-state, unless the person earned them while holding an advanced practice or independent social worker credential. As a result, the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board proposes to amend the social worker rules to permit consideration of clinical social work practice hours accrued out-of-state under an appropriate supervisor. It is also adding a provision to its rules for social worker training certificates to ensure that applicants have completed a human services internship under the auspices of an accredited college or university.

One of the requirements for becoming licensed as a clinical social worker is the accrual of 3,000 hours of supervised practice. The changes to s. MPSW 3.09 are intended to permit applicants who are interested in becoming licensed in Wisconsin as clinical social workers to use supervised clinical social work practice hours that were accrued in another

state. The existing rules do not allow the social worker section to consider clinical hours that were obtained out-of-state. These changes are intended to remedy that situation and will likely result in more clinicians being eligible to practice in Wisconsin.

**V. NOTICE OF PUBLIC HEARING:**

A public hearing was held on October 29, 2008. Michael Wallace, UW-Whitewater, Joanne Barndt, and Marc Herstand, National Association of Social Workers, Wisconsin Chapter, all appeared in support of the proposed rules. No written comments were received.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

Comment 5.b.(4) Subsection (3) also provides that the clinical practice time for in-state practice must be completed under the supervision of a supervisor "approved by the social worker section." Subsection (7) uses the phrase "acceptable to the social worker section." Are the differing terms intended and if so, what is the difference between the two? What goes into the analysis of whether a supervisor is "acceptable" and how will that be determined if the supervisor is in another state?

Response: Section MPSW 4.01 (6) sets forth who may supervise individuals who are accruing their required hours of supervised practice experience. Since it is unlikely that out-of-state applicants will have had supervisors who meet the criteria in s. MPSW 4.01 (6) (a) to (e), the social worker section will need to have discretion in determining who an appropriate supervisor is, but will use these as guidelines in their evaluation of out-of-state supervisors. Supervisors who would otherwise meet these criteria but for the fact that they hold an out-of-state comparable credential would be acceptable supervisors to the section.

Comment 5.c. In s. MPSW 3.13 (3) (a), the word "a" should be eliminated on the last line, if "accredited" is intended to modify "university" as well as "college." Also, what is meant by an internship being "under the auspices of" a college or university? Does it mean that the supervisor must be on the staff of the institution or that the internship is sponsored or supervised by the institution? Note that the language in current sub. (3) (a) is one very long, run-on sentence, which could be broken up as long as the provision is being amended.

Response: The word "a" has been eliminated on the last line in s. MPSW 3.13 (3) (a). The language in sub. (3) (a) will not be broken up.

"Under the auspices of" a college or university means that there is some type of formal or recognized relationship between the internship and the college or university, which could include, but would not necessarily be limited to, a requirement that a supervisor be on the staff of the institution or that the internship is sponsored or supervised by the institution.

All of the other recommendations suggested in the Clearinghouse Report were 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), Stats.

MPSW 3.09, 3.13 CR08-089 (Practice hours, internship-SOC) Report to Leg 1-26-09

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

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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 08-089)

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PROPOSED ORDER

An order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board to amend MPSW 3.09 (3) and 3.13 (3) (a); and to create MPSW 3.09 (3m), relating to practice hours and internship for social workers.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

**Statutes interpreted:**

Sections 457.08 (4) and 457.09 (4) (b) 1., Stats.

**Statutory authority:**

Sections 15.08 (5) (b), 227.11 (2) and 457.03 (3), Stats.

**Explanation of agency authority:**

The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has the authority under s. 457.03, Stats., to promulgate rules.

**Related statutes or rules:**

There are no other related statutes or rules other than those listed above.

**Plain language analysis:**

Among the requirements for becoming licensed in Wisconsin as a clinical social worker is the completion of at least 3,000 hours of supervised clinical practice, including 1,000 hours of face-to-face client contact. Currently, the social worker section cannot consider those hours that were accrued out-of-state, unless the person earned them while holding an advanced practice or independent social worker credential. As a result, the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board

proposes to amend the social worker rules to permit consideration of clinical social work practice hours accrued out-of-state under an appropriate supervisor. It is also adding a provision to its rules for social worker training certificates to ensure that applicants have completed a human services internship under the auspices of an accredited college or university.

One of the requirements for becoming licensed as a clinical social worker is the accrual of 3,000 hours of supervised practice. The changes to s. MPSW 3.09 are intended to permit applicants who are interested in becoming licensed in Wisconsin as clinical social workers to use supervised clinical social work practice hours that were accrued in another state. The existing rules do not allow the social worker section to consider clinical hours that were obtained out-of-state. These changes are intended to remedy that situation and will likely result in more clinicians being eligible to practice in Wisconsin.

The section is also modifying s. MPSW 3.13 (3) (a) to clarify that a human services internship used to meet one of the requirements for an entry-level social work credential must be completed under the auspices of an accredited college or university.

