

CR 93-90



CERTIFICATE

STATE OF WISCONSIN

DEPARTMENT OF REGULATION AND LICENSING

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Ramona Weakland Warden, Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, do hereby certify that the annexed rules were duly approved and adopted by the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors on the 23rd day of September, 1993.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 23rd day of September, 1993.

Ramona Weakland Warden
**Ramona Weakland Warden, Director
Bureau of Health Service Professions
Department of Regulation and
Licensing**

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

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	EXAMINING BOARD OF SOCIAL WORKERS,
EXAMINING BOARD OF SOCIAL WORKERS,	:	MARRIAGE AND FAMILY THERAPISTS
MARRIAGE AND FAMILY THERAPISTS	:	AND PROFESSIONAL COUNSELORS
AND PROFESSIONAL COUNSELORS	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 93-90)

ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to create chapters SFC 1 to 7, 10 to 18 and 20 of the administrative code relating to definitions, certification qualifications, application procedures for certification, practice standards and unprofessional conduct for persons certified as social workers, marriage and family therapists and professional counselors.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

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

Statutes interpreted: ss. 457.01 to 457.26, Stats., and 1991 Wisconsin Act 160, s. 21(2).

In this proposed rule-making order, the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors creates the rules necessary to the implementation of 1991 Wisconsin Act 160, relating to the certification of social workers, marriage and family therapists and professional counselors practicing within the state.

The first chapter of the rules contain provisions for the efficient operation of the board on promulgation of rules of joint concern to each of the three sections of the board, and set out the requirement that all applications for any certificate issued by any section of the board be completed on forms approved by the board, or the entity providing the examination where an examination is required, and requiring that the completed forms be filed with the board office or the examination provider, as appropriate. The rules further provide that the board or its agent shall administer the examinations required, and set out the basic plan of administration for the examinations. The rules permit a candidate who fails an examination to review the examination with specific time limits, and to file a challenge to the examination in case of error. The procedure for filing a claim of an examination error is described. The final section of the first chapter sets out the procedure for renewal of certificates as a social worker, marriage and family therapist or professional counselor.

Chapters 2 through 7 of the rules relate to the practice of the social worker section of the board. Chapter 2 contains the definitions for terms used in the rules relating to the social worker section and its procedures, and the

practice of social work under a certificate issued by the section. Chapter 3 contains the rules relating to application procedures for a certificate as a certified social worker, a certified advanced practice social worker, a certified independent social worker, or a certified independent clinical social worker. In addition to the application procedures applicable generally in each of the classifications, the rules set out the application procedures for applications made under the various non-statutory "grandfather" provisions waiving one or more of the requirements of the generally applicable eligibility criteria. There are rule provisions relating to applications in each classification without the necessity of taking an examination, for applications filed on or before May 31, 1995; there are rule provisions for applications for certification as a certified social worker on the basis of employment by a government agency as a social worker, and for applications for certification as a certified social worker on the basis of a bachelor's degree and a period of actual practice of social work.

Chapter 4 of the rules provides the details of the period of supervised, postgraduate experience required by the statute as a prerequisite for certification eligibility in the independent and independent clinical social worker classifications.

Chapter 5 provides the details specific to examinations for each of the social worker classifications.

Section 457.03 (2), Stats., requires the board to develop rules specifying the services included within the practice of social work that an individual who is certified as a social worker, advanced practice social worker, independent social worker or independent clinical social worker is qualified to perform, and the degree of supervision, if any, required to perform those services. In accordance with that statute and its express directive, the rules do not permit a certified social worker to engage in psychotherapeutic practice and require particular training and experience qualifications for psychotherapy practice on the part of an advanced practice social worker, independent social worker, or independent clinical social worker. The rules specifying the services included within the practice of social work in each classification, and detailing the training and experience qualifications necessary to support the practice of psychotherapy, are found in Chapters 6 and 7 of the rules.

Chapters 10 through 14 relate to the Professional Counselor section of the board, and the practice of professional counseling. Chapter 10 contains the definitions for terms used in the rules relating to the professional counseling section of the board and its procedures, and the practice of professional counseling under a certificate issued by the section. Chapter 11 contains the rules relating to application procedures for a certificate as a professional counselor, and the requirements for an examination as well as the exceptions to the examination requirement.

Chapter 12 of the rules details the postgraduate supervised practice requirements which an applicant shall complete to be eligible for certification.

Chapter 13 is devoted to the requirements and procedures by which a professional counselor may qualify to practice psychotherapy in professional counseling practice.

Chapter 457, Stats., provides that a person may obtain a certificate as a professional counselor on the basis of a master's or doctoral degree in professional counseling, or its substantial equivalent as determined by the professional counseling section. Chapter 14 details the standards by which the section will determine whether a master's or doctoral degree in a discipline related to professional counseling is the academic equivalent of a degree in professional counseling.

Chapters 15 through 18 of the rules relate to the practice of marriage and family therapy and the marriage and family therapy section of the board. Chapter 15 contains the definitions of the terms used in the rules relating to the practice of marriage and family therapy and the marriage and family therapy section of the board. Chapter 16 contains the application criteria and procedures for certification as a marriage and family therapist, the educational equivalents of a graduate degree in marriage and family therapy which will meet the statutory education prerequisite for certification. Chapter 16 includes the details of the scope and manner of completing the supervised postgraduate pre-certification practice requirement, as well as the details of the requirement for a period of supervised practice of psychotherapy before a certified marriage and family therapist may engage in the independent practice of psychotherapy in conjunction with marriage and family therapy. The qualifications of a person providing practice supervision are also detailed, as are limitations on the manner in which supervision may be accomplished.

Chapter 17 sets out the character and duration of temporary permits to use the title "marriage and family therapist" pending successful completion of the required examination.

Chapter 18 contains the rules relating to the examination for a certificate as a marriage and family therapist, and the exception to the required examination for persons who meet the "grandfather" provisions and apply on or before May 31, 1995.

Chapter 20 contains the definition of "gross negligence" in the practice of social work, professional counseling, and marriage and family therapy, as well as the definition of "unprofessional conduct" in the practice of social work, marriage and family therapy and professional counseling. The definition of unprofessional conduct comprises 23 subsections of illustrative varieties of prohibited conduct, but does not purport to be an all-inclusive list of the conduct which would subject a certificate holder to the possibility of discipline.

TEXT OF RULE

Chapter SFC 1
AUTHORITY AND PRACTICE

SFC 1.01 AUTHORITY.

SFC 1.02 DEFINITIONS.

SFC 1.03 RULE-MAKING.

SFC 1.04 APPLICATION PROCEDURES FOR ALL SECTIONS OF THE BOARD.

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- SFC 1.05 EXAMINATION PROVISIONS FOR ALL SECTIONS OF THE BOARD.
- SFC 1.06 EXAMINATION REVIEW PROCEDURE FOR ALL SECTIONS OF THE BOARD.
- SFC 1.07 CLAIMS OF EXAMINATION ERROR.
- SFC 1.08 CERTIFICATE RENEWAL PROCEDURES FOR ALL SECTIONS OF THE BOARD.

Chapter SFC 2
DEFINITIONS FOR PRACTICE OF SOCIAL WORK

- SFC 2.01 DEFINITIONS.

