

Report From Agency

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

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 :

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