SECTION 1 allows applicants who accrue their supervised practice hours out-of-state to do so without first obtaining an advanced practice or independent social worker credential in Wisconsin. It also amends the term "pre-certification" to "pre-licensed" in order to correct the misuse of the term "pre-certification." The correct term is "pre-licensed."

SECTION 2 allows applicants who obtained their supervised clinical social work practice hours in another state to be given credit for those hours provided they are sufficiently clinical in nature and are completed under the direction of a supervisor acceptable to the social worker section. "Sufficiently clinical in nature" refers to the requirement found in s. MPSW 3.09 that the hours of supervised practice include "DSM diagnosis and treatment of individuals."

SECTION 3 requires that a human services internship be completed under the auspices of an accredited college or university.

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

There is no existing or proposed federal regulation for summary and comparison.

**Comparison with rules in adjacent states:**

**Iowa:**

Iowa has two levels of master's level social work licensure, the licensed master social worker (LMSW) and the licensed independent social worker (LISW). The LISW is the highest-level of social work licensure and requires a master's or doctoral degree in social work and 4,000 hours of supervised practice. There does not appear to be any explicit

requirement that a person hold the Iowa LMSW before accumulating the supervised practice experience. (Wisconsin rules explicitly require applicants to achieve certification as an advanced practice social worker or independent social worker prior to accumulating supervised practice hours toward clinical social work licensure.) Iowa's rules do require that before applying for the LISW, the "social worker" must have received a master's or doctoral degree in social work and practiced at that level.

As to the proposed changes to the internship requirements under the social worker training certificate, Iowa does not have a training certificate or equivalency process for converting a health services degree into a bachelor's degree in social work.

Iowa's administrative rules for licensure of social work are found under chapter 280 of Iowa administrative rule.

### **Illinois:**

Illinois has two levels of social work licensure, the licensed social worker and licensed clinical social worker. The clinical license requires 3,000 hours of supervised practice before being eligible for clinical licensure. There does not appear to be any explicit requirement that a person hold the social worker license before accumulating the supervised practice experience. (Wisconsin rules explicitly require applicants to achieve certification as an advanced practice social worker or independent social worker prior to accumulating supervised practice hours toward clinical social work licensure.) There are explicit provisions in Illinois administrative code which would allow applicants to count hours gained in other jurisdictions outside of Illinois towards clinical licensure.

As to the proposed changes to the internship requirements under the social worker training certificate, Illinois does not have a training certificate or equivalency process for converting a health services degree into a bachelor's degree in social work.

Illinois's administrative rules for licensure of social work are found under Title 68, Part 1470.

### **Michigan:**

Michigan has a master's level social work license, aptly entitled Master's Social Work License. An applicant for the license must indicate the area of intended practice on the application, which includes a license designation of "macro" or "clinical." The macro designation, also known as an administrative designation, is similar to the Wisconsin independent social worker certification and denotes advanced generalist practice of social work. The clinical designation is similar to the Wisconsin clinical social work license and denotes therapeutic clinical practice. The clinical designation requires at least 4,000 hours of supervised practice under the supervision of a Michigan-licensed master's social worker *or a person who holds the equivalent license, certificate, or registration from the state in which the experience was obtained.* To obtain the supervised practice experience required for licensure – for Michigan residents – the administrative rules appear to

require that the applicant holds a limited master's level social work license, however there are provisions, as noted above, which allow transference of hours from jurisdictions outside of Michigan so long as the supervisor held an equivalent credential to that of a Michigan licensed master's level social worker.

As to the proposed changes to the internship requirements under the social worker training certificate, Michigan does not have a training certificate or equivalency process for converting a health services degree into a bachelor's degree in social work.

Michigan's administrative rules for licensure of social work are found under sections R. 338.2901 to R. 338.2910.

### **Minnesota:**

Minnesota has three levels of master's degreed social work licenses, the graduate social worker, independent social worker and the licensed independent clinical social worker, the latter license being the most similar to Wisconsin's licensed clinical social worker. To qualify for the independent clinical social work license in Minnesota requires 4,000 hours of supervised practice. The rules require that Minnesota residents acquire the supervised practice under the graduate social worker or independent social worker license. The rules also specify that that supervised practice must be acquired under a licensed independent clinical social worker, a "mental health professional" (under state regulatory rules of healthcare locations, a mental health professional includes a certified psychiatric nurse, clinical social worker, a psychologist, psychiatrist or marriage and family therapist) or an equivalent mental health professional who is credentialed by another state, territorial, provincial, or foreign licensing agency. This appears to indicate that they could acquire supervised practice hours outside of Minnesota, but this is not explicitly indicated in statute.

As to the proposed changes to the internship requirements under the social work training certificate, Minnesota does not have a training certificate or equivalency process for converting a health services degree into a bachelor's degree in social work.