Chapter SFC 3
APPLICATION FOR SOCIAL WORKER CERTIFICATION

- SFC 3.01 APPLICATION FOR CERTIFICATION AS A SOCIAL WORKER.
- SFC 3.02 APPLICATION FOR SOCIAL WORKER CERTIFICATION WITHOUT EXAMINATION BY PERSONS WHO HAVE ENGAGED IN THE PRACTICE OF SOCIAL WORK PRIOR TO MAY 1, 1993.
- SFC 3.03 APPLICATION FOR SOCIAL WORKER CERTIFICATION WITHOUT EXAMINATION BY PERSONS WHO WERE EMPLOYED AS SOCIAL WORKERS AFTER APRIL 30, 1992, BUT BEFORE MAY 1, 1993.
- SFC 3.04 APPLICATION FOR SOCIAL WORKER CERTIFICATION WITHOUT EXAMINATION BY PERSONS EMPLOYED AS A SOCIAL WORKER BY A GOVERNMENT AGENCY BETWEEN MAY 1, 1993, AND MAY 31, 1994.
- SFC 3.05 APPLICATION FOR CERTIFICATION AS AN ADVANCED PRACTICE SOCIAL WORKER.
- SFC 3.06 APPLICATION FOR CERTIFICATION AS AN ADVANCED PRACTICE SOCIAL WORKER WITHOUT EXAMINATION.
- SFC 3.07 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT SOCIAL WORKER.
- SFC 3.08 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT SOCIAL WORKER WITHOUT EXAMINATION.
- SFC 3.09 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT CLINICAL SOCIAL WORKER.
- SFC 3.10 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT CLINICAL SOCIAL WORKER WITHOUT EXAMINATION.
- SFC 3.11 TEMPORARY PERMIT.

Chapter SFC 4
SUPERVISED PRE-CERTIFICATION SOCIAL WORK PRACTICE

- SFC 4.01 SUPERVISED PRE-CERTIFICATION SOCIAL WORK PRACTICE.

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Chapter SFC 5
SOCIAL WORK EXAMINATIONS

SFC 5.01 EXAMINATION.

Chapter SFC 6
AUTHORIZED SOCIAL WORKER PRACTICE

SFC 6.01 CERTIFIED SOCIAL WORKER.

SFC 6.02 CERTIFIED ADVANCED PRACTICE SOCIAL WORKER.

SFC 6.03 CERTIFIED INDEPENDENT SOCIAL WORKER.

SFC 6.04 CERTIFIED INDEPENDENT CLINICAL SOCIAL WORKER.

Chapter SFC 7
PRACTICE OF PSYCHOTHERAPEUTIC SOCIAL WORK

SFC 7.01 PSYCHOTHERAPEUTIC SOCIAL WORK.

Chapter SFC 10
DEFINITIONS FOR PRACTICE OF PROFESSIONAL COUNSELING

SFC 10.01 DEFINITIONS.

Chapter SFC 11
APPLICATION FOR PROFESSIONAL COUNSELOR CERTIFICATION

SFC 11.01 APPLICATION FOR CERTIFICATION AS A PROFESSIONAL COUNSELOR.

SFC 11.02 EXAMINATION REQUIRED.

SFC 11.03 EXCEPTIONS TO EXAMINATION REQUIREMENT.

Chapter SFC 12
PROFESSIONAL COUNSELOR SUPERVISED PRACTICE

SFC 12.01 SUPERVISED PRACTICE REQUIREMENT.

SFC 12.02 QUALIFICATIONS OF PRACTICE SUPERVISOR.

SFC 12.03 PRE-CERTIFICATION SUPERVISED PRACTICE OUTCOME REQUIREMENT.

SFC 12.04 LIMITATIONS ON GROUP SUPERVISION.

Chapter SFC 13
PRACTICE OF PSYCHOTHERAPY BY PROFESSIONAL COUNSELORS

SFC 13.01 PSYCHOTHERAPEUTIC COUNSELING.

Chapter SFC 14
EQUIVALENCY OF PROFESSIONAL COUNSELOR ACADEMIC PROGRAMS

SFC 14.01 ACADEMIC PROGRAM EQUIVALENT TO A MASTER'S DEGREE IN PROFESSIONAL COUNSELING.

SFC 14.02 ACADEMIC PROGRAM EQUIVALENT TO A DOCTORATE IN PROFESSIONAL COUNSELING.

Chapter SFC 15
DEFINITIONS FOR PRACTICE OF MARRIAGE AND FAMILY THERAPY

SFC 15.01 DEFINITIONS.

Chapter SFC 16
REQUIREMENTS FOR MARRIAGE AND FAMILY THERAPY CERTIFICATION

SFC 16.01 APPLICATION FOR CERTIFICATION AS A MARRIAGE AND FAMILY THERAPIST.

SFC 16.02 EDUCATIONAL EQUIVALENTS FOR GRADUATE DEGREES IN MARRIAGE AND FAMILY THERAPY FROM ACCREDITED INSTITUTIONS.

SFC 16.03 SUPERVISED CLINICAL PRACTICE.

SFC 16.04 SUPERVISED PRACTICE REQUIREMENTS FOR PSYCHOTHERAPY.

SFC 16.05 QUALIFICATIONS OF A PERSON PROVIDING PRACTICE SUPERVISION.

SFC 16.06 LIMITATIONS ON GROUP SUPERVISION.

Chapter SFC 17
MARRIAGE AND FAMILY THERAPY TEMPORARY PERMITS

SFC 17.01 TEMPORARY PERMITS.

Chapter SFC 18
MARRIAGE AND FAMILY THERAPY EXAMINATIONS

SFC 18.01 EXAMINATION.

SFC 18.02 EXCEPTION TO EXAMINATION REQUIREMENT.

Chapter SFC 20
CONDUCT

SFC 20.01 DEFINITION.

SFC 20.02 UNPROFESSIONAL CONDUCT.

SECTION 1. Chapters SFC 1 to 7, 10 to 18 and 20 are created to read:

Chapter SFC 1 (title)
AUTHORITY AND PRACTICE

SFC 1.01 AUTHORITY. This chapter is adopted pursuant to ss. 15.08 (5) (b), 15.405 (7c) (d) and 227.11 (2), Stats.

SFC 1.02 DEFINITIONS. In chs. SFC 1 to 7, 10 to 18 and 20:

(1) "Board" means the examining board of social workers, marriage and family therapists and professional counselors.

(2) "Department" means the department of regulation and licensing.

(3) "Section" means either the social worker section, the marriage and family therapists section, or the professional counselor section of the examining board of social workers, marriage and family therapists and professional counselors.

SFC 1.03 RULE-MAKING. (1) PROCEDURE. The board may approve and adopt rules proposed by any section of the board.

(2) RULES COMMITTEE. (a) Composition. The rules committee of the board is composed of one professional member from each section, and 2 public members. The board chair shall appoint the public members from any of the sections of the board.

(b) Authority and responsibility. The rules committee shall act for the board in rule-making proceedings except for final approval under sub. (1).

SFC 1.04 APPLICATION PROCEDURES FOR ALL SECTIONS OF THE BOARD. (1) 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.

(2) An applicant for any certificate under ch. 457, Stats., shall make application on forms prescribed by both the examination provider for the examination for the certificate for which the applicant is applying and the board. The applicant may not sit for an examination unless the applicant meets the requirements of both the examination provider and the interested section of the board.

(a) The forms prescribed by the examination provider shall be supplied to the applicant by the department, but must be returned to the examination provider at least 60 days prior to the examination date for which the applicant is applying.

(b) The forms prescribed by the board shall be provided to the applicant by the department, and must be returned to the board office at least 60 days prior to the examination date for which the applicant is applying.

NOTE: The board's mailing address is Department of Regulation and Licensing, P.O. Box 8935, Madison, Wisconsin 53708-8935.

SFC 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, independent social worker, independent clinical social worker, marriage and family therapist or professional counselor at least once a year.

(2) An examination applicant shall provide a current passport-type photograph of the examination applicant before the applicant may sit for any required examination.

(3) The examination process consists of a 2 part examination. Part I is an examination pertaining to the profession; part II is an examination on provisions of the Wisconsin statutes and administrative code that pertain to the profession. Parts I and II of the examination

administered under this chapter test entry level competency in the practice area for which the credential is sought. Parts I and II of the examination seek to determine that an applicant's knowledge is sufficient to protect public health, safety and welfare.