Minnesota regulates social work under Minnesota statutes sections 148D.001 to 149D.290.

### **Summary of factual data and analytical methodologies:**

Regarding changes to rules allowing acceptance of hours gained out of state: The Social Worker Section has found that a small number of applicants for clinical social work licensure have recently located to Wisconsin and have applied to the Section with supervised practice gained out of state. The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board's rules require that applicants for clinical social work licensure acquire supervised practice while holding a Wisconsin certification as an advanced practice social worker (APSW) or independent social worker (ISW) under an approved supervisor; consequently the Section has denied these applications for

licensure on the grounds that they were not acquired under an appropriate credential. The Section, in review of the supervised experience gained out of state, opines that as the credentialing authority, they should be able to review supervised experience gained out of state, and if found adequate, the Section should be able to accept the applicant's experience as sufficient for achieving clinical social work licensure.

Regarding changes to rules specifying internship requirements for social work training certificate holders: The rules specifying the requirements for converting a human services degree to a bachelor's degree in social work degree require that a person complete an approved human services internship of 400 hours or one year of social work employment with at least 400 hours of face-to-face client experience. Under existing social work programs, human services internships are structured and concentrated social work experiences designed to adequately educate and prepare students for the rigors of professional practice under guidance of an academic program and are not to be considered as abbreviated employment. To compensate for the lack of academic structure and focus by the academic programs, the rules also allow for an applicant to submit one full year of full-time social work practice with at least 400 hours of face-to-face client contact if they did not have the benefit of the internship. In review of internships submitted by applicants for certification through degree equivalency, the Section has found instances of self structured internships which appear to be nothing more than volunteer social work experiences, essentially unpaid social work employment, submitted as a human services internship. These internships are substantially shorter than the one year of social work experience, and in some cases substantially shorter than those human services internships provided by an academic program; furthermore, they lack benefit of oversight and guidance provided by an academic institution. The Section has found that the current rules do not adequately define the social work internship, therefore preventing the section from denying the applications on the basis that their internship was not provided by an academic institution, and therefore did not adequately prepare the applicant for meeting the minimum competencies required for safe practice.

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

Adjusting the rules for accepting supervised hours gained out of state should not impact small business. The effect of the rule change, if effected, will allow a small number of applicants that the social worker section has identified as attempting to transfer their supervised practice gained out of state to qualify for clinical licensure rather than having to complete two additional years of supervised practice. Based on application reviews, the section estimates this number to be less than five on an annual basis.

The section anticipates that clarifying the rules regarding the required human services internship to include a requirement that the internship be provided by an academic program or internship to have negligible or no impact on small business. Adjusting the internship requirement to require academic oversight may decrease human services employers (state certified clinics, community support programs, correctional institutions) access to free labor; however, the actual numbers of these applicants appear to be

extremely low, and in recent experience the section estimates approximately ten or fewer applicants submit volunteer experiences as internships. Additionally, increasing academic oversight should result in better preparation of social workers.

Section 227.137, Stats., requires an “agency” to prepare an economic impact report before submitting the proposed rule-making order to the Wisconsin Legislative Council. The Department of Regulation and Licensing is not included as an “agency” in this section.

**Anticipated costs incurred by private sector:**

The department finds that this rule has no significant fiscal effect on the private sector.

**Fiscal estimate:**

The department estimates that this rule will require staff time in the Office of Legal Counsel. The total one-time salary and fringe costs are estimated at \$16,477.

**Effect on small business:**

These proposed rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at [larry.martin@drl.state.wi.us](mailto:larry.martin@drl.state.wi.us), or by calling (608) 266-8608.

**Agency contact person:**

Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708-8935; telephone 608-266-0495; email [pamela.haack@drl.state.wi.us](mailto:pamela.haack@drl.state.wi.us).

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

Comments may be submitted to Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708-8935, or by email at [pamela.haack@drl.state.wi.us](mailto:pamela.haack@drl.state.wi.us). Comments must be received on or before November 10, 2008 to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. MPSW 3.09 (3) is amended to read:

MPSW 3.09 (3) ~~An~~ Except as provided in sub. (3m), an affidavit that the applicant, after receiving a master’s or doctoral degree and after receiving certification as an advanced practice social worker or an independent social worker, has completed at

least 3,000 hours of clinical social work practice in no less than 2 years, including at least 1,000 hours of face-to-face client contact and including DSM diagnosis and treatment of individuals, under the supervision of a supervisor approved by the social worker section. ~~Pre-certification~~ Pre-licensed supervised practice shall meet the criteria under s. MPSW 4.01.

SECTION 2. MPSW 3.09 (3m) is created to read:

MPSW 3.09 (3m) An applicant who after receiving a master's or doctoral degree in social work and completing any portion of the applicant's 3,000 hours of supervised clinical social work practice outside of Wisconsin in no less than 2 years may be given credit for those hours provided they included at least 1,000 hours of face-to-face-client contact, or a proportionate number thereof, and also included DSM diagnosis and treatment of individuals, completed under the supervision of a supervisor acceptable to the social worker section.

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

MPSW 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. A human services internship shall be under the auspices of an accredited college or university.

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(END OF TEXT OF RULE)  
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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  
Marriage and Family Therapy,  
Professional Counseling and Social Work  
Examining Board



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**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 **08-089**

AN ORDER to amend MPSW 3.09 (3) and 3.13 (3) (a); and to create MPSW 3.09 (7), relating to practice hours and internship for social workers.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

09-08-2008 RECEIVED BY LEGISLATIVE COUNCIL.

10-06-2008 REPORT SENT TO AGENCY.

RS:PS

**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



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 08-089

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]**

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

a. The following comments pertain to the rule analysis:

(1) The first paragraph states that the social worker section (of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board) is amending its rules to permit consideration of clinical social work practice hours accrued out-of-state. However, under s. MPSW 1.03 (1), it is the examining board, not the section, that approves and adopts rules proposed by a section of the board. The analysis should reflect that these are rules of the board that have been recommended by the social worker section.

(2) Also, in the first paragraph, an explanation should be given for why “the section cannot consider those [clinical social work practice] hours that were accrued out-of-state.” Section MPSW 3.09 (3) does not specifically refer to in-state or out-of-state training, so it is not obvious to the reader why the section cannot consider the out-of-state hours. Is it because the provision requires that the applicant’s social work practice must be “under the supervision of a supervisor approved by the social worked section”

and such approval is only available to an in-state supervisor? Note comment b. (2), below, on this point.

(3) The word "must" should be inserted before "be completed" in the third paragraph.

(4) The description of SECTION 1 appears to be misstated, because it reads as if there is a requirement, to which an exception is being made, that applicants obtain their practice in another state. Also, an explanation should be provided for the change in terminology from "pre-certification" to "pre-licensed."

(5) In the description of SECTION 2, what is meant by "sufficiently clinical in nature"?

b. The following comments pertain to s. MPSW 3.09 (3) and (7):

(1) These two subsections pertain to applicants with the same degree and certification requirements and diagnosis and treatment experience, with the primary difference being that the applicants in sub. (3) received their clinical training in Wisconsin while the applicants in sub. (7) received their training elsewhere. Organizationally, it may be preferable either to combine the two provisions into sub. (3), or place the provisions relating to those trained out-of-state in a sub. (3m), rather than in sub. (7), for proximity to sub. (3). If combined, there could be introductory language with the degree, certification, and diagnosis and treatment experience language, and then two paragraphs, the first (par. (a)) with the requirements for those trained in-state and the second (par. (b)) with the requirements for those trained elsewhere. Regardless of whether the two provisions are combined, the questions below should be addressed.

(2) As noted regarding the analysis, sub. (3) does not explicitly state that it pertains only to applicants whose social work practice time was in Wisconsin. In SECTION 1, language should be added clarifying that the provision pertains just to practice time in Wisconsin, to distinguish it from the language created in sub. (7).

(3) Subsection (3) provides that the 3,000 hours of clinical social work practice must have been completed *in no less than 2 years*. Should sub. (7) contain the same minimum time period?

(4) Subsection (3) also provides that the clinical practice time for in-state practice must be completed under the supervision of a supervisor "approved by the social worker section." Subsection

(7) uses the phrase "acceptable to the social worker section." Are the differing terms intended and if so, what is the difference between the two? What goes into the analysis of whether a supervisor is "acceptable" and how will that be determined if the supervisor is in another state?

(5) Is it the rule's intent to limit the non-Wisconsin practice time to time "in another state," as sub. (7) currently provides, or are there circumstances in which practice time in another country would also count? The question is raised because s. MPSW 3.09 (2) provides for recognition of academic degrees awarded by a foreign institution and s. MPSW 3.09 (5) refers to verification of the applicant's credentials "in all jurisdictions in which the applicant has ever been credentialed," which could include foreign jurisdictions. If the intent is to include practice time in another country, the phrase "in another state" should be changed to "outside of Wisconsin" and language added, if needed, to specify circumstances in which practice time outside the country would qualify.

(6) In sub. (7), on line 2, "their" should be changed to "the applicant's."

c. In s. MPSW 3.13 (3) (a), the word "a" should be eliminated on the last line, if "accredited" is intended to modify "university" as well as "college". Also, what is meant by an internship being "under the auspices of" a college or university? Does it mean that the supervisor must be on the staff of the institution or that the internship is sponsored or supervised by the institution? Note that the language in current sub. (3) (a) is one very long, run-on sentence, which could be broken up as long as the provision is being amended.