(4) The section chairperson or proctor may announce time limits and other necessary controls prior to and during the examinations.

(5) The board may deny release of grades or issuance of a certificate if the board determines that the applicant violated rules of conduct or otherwise acted dishonestly.

(6) Applicants shall pass each part of the examination. An applicant who fails either part I or part II of the examination shall retake that part of the examination. The passing grade on each part of the 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 part I of the examination.

SFC 1.06 EXAMINATION REVIEW PROCEDURE FOR ALL SECTIONS OF THE BOARD. An applicant who fails an examination may request a review of the examination, as permitted by the examination provider. If a review is permitted, the following conditions apply:

(1) The applicant shall file a written request to the board within 30 days of the date on which examination results were mailed and pay the fee under s. RL 4.05.

(2) Examination reviews are by appointment only, and shall be limited to the time permitted by the examination provider for part I of the examination and 1 hour for part II of the examination.

(3) Reviews shall be conducted prior to the application deadline date for the next examination for the particular certificate category.

(4) An applicant may review part I of the examination only once.

(5) Part II of the examination may be reviewed by telephone. During a telephone review an applicant shall be provided with the statute or administrative code reference number and the topic of the test questions the applicant failed.

(6) An applicant may not be accompanied during the review by any person other than the proctors.

(7) Bound reference books shall be permitted. Applicants may not remove any notes from the area. Notes shall be retained by the proctor and made available to the applicant for use at a hearing, if desired. The proctor shall not defend the examination nor attempt to refute claims of error during the review.

SFC 1.07 CLAIMS OF EXAMINATION ERROR. An applicant for any certificate issued by the board who claims an error in the examination may file a written request for board review in the board office within 30 days of the date the examination was reviewed. The board shall review the claim and notify the

applicant in writing of the board's decision and any resulting grade changes. Claims of examination error which are not filed within 30 days of an examination review shall be denied. The request shall include:

- (1) The applicant's name and address.
- (2) The type of certificate applied for.
- (3) A description of the perceived error, including specific questions or procedures claimed to be in error.
- (4) The facts which the applicant intends to prove, including reference text citations or other supporting evidence for the applicant's claim.

SFC 1.08 CERTIFICATE RENEWAL PROCEDURES FOR ALL SECTIONS OF THE BOARD.

(1) Each person granted a certificate under ch. 457, Stats., is certified for the current certification period only. To renew certification a certificate holder shall by July 1 of the odd-numbered year following initial certification and every 2 years thereafter file with the board an application for renewal on a form prescribed by the board, and submit the fee under s. 440.08 (2), Stats.

(2) A certificate holder who fails to renew certification shall cease and desist from using the title. Within 5 years following the renewal date, a certificate holder may renew the expired certificate without examination by filing with the required renewal application, the renewal fee, and the late renewal fee under s. 440.08 (3), Stats. A certificate holder who fails to renew certification within 5 years of the renewal date may be reinstated by complying with the requirements for obtaining initial certification, including educational and examination requirements which apply at the time application is made.

(3) An applicant for reinstatement of certification following disciplinary action shall meet requirements in sub. (1) and may be required to successfully complete an examination as the board prescribes. An applicant who applies for reinstatement more than 5 years after the date of the order imposing discipline against the applicant may be reinstated by complying with the requirements for obtaining initial certification, including educational and examination requirements which apply at the time the application for reinstatement is made.

(4) The certificate and certificate of biennial certification shall be displayed in a prominent place by each person while certified by the board.

(5) Every certificate holder shall notify the department, in writing, of a change of name or address within 30 days of the change.

Chapter SFC 2 (title)
DEFINITIONS FOR PRACTICE OF SOCIAL WORK

SFC 2.01 DEFINITIONS. In chs. SFC 2 to SFC 7:

(1) "Accredited" means accredited by the council on social work education.

(2) "Certified advanced practice social worker" means a person who holds a certificate under s. 457.08 (2), Stats.

(3) "Certified independent clinical social worker" means a person who holds a certificate under s. 457.08 (4), Stats.

(4) "Certified independent social worker" means a person who holds a certificate under s. 457.08 (3), Stats.

(5) "Certified social worker" means a person who holds a certificate under s. 457.08 (1), Stats.

(6) "Client" means the individual, group, business, agency, school, organization, or association for whom the social worker provides professional services. The term "client" includes the term and concept of "patient."

(7) "Clinical field training" means a minimum of one academic year in the supervised practice of clinical social work services consisting of assessment; diagnosis; treatment, including psychotherapy and counseling; client-centered advocacy; consultation; and evaluation. "Clinical field training" does not include indirect social work service, administrative, research, or other practice emphasis.

(8) "Clinical social work" means social work with a clinical emphasis consisting of assessment; diagnosis; treatment, including psychotherapy and counseling; client-centered advocacy; consultation; and evaluation. "Clinical social work" does not include indirect social work service, administrative, research, or other practice emphasis.

(9) "Clinical social work concentration" means graduate studies in social work with a predominantly clinical emphasis consisting of assessment; diagnosis; treatment, including psychotherapy and counseling; client-centered advocacy; consultation; and evaluation. The term includes limited indirect social work service, administrative, research, or other social work practice elements which do not significantly shift the focus of the social work studies from the clinical emphasis.

(10) "Counseling" means the process of identifying and providing options for the resolution or mitigation of an undesired circumstance. Counseling characteristically involves the provision of education, support, advice, guidance, or assistance with planning, and other services of a similar character but does not necessarily involve a long term counselor-client relationship.

(11) "Psychotherapy" means the use of learning, conditioning methods and emotional reactions in a professional relationship to assist persons to modify feelings, attitudes and behaviors which are intellectually, socially or emotionally maladjustive or ineffectual.

(12) "Regionally accredited college or university" means a college or university which is accredited by any of the following bodies: the New England association of schools and colleges, the middle states association of colleges and schools, the north central association of colleges and schools, the northwest association of schools and colleges, the southern association of colleges and schools, the western association of schools and colleges.

(13) "Social worker" has the meaning given in s. 457.01 (10), Stats., and is interpreted to be a general term describing all persons who hold any certificate under s. 457.08, Stats., or any rules adopted pursuant to s. 457.03 (3), Stats., establishing levels of advanced social work practice.

(14) "Supervision" means supervision of the professional practice of social work in the applied skills of the profession.

(15) "Two years full time practice of social work" means 1600 hours of face-to-face client contact in not less than 24 months.

Chapter SFC 3 (title)
APPLICATION FOR SOCIAL WORKER CERTIFICATION

SFC 3.01 APPLICATION FOR CERTIFICATION AS A SOCIAL WORKER. In addition to paying the fee under s. 440.05 (1), Stats., an applicant for certification as a social worker shall submit a completed, signed application form together with:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a bachelor's, master's or doctoral degree in social work.

(2) Verification that the school or program which awarded the social work degree was accredited by or a preaccreditation program of, the council on social work education, at the time the applicant graduated from the program or school.

(3) Verification of successful completion of the examination required.

(4) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(5) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

SFC 3.02 APPLICATION FOR SOCIAL WORKER CERTIFICATION WITHOUT EXAMINATION BY PERSONS WHO HAVE ENGAGED IN THE PRACTICE OF SOCIAL WORK PRIOR TO MAY 1, 1993. A person who engaged in 400 hours of the practice of social work in any year prior to May 1, 1993, or in 500 hours of the practice of social work in any 18 month period prior to May 1, 1993, may apply for certification as a certified social worker on or before May 31, 1995, by submitting the fee under s. 440.05 (1), Stats., and the completed, signed application form together with:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the college or university from which the applicant has graduated with a bachelor's degree.

(2) Verification that the college or university which awarded the bachelor's degree was accredited or a regionally accredited institution at the time the applicant graduated from the college or university.

(3) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(4) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

(5) Satisfactory evidence that the applicant engaged in the practice of social work before May 1, 1993. The applicant shall demonstrate that he or she performed services including, but not limited to, each of the following components:

(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.

NOTE: The deadline for receipt of applications for certification under the social worker section is May 31, 1995. Applications for certification under the social worker section received after that date shall be denied.

SFC 3.03 APPLICATION FOR SOCIAL WORKER CERTIFICATION WITHOUT EXAMINATION BY PERSONS WHO WERE EMPLOYED AS SOCIAL WORKERS AFTER APRIL 30, 1992, BUT BEFORE MAY 1, 1993. A person who is employed as a social worker at any time during the period after April 30, 1992 and before May 1, 1993, may apply for certification as a certified social worker without examination by applying on or before May 31, 1995, and submitting the fee under s. 440.05 (1), Stats., together with the completed, signed application form and:

(1) Satisfactory evidence that he or she was employed under the title "social worker" at any time on or after April 30, 1992, but before May 1, 1993; or

(2) Satisfactory evidence that the predominant focus of his or her duties was the provision of social work services including, but not limited to, each of the following components:

(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.

(3) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(4) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offense which did or could result in revocation or suspension of the applicant's driver's license.

NOTE: The deadline for receipt of applications under the social worker section is May 31, 1995. Applications for certification under the social worker section received after that date shall be denied.

SFC 3.04 APPLICATION FOR SOCIAL WORKER CERTIFICATION WITHOUT EXAMINATION BY PERSONS EMPLOYED AS A SOCIAL WORKER BY A GOVERNMENT AGENCY BETWEEN MAY 1, 1993, AND MAY 31, 1994. A person who is offered and accepts employment or is employed as a social worker by a federal, state or local government agency on and after May 1, 1993, but before June 1, 1994, may apply for certification as a certified social worker on or before June 1, 1994, by submitting the fee under s. 440.05 (1), Stats., together with the completed, signed application form and:

(1) Satisfactory evidence that he or she was offered and accepted employment as a social worker or is employed as a social worker by a federal, state or local government agency in this state on or after May 1, 1993, but before June 1, 1994.

(2) Satisfactory evidence that the predominant focus of his or her duties is or will be the provision of social work services including, but not limited to, the following components:

(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.

(3) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(4) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

NOTE: The deadline for receipt of applications under the social worker section is June 1, 1994. Applications for certification under the social worker section received after that date shall be denied.

SFC 3.05 APPLICATION FOR CERTIFICATION AS AN ADVANCED PRACTICE SOCIAL WORKER. In addition to paying the fee under s. 440.05 (1), Stats., an applicant for certification as an advanced practice social worker shall submit the completed, signed application form and:

- (1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in social work.
- (2) Verification that the school or program which awarded the social work degree was accredited, or a preaccredited program of the council on social work education, at the time the applicant graduated from the program or school.
- (3) Verification of successful completion of the examination required.
- (4) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.
- (5) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

SFC 3.06 APPLICATION FOR CERTIFICATION AS AN ADVANCED PRACTICE SOCIAL WORKER WITHOUT EXAMINATION. No examination is required of a person who applies for certification as an advanced practice social worker on or before May 31, 1995, and submits the fee under s. 440.05 (1), Stats., together with the completed, signed application form and:

- (1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the college or university from which the applicant has graduated with a master's or doctoral degree in social work, marriage and family therapy, psychology, sociology, professional counseling, or other human service program acceptable to the social worker section.
- (2) Verification that the college or university which awarded the master's or doctoral degree was regionally accredited by the New England association of schools and colleges, the middle states association of colleges and schools, the north central association of colleges and schools, the northwest association of schools and colleges, the southern association of colleges and schools, or the western association of schools and colleges at the time the applicant received the master's or doctoral degree under sub. (1).
- (3) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.
- (4) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

NOTE: The deadline for receipt of applications for certification under the social worker section is May 31, 1995. Applications for certification under the social worker section received after that date shall be denied.

SFC 3.07 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT SOCIAL WORKER.

In addition to paying the fee under s. 440.05 (1), Stats., an applicant for certification as an independent social worker shall submit the completed, signed application form and:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in social work.

(2) Verification that the school or program which awarded the social work degree was accredited, or a preaccreditation program of the council on social work education, at the time the applicant graduated from the program or school.

(3) An affidavit that the applicant has completed the equivalent of 2 years of full-time practice of social work under the supervision of a supervisor approved by the social worker section after receiving a master's or doctoral degree. Pre-certification supervised practice shall meet the criteria under s. SFC 4.01.

(4) Verification of successful completion of the examination approved by the section, or verification that the applicant has obtained certification of the academy of certified social workers (ACSW) of the national association of social workers.

(5) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(6) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

SFC 3.08 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT SOCIAL WORKER WITHOUT EXAMINATION. No examination is required of a person who applies for certification as an independent social worker on or before May 31, 1995, and submits the fee under s. 440.05 (1), Stats., together with the completed, signed application form and:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the college or university from which the applicant has graduated with a master's or doctoral degree in social work, marriage and family therapy, psychology, sociology, professional counseling, or other human service program acceptable to the social worker section.

(2) Verification that the college or university which awarded the master's or doctoral degree was regionally accredited by the New England association of schools and colleges, or the middle states association of colleges and schools, or the north central association of colleges and schools, or the northwest association of schools and colleges, or the southern association of colleges and schools, or the western association of schools and colleges at the time the applicant received the master's or doctoral degree under sub. (1).

(3) An affidavit that the applicant has completed the equivalent of 2 years of full-time practice of social work under the supervision of a supervisor approved by the social worker section after receiving a master's or doctoral degree. Pre-certification supervised practice shall meet the criteria under s. SFC 4.01.

(4) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(5) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

NOTE: The deadline for receipt of applications for certification under the social worker section is May 31, 1995. Applications for certification under the social worker section received after that date shall be denied.

SFC 3.09 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT CLINICAL SOCIAL WORKER. In addition to paying the fee under s. 440.05 (1), Stats., an applicant for certification as an independent clinical social worker shall submit the completed, signed application form and:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in social work with a concentration in clinical social work, including completion of supervised clinical field training.

(2) Verification that the school or program which awarded the social work degree was accredited or a preaccreditation program of the council on social work education at the time the applicant graduated from the program or school.

(3) An affidavit that the applicant has completed the equivalent of 2 years of full-time practice of social work in clinical social work under the supervision of a supervisor approved by the social worker section after receiving a master's or doctoral degree. Pre-certification supervised practice shall meet the criteria under s. SFC 4.01.

(4) Verification of successful completion of the examination approved by the section, or verification that the applicant is a board certified diplomat (BCD) of the American board of examiners in clinical social work.

(5) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(6) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

SFC 3.10 APPLICATION FOR CERTIFICATION AS AN INDEPENDENT CLINICAL SOCIAL WORKER WITHOUT EXAMINATION. No examination is required of a person who applies for certification as an independent clinical social worker on or before May 31, 1995, and submits the fee under s. 440.05 (1), Stats., together with the completed, signed application form and:

(1) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in social work, marriage and family therapy, psychology, sociology, professional counseling or other human service program approved by the social worker section with a concentration in clinical social work, including completion of supervised clinical field training.

(2) Verification that the college or university which awarded the master's or doctoral degree was regionally accredited by the New England association of schools and colleges, or the middle states association of colleges and schools, or the north central association of colleges and schools, or the northwest association of schools and colleges, or the southern association of colleges and schools, or the western association of schools and colleges at the time the applicant received the master's or doctoral degree under sub. (1).

(3) An affidavit that the applicant has completed the equivalent of 2 years of full-time practice of social work in clinical social work under the supervision of a supervisor approved by the section after receiving a master's or doctoral degree. Pre-certification supervised practice shall meet the criteria under s. SFC 4.01.

(4) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(5) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

NOTE: The deadline for receipt of applications for certification under the social worker section is May 31, 1995. Applications for certification under the social worker section received after that date shall be denied.

SFC 3.11 TEMPORARY PERMIT. The social worker section may issue a temporary permit permitting the use of the title "social worker," "advanced practice social worker," "independent social worker," or "independent clinical social worker" to an individual who pays the fee under s. 440.05 (6), Stats., and who meets all the qualifications for the certificate except for passing the required examination. The temporary permit shall be valid for a period of 9 months from date of issue of the temporary permit, or release of the examination scores from the next available examination after the date of the application for the temporary permit, whichever is earlier. The temporary permit expires upon notification of failure of the examination or expiration of the 9 month period. The temporary permit may not be renewed.

Chapter SFC 4 (title)
SUPERVISED PRE-CERTIFICATION SOCIAL WORK PRACTICE

SFC 4.01 SUPERVISED PRE-CERTIFICATION SOCIAL WORK PRACTICE.

(1) Supervision of pre-certification practice of social work under s. 457.08 (3) (c) and (4) (c), Stats., shall include the direction of social work practice in face-to-face individual or group sessions of at least one hour duration during each week of supervised practice of social work. Such supervision may be exercised by a person other than an employment supervisor.

NOTE: The one hour per week supervision requirement may be averaged out over the course of the period of supervision. The supervisor may exercise discretion as to the frequency, duration, and intensity of the supervision sessions to meet an average of one hour supervised session per week during the supervision period.

(a) The person supervising the pre-certification practice of social work shall have adequate training, knowledge and skill to competently supervise any social work service that a social worker undertakes. Supervision of the professional practice of social work in the applied skills of the profession may be exercised by a person other than an employment supervisor. The supervisor may not permit a supervisee to engage in any social work practice that the supervisor cannot competently supervise. All supervisors shall be legally and ethically responsible for the activities of the social worker supervisee. Supervisors shall be available or make appropriate provision for emergency consultation and intervention. Supervisors shall be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases, and to terminate the supervised relationship if necessary.

(b) After May 31, 1995, supervision may be exercised by either:

1. A social worker certified at least at the level of the social worker being supervised, if the supervising social worker is qualified to practice without supervision, or

2. A psychologist licensed under ch. 455, Stats., or a psychiatrist licensed under ch. 448, Stats., if the social worker section determines that supervision by a certified social worker is unobtainable or unreasonably restrictive of the delivery of social work services to a particular population, or unduly interferes with training social workers in providing services to a particular population.

(2) If supervision is provided in group sessions, the group shall consist of no more than 6 persons receiving supervision for every one person providing supervision, and may not credit any time which is primarily social activity with the group or supervisor as part of a supervision session. A supervision session which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session, not including social activities.

(3) A period of supervised practice of social work shall include, but not be limited to, practice in each of the following activities:

(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.

(4) At the end of the period of supervised practice, the candidate for certification shall have demonstrated to the candidate's supervisor competence in each of the activities listed in sub. (3).

Chapter SFC 5 (title)
SOCIAL WORK EXAMINATIONS

SFC 5.01 EXAMINATION. (1) An applicant for a certificate as a social worker, advanced practice social worker, independent social worker or independent clinical social worker shall pass all parts of the examination required by the social worker section, unless the applicant is exempt from the examination requirement.

(2) An applicant for a certificate as a social worker shall successfully complete the examination consisting of the Wisconsin statutes and rules examination and an examination approved by the section..

(3) An applicant for a certificate as an advanced practice social worker shall successfully complete the examination consisting of the Wisconsin statutes and rules examination and an examination approved by the section.

(4) An applicant for a certificate as an independent social worker shall successfully complete the examination consisting of the Wisconsin statutes and rules examination and an examination approved by the section.

(5) An applicant for a certificate as an independent clinical social worker shall successfully complete the examination consisting of the Wisconsin statutes and rules examination and an examination approved by the section.

NOTE: A listing of the examinations approved by the social worker section may be obtained from the board office, 1400 East Washington Avenue, Madison, Wisconsin 53708-8935.

Chapter SFC 6 (title)
AUTHORIZED SOCIAL WORKER PRACTICE

SFC 6.01 CERTIFIED SOCIAL WORKER. A certified social worker may evaluate and assess difficulties in psychosocial functioning, develop a plan to alleviate those difficulties, and either carry out the plan or refer clients to other qualified resources for assistance. Intervention plans may include psychosocial evaluation, counseling of individuals, families, and groups; advocacy; referral to community resources; and facilitation of organizational change to meet social needs. A certified social worker may not engage in psychotherapeutic activities.

SFC 6.02 CERTIFIED ADVANCED PRACTICE SOCIAL WORKER. A certified advanced practice social worker may evaluate and intervene in complex difficulties in psychosocial functioning. Intervention plans may include psychosocial evaluation, counseling of individuals, families, and groups; referral to community resources; advocacy; and facilitation of organizational change to meet social needs. A certified advanced practice social worker may engage in psychotherapeutic activities only as permitted in ch. SFC 7.

SFC 6.03 CERTIFIED INDEPENDENT SOCIAL WORKER. A certified independent social worker may evaluate and intervene in complex difficulties in psychosocial functioning. Intervention plans may include psychosocial evaluation, counseling of individuals, families, and groups; referral to community resources; advocacy; facilitation of organization change to meet social needs. A certified independent social worker may engage in psychotherapeutic activities under supervision only as permitted in ch. SFC 7.

SFC 6.04 CERTIFIED INDEPENDENT CLINICAL SOCIAL WORKER. A certified independent clinical social worker may provide services without supervision for the diagnosis, treatment, and prevention of mental and emotional disorders in individuals, families, and groups to restore, maintain, and enhance social functioning through treatment interventions which may include, but are not limited to, psychosocial evaluation; counseling of individuals, families and groups; referral to community resources; advocacy; and facilitation of organization change to meet social needs; and individual, marital, and group psychotherapy. A certified independent clinical social worker may engage in psychotherapeutic activities only as permitted in ch. SFC 7.

Chapter SFC 7 (title)
PRACTICE OF PSYCHOTHERAPEUTIC SOCIAL WORK

SFC 7.01 PSYCHOTHERAPEUTIC SOCIAL WORK. (1) A certified advanced practice social worker, a certified independent social worker, or a certified independent clinical social worker may not engage in psychotherapeutic social work unless he or she has completed 3,000 hours of supervised clinical practice in accordance with sub. (2) after receiving a master's degree, consisting of a minimum of one hour per week of face-to-face supervision during the 3,000 hour period by a person qualified under par. (a), if he or she is listed in the national registry of health care providers in clinical social work, national association of social workers register of clinical social workers, national academy of certified mental health counselors, the national register of health services providers in psychology, or national registry of the American board of examiners in clinical social work. Supervision of the 3,000 hour period of clinical practice may be performed by any of the following:

(a) A social worker with a master's or doctoral degree from a graduate school of social work accredited by the council on social worker education, or a registered nurse with a master's or doctoral degree in psychiatric-mental health nursing or community mental health nursing from a graduate school of nursing accredited by the national league for nursing, if the social worker or registered nurse performing the supervision has completed a 3,000 hour period of supervised clinical practice, is listed in the national registry of health care providers in clinical social work or national association of social workers register of clinical social workers, national academy of certified mental health counselors, the national register of health services providers in psychology, or national registry of the American board of examiners in clinical social work.

(b) A physician who has completed a residency in psychiatry, or a licensed psychologist who is listed or eligible to be listed in the national register of health services providers in psychology.

(2) A certified advanced practice social worker, certified independent social worker, or certified independent clinical social worker may engage in supervised psychotherapeutic social work necessary to fulfill the 3,000 hour supervised practice period, but may do so only under the authority of the person providing supervision and may not engage in any psychotherapeutic social work without the approval of the person providing supervision.

(3) A certified independent clinical social worker may engage in the independent unsupervised practice of psychotherapeutic social work when he or she has completed the 3,000 hour supervised clinical practice period, or is listed in the national registry of health care providers in clinical social work or national association of social workers register of clinical social workers or national academy of certified mental health counselors or the national register of health services providers in psychology, or national registry of the American board of examiners in clinical social work.

(4) A certified advanced practice social worker or a certified independent social worker may engage in the practice of psychotherapeutic social work when he or she has completed the 3,000 hour supervised clinical practice period, or is listed in the national registry of health care providers in clinical social work or national association of social workers register of clinical social workers or national academy of certified mental health counselors or the national register of health services providers in psychology, or national registry of the American board of examiners in clinical social work, but may do so only under the supervision of a person meeting the qualifications of sub. (1) (a).

NOTE: A person who intends to rely upon a listing in one of the national registries or registers identified in this chapter should insure that the registry or register upon which he or she intends to rely is current before he or she engages in the practice of psychotherapeutic social work.

Chapter SFC 10 (title)
DEFINITIONS FOR PRACTICE OF PROFESSIONAL COUNSELING

SFC 10.01. DEFINITIONS. In chs. SFC 10 to 14:

(1) "Client" means the individual, family, group, business, agency, school, organization, or association for whom the credential holder of the board provides professional services for which the credential holder is usually and customarily compensated. The term "client" includes the term and concept of "patient."

(2) "Psychotherapy" means the use of learning, conditioning methods and emotional reactions in a professional relationship to assist persons to modify feelings, attitudes and behaviors which are intellectually, socially or emotionally maladjustive or ineffectual.

(3) "Regionally accredited college or university" means a college or university which is accredited by any of the following bodies: the New England association of schools and colleges, the middle states association of colleges and schools, the north central association of colleges and schools, the northwest association of schools and colleges, the southern association of colleges and schools, the western association of schools and colleges. Applicants for certification shall prove that the college or university at

which the applicant completed course work on which the applicant relies for certification eligibility was regionally accredited at the time the applicant completed the course work.

(4) "Supervision" means the direction of professional counseling practice in face-to-face individual or group sessions lasting an average of at least one hour between the person whose practice is being supervised and the person who is providing the supervision of the practice, during each week that the person seeking certification practices professional counseling.

(5) "The equivalent of one year of full-time practice of professional counseling" means 600 hours of person-to-person simultaneous contact between one or more clients and a person working toward certification as a professional counselor over a period of not less than 12 months and not more than 30 months.

(6) "The equivalent of 2 years of full-time practice of professional counseling" for purposes of completing a period of supervised pre-certification practice means 1200 hours of person-to-person simultaneous contact between one or more clients and a person working toward certification as a professional counselor over a period of not less than 24 months and not more than 60 months.

Chapter SFC 11 (title)
APPLICATION FOR PROFESSIONAL COUNSELOR CERTIFICATION

SFC 11.01 APPLICATION FOR CERTIFICATION AS A PROFESSIONAL COUNSELOR.

(1) In addition to paying the fee under s. 440.05 (1), Stats., an applicant for certification as a professional counselor shall submit the completed, signed application form and:

(a) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with an approved degree. An applicant who does not have a master's or doctoral degree in professional counseling shall be considered for certification as a professional counselor upon the professional counselors section's receipt of a complete description of the academic program which the applicant proposes as the equivalent of a master's or doctoral degree in professional counseling. The professional counselors section may request additional information as necessary to complete the evaluation of the applicant's academic program for compliance with s. SFC 14.01 or s. SFC 14.02.

(b) Verification that the institution which awarded the degree was a regionally accredited college or university, or accredited by the commission for accreditation of counseling and related educational programs, or the council on rehabilitation education at the time the applicant graduated from the school.

(c) An affidavit from the applicant that the applicant has, after receiving a master's or doctoral degree, completed the required period of supervised practice under the supervision of a person qualified to supervise the applicant's practice.

(d) Verification of successful completion of the examination required.

(e) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(f) For all applicants who have been convicted of a crime, or of a traffic offense which did or could result in the suspension or revocation of the applicants' driver's license, or who have such charges pending against them, all information necessary for the section to determine whether the circumstances of the pending charge or conviction are substantially related to the duties of the practice under the certificate.

(2) An applicant may submit, but is not required to submit, evidence of certification by a professional organization.

SFC 11.02 EXAMINATION REQUIRED. Unless an applicant is exempt from the examination requirement, an applicant for certification as a professional counselor shall pass both parts of the examination required under s. 457.12 (4), Stats., consisting of the Wisconsin statutes and rules examination and either the national counselor examination or the certified rehabilitation counselor examination. The professional counselors section may not grant certification to an applicant who has not passed the examination unless the applicant is exempt from the examination requirement.

SFC 11.03 EXCEPTIONS TO EXAMINATION REQUIREMENT. (1) A person who applies for certification as a professional counselor and who pays the fee under s. 440.05 (1), Stats., on or before May 31, 1995, shall be certified as a professional counselor if the applicant submits satisfactory evidence that the applicant meets either of the following conditions:

(a) The applicant has received a master's degree in professional counseling or an academic program equivalent to a master's degree in professional counseling, and, after receiving the degree, has engaged in the equivalent of at least 2 years of full-time supervised clinical professional counseling practice approved by the professional counseling section of the board, or

(b) The applicant has received a doctoral degree in professional counseling or an academic program equivalent to a doctoral degree in professional counseling, and, after receiving the degree, has engaged in the equivalent of at least one year of full-time supervised clinical professional counseling practice approved by the professional counselors section of the board.

Chapter SFC 12 (title)
PROFESSIONAL COUNSELOR SUPERVISED PRACTICE

SFC 12.01 SUPERVISED PRACTICE REQUIREMENT. (1) SUPERVISION FOR CERTIFICATION ELIGIBILITY. An applicant for certification as a professional counselor under s. 457.10, Stats., shall complete a period of supervised practice to become eligible for the certificate. Supervision of the practice of professional counseling undertaken to meet the pre-certification practice requirement may be exercised by a person other than an employment supervisor. The supervisor may exercise discretion as to the frequency, duration, and intensity of the supervision sessions to meet an average of one hour supervised practice per week during the supervised practice period.

(a) An applicant who has received a master's degree shall complete the equivalent of 2 years of supervised full-time practice of professional counseling before the applicant is eligible for a certificate as a professional counselor.

(b) An applicant who has received a doctoral degree shall complete the equivalent of one year of supervised full-time practice of professional counseling before the applicant is eligible for a certificate as a professional counselor.

(2) SUPERVISION FOR PSYCHOTHERAPY PRACTICE QUALIFICATION. The supervised practice period required under sub. (1) shall be credited toward the completion of the supervised practice period required under s. SFC 13.01 if that practice includes psychotherapeutic services by delegation of a professional eligible to perform psychotherapy and provide supervision under s. SFC 12.03, but no professional counselor may perform psychotherapy independently and unsupervised with any client until the professional counselor has completed the equivalent of 2 years full-time supervised practice of professional counseling.

NOTE: A person who received a master's degree in professional counseling or a closely related field and who completed the equivalent of 2 years of full-time supervised practice of professional counseling to qualify for certification as a professional counselor may practice psychotherapy immediately upon certification as a professional counselor.

A person who received a doctoral degree in professional counseling or a closely related field and who completed the equivalent of one year of full-time supervised practice of professional counseling to qualify for certification as a professional counselor shall complete the equivalent of an additional one year full-time supervised practice of professional counseling before he or she may engage in psychotherapy with any client.

SFC 12.02 QUALIFICATIONS OF PRACTICE SUPERVISOR. (1) A person who supervises the practice of professional counseling shall have adequate training, knowledge and skill to competently render any professional counseling service that a supervisee undertakes. The supervisor may not permit a supervisee to engage in any professional counseling practice that the supervisor cannot competently perform. All supervisors shall be legally and ethically responsible for the supervised activities of the professional counselor supervisee. Supervisors shall be available or make appropriate provision for emergency consultation and intervention. Supervisors shall be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases, and to terminate the supervised relationship if necessary.

(2) Supervision of a period of supervised practice of professional counseling may be exercised by:

(a) A certified professional counselor;

(b) A person who is eligible for certification as a professional counselor;

(c) A certified independent clinical social worker;

(d) A certified marriage and family therapist;

(e) A licensed physician who has completed a residency in psychiatry;

(f) A licensed psychologist who is listed or eligible to be listed in the national register of health services providers in psychology;

(g) A registered nurse with a master's degree in psychiatric mental health nursing or community mental health nursing from a graduate school of nursing accredited by the national league for nursing, and who is listed or eligible to be listed in the national register of health services providers in psychology;

(h) Another qualified professional approved by the professional counseling section in advance of the supervision of the practice of professional counseling if the professional counselors section determines that supervision by a certified professional counselor is unobtainable or unreasonably restrictive of the delivery of professional counseling services to a particular population, or unduly interferes with training professional counselors in providing services to a particular population; or

(3) It is the applicant's responsibility to satisfy the professional counselors section that the applicant's supervisor met all qualifications.

SFC 12.03 PRE-CERTIFICATION SUPERVISED PRACTICE OUTCOME REQUIREMENT. As a condition of successful completion of a period of supervised practice, the candidate for certification shall demonstrate competence to his or her practice supervisor in each of the following areas: counseling principles and techniques; case management; client assessment; ethics; and professional and community interaction. The candidate for certification shall also demonstrate competence to his or her practice supervisor in at least 3 of the following 7 areas: coordination and supervision of services; individual and group and family, or individual and group or family counseling techniques; assessment planning, administration and interpretation; service delivery systems and referral; counseling plan development; legal testimony; and consultation.

SFC 12.04 LIMITATIONS ON GROUP SUPERVISION. (1) If supervision is provided in group sessions, the group shall consist of no more than 6 persons receiving supervision for every one person providing supervision.

(2) If supervision is provided in group sessions, each person receiving supervision as part of the group session receives one hour credit for each hour that the group meets for supervision, but may not credit any time which is primarily social activity with the group or supervisor as part of a supervision session.

(3) A supervision session for a group or individual which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session, not including social activities.

Chapter SFC 13 (title)
PRACTICE OF PSYCHOTHERAPY BY PROFESSIONAL COUNSELORS

SFC 13.01 PSYCHOTHERAPEUTIC COUNSELING. (1) A certified professional counselor may engage in psychotherapy only if he or she has completed 3,000 hours of supervised clinical practice, which means a minimum of one hour per week of face-to-face supervision during the 3,000 hour period by a person qualified under par. (a), or is listed in the national registry of health care providers in clinical social work, or national association of social workers register of clinical social workers or national academy of certified mental health counselors or the national register of health services providers in psychology, or national registry of the American board of examiners in clinical social work.

(a) Supervision of the 3,000 hour period of clinical practice may be performed by any of the following:

1. A physician who has completed a residency in psychiatry, or a licensed psychologist who is listed or eligible to be listed in the national register of health services providers in psychology.

2. A professional counselor with a master's or doctoral degree from a college or university accredited by its regional accrediting association, the commission for accreditation of counseling and related educational programs, or the council on rehabilitation education, if the professional counselor performing the supervision has completed a 3,000 hour period of supervised clinical practice or is listed in the national registry of health care providers in clinical social work or national association of social workers register of clinical social workers or national academy of certified mental health counselors or the national register or health services providers in psychology, or national registry of the American board of examiners in clinical social work.

3. A social worker with a master's or doctoral degree from a graduate school of social work accredited by the council on social worker education, if the social worker performing the supervision has completed a 3,000 hour period of supervised clinical practice or is listed in the national registry of health care providers in clinical social work or national association of social workers register of clinical social workers or national academy of certified mental health counselors or the national register or health services providers in psychology, or national registry of the American board of examiners in clinical social work.

4. A registered nurse with a master's or doctoral degree in psychiatric-mental health nursing or community mental health nursing from a graduate school of nursing accredited by the national league for nursing, if the registered nurse performing the supervision has completed a 3,000 hour period of supervised clinical practice or is listed in the national registry of health care providers in clinical social work or national association of social workers register of clinical social workers or national academy of certified mental health counselors or the national register or health services

providers in psychology, or national registry of the American board of examiners in clinical social work.

(2) A certified professional counselor may engage in supervised psychotherapeutic social work necessary to fulfill the 3,000 hour supervised practice period, but shall do so only under the authority of the person providing them supervision and may not engage in any psychotherapy without the approval of the person providing them supervision.

NOTE: A person who intends to rely upon a listing in one of the national registries or registers identified in this chapter should insure that the registry or register upon which he or she intends to rely is current before he or she engages in the practice of psychotherapeutic social work.

Chapter SFC 14 (title)
EQUIVALENCY OF PROFESSIONAL COUNSELOR ACADEMIC PROGRAMS

SFC 14.01 ACADEMIC PROGRAM EQUIVALENT TO A MASTER'S DEGREE IN PROFESSIONAL COUNSELING. An academic program is the equivalent of a master's degree in professional counseling from an approved institution if the completed program meets the following criteria:

(1) The course work was completed at an institution which was accredited by its regional accrediting association at the time the applicant graduated from the program, and was part of a program of studies leading to a master's degree or doctoral degree in a field closely related to professional counseling.

(2) The course work included successful completion of a supervised counseling practicum, a counseling theory course, and at least one course of at least 3 semester hours or 4 quarter hours academic credit in at least 6 of the following 8 topic areas, and the course work included a total of at least 42 semester hours or 63 quarter hours of academic credit in courses distributed among at least 6 of the following 8 topic areas:

(a) Human growth and development -- studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, normal and abnormal human behavior, personality theory, and learning theory within appropriate cultural contexts.

(b) Social and cultural foundations -- studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

(c) The helping relationship -- studies that provide a broad understanding of philosophic bases of helping processes, counseling theories and their applications, basic and advanced helping skills, consultation theories and their applications, client and helper self-understanding and self-development, and facilitation of client or consultee changes.

(d) Group dynamics processing and counseling -- studies that provide a broad understanding of group development, dynamics, and counseling theories, group leadership styles, basic and advanced group counseling methods and skills, and other group approaches.

(e) Lifestyle and career development -- studies that provide a broad understanding of career development theories; occupational and educational information sources and systems; career and leisure counseling, guidance and education; lifestyle and career decision making; career development program planning and resources; and effectiveness evaluation.

(f) Appraisal of individuals -- studies that provide a broad understanding of group and individual educational and psychometric theories and approaches to appraisal, data and information gathering methods, validity and reliability, psychometric statistics, factors influencing appraisals, and use of appraisals results in helping processes.

(g) Research and evaluation -- studies that provide a broad understanding of types of research, basic statistics, research report development, research implementation, program evaluation, needs assessment, publication of research information, and ethical and legal considerations.

(h) Professional counseling orientation -- studies that provide a broad understanding of professional roles and functions, professional goals and objectives, professional organizations and associations, professional history and trends, ethical and legal standards, professional preparation standards, and professional credentialing.

(3) For purposes of this section, one academic quarter credit is equivalent to two-thirds of one academic semester credit.

SFC 14.02 ACADEMIC PROGRAM EQUIVALENT TO A DOCTORATE IN PROFESSIONAL COUNSELING. An academic program is the equivalent of a doctoral degree in professional counseling from an approved institution if the completed program meets the following criteria:

(1) The course work was completed at an institution which was accredited by its regional accrediting association at the time the applicant graduated from the program, and was part of a program of studies leading to a doctoral degree in a field closely related to professional counseling.

(2) The course work included successful completion of a supervised counseling practicum, a counseling theory course, and at least one course of at least 3 semester hours or 4 quarter hours academic credit in each of the 8 topic areas defined in s. SFC 12.01 (2), and the course work included at least 48 semester hours or 72 quarter hours of academic credit distributed among those 8 topic areas.

(3) For purposes of this section, one academic quarter credit is equivalent to two-thirds of one academic semester credit.

Chapter SFC 15 (title)
DEFINITIONS FOR PRACTICE OF MARRIAGE AND FAMILY THERAPY

SFC 15.01 DEFINITIONS. As used in chs. SFC 15 to 17:

(1) "Accredited" means accredited by the commission on accreditation for marriage and family therapy education of the American association for marriage and family therapy.

(2) "Regionally accredited college or university" means a college or university which is accredited by any of the following bodies: the New England association of schools and colleges, the middle states association of colleges and schools, the north central association of colleges and schools, the northwest association of schools and colleges, the southern association of colleges and schools, the western association of schools and colleges.

(3) "Supervision" means supervision of the professional practice of marriage and family therapy in the applied skills of the profession.

Chapter SFC 16 (title)
REQUIREMENTS FOR CERTIFICATION

SFC 16.01 APPLICATION FOR CERTIFICATION AS A MARRIAGE AND FAMILY THERAPIST. (1) In addition to paying the fee specified in s. 440.08 (2) (a), Stats., an applicant for certification as a marriage and family therapist shall submit the completed, signed application form and:

(a) 1. A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the regionally accredited college or university or other accredited institution from which the applicant has graduated with a master's or doctoral degree in marriage and family therapy.

2. An applicant who does not have a master's or doctoral degree in marriage and family therapy must present a certificate of professional education signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with a master's or doctoral degree in a field substantially equivalent to marriage and family therapy, together with satisfactory evidence of having completed education equivalent to a master's or doctoral degree in marriage and family therapy pursuant to s. SFC 16.02.

3. An applicant who has a master's or doctoral degree in marriage and family therapy from a program which was not accredited by the commission on accreditation for marriage and family therapy education of the American association for marriage and family therapy must submit satisfactory evidence of having completed education equivalent to a master's or doctoral degree in marriage and family therapy from a program accredited by the commission on accreditation for marriage and family therapy education of the American association for marriage and family therapy, pursuant to s. SFC 16.02.

(b) An affidavit that the applicant has completed the equivalent of 2 years of supervised practice of marriage and family therapy under the supervision of a supervisor approved by the section.

(c) Verification of successful completion of the examination required.

(d) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(e) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

(2) Individuals who, after review of appropriate training and experience, have been admitted to clinical membership in the American association for marriage and family therapy will be considered for certification on the section's review of documentation of the individual's clinical membership submitted directly to the section from AAMFT. Those applicants shall also submit the fee specified in s. 440.08 (2) (a), Stats. with the completed, signed application form and:

(a) An affidavit that the applicant has completed the equivalent of 2 years of supervised practice of marriage and family therapy under the supervision of a supervisor approved by the section.

(b) Verification of successful completion of the examination required.

(c) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(d) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

(3) Individuals who do not possess either a master's or doctoral degree in marriage or family therapy, or a substantially equivalent field, and who have not been admitted to clinical membership in the American association for marriage and family therapy but who have completed the educational and practice requirements set forth in s. SFC 16.02 (4) and who submit an application on or before May 31, 1995, shall submit the fee specified in s. 440.08 (2) (a), Stats., together with the completed, signed application form and:

(a) Transcripts and affidavits sufficient to prove the completion of the educational requirements set forth in s. SFC 16.02 (4). Transcripts shall be submitted to the section directly from the college or university issuing the transcripts.

(b) Affidavits sufficient to prove the completion of the practice requirements set forth in s. SFC 16.02 (4).

(c) Verification of the applicant's licensure in all jurisdictions in which the applicant has ever been credentialed.

(d) All pertinent information relating to any convictions or pending charges for all crimes and any traffic offenses which did or could result in revocation or suspension of the applicant's driver's license.

SFC 16.02 EDUCATIONAL EQUIVALENTS FOR GRADUATE DEGREES IN MARRIAGE AND FAMILY THERAPY FROM ACCREDITED INSTITUTIONS. For purposes of meeting the educational requirements for a certificate as a marriage and family therapist, the following are substantially equivalent to a master's or doctoral degree in marriage and family therapy from an accredited institution:

(1) A course of study that includes at least 9 separate courses in the general topic areas of marital and family studies, marital and family therapy and human development during the completion of a master's or doctoral degree at a regionally accredited college or university, as follows:

NOTE: There is a depth requirement in the educational equivalency evaluation. Each applicant is required to have a minimum of 2 courses in each of the general topic areas of marital and family studies, marital and family therapy, and human development. Each applicant is also required to have a minimum of 3 additional courses chosen from one or more of those topic areas, for a total of 9 separate courses in the topic areas of marital and family studies, marital and family therapy, and human development.

(a) Marital and family studies; a minimum of 2 separate courses and 6 semester hours or 8 quarter hours of academic credit. The courses shall relate directly to family development and family interactional patterns across the life cycle of the family as well as the family. Course work shall include one or more of the following areas: the study of family life cycle; theories of family development; marriage and the family; sociology of the family; families under stress; the contemporary family; the family in a social context; the cross-cultural family; youth, adult, aging and the family; family subsystems; and individual, interpersonal relationships involving marital, parental, and sibling relations.

(b) Marital and family therapy; a minimum of 2 separate courses and 6 semester hours or 8 quarter hours of academic credit. The course work shall include one or more of the following areas: the study of family therapy methodology; family assessment; treatment and intervention methods in family or marital therapy; overview of major clinical theories of marital and family therapy such as: communications, contextual, experiential, object relations, strategic, structural, systemic, transgenerational.

(c) Human development; a minimum of 2 separate courses and 6 semester hours or 8 quarter hours of academic credit. The course work shall include one or more of the following areas: the study of human development; personality theory; human sexuality; psychopathology; and behavior-pathology.

(d) Professional studies; a minimum of 1 course and 3 semester hours or 4 quarter hours of academic credit. The course work shall include one or more of the following areas: the study of professional socialization and the role of the professional organization; legal responsibilities and liabilities; independent practice and interprofessional cooperation; ethics; and family law.

(e) Research; a minimum of 1 course and 3 semester hours or 4 quarter hours of academic credit. The course work shall include one or more of the following areas: research design; methods and statistics; and research in marital and family studies and therapy.

(f) Clinical practicum; clinical practice as part of an academic program in marriage and family therapy or a substantially equivalent field, including at least 300 hours in face-to-face contact with individuals, couples, and families for the purpose of assessment, diagnosis, and treatment, accumulated under supervision in not less than 8 calendar months and not more than 24 calendar months.

NOTE: The clinical practice required in an academic program in order to meet the educational equivalency of a master's or doctoral degree in marriage and family therapy shall not be considered to fulfill any part of the postgraduate supervised practice requirement for certification eligibility. A person who is working towards the equivalent of a graduate degree in marriage and family therapy shall complete the 300 hours of supervised practice as part of the academic equivalency, and shall also complete the 2 years of postgraduate supervised practice required of all applicants for a certificate as a marriage and family therapist.

(2) Proof that the applicant has, after obtaining a master's or doctoral degree in a field substantially equivalent to marriage and family therapy, successfully completed and received academic credit for course work at an accredited institution or a regionally accredited college or university, which, when combined with course work supporting the master's or doctoral degree in the substantially equivalent field, meets the criteria stated in sub. (1).

(3) Proof that the applicant has been admitted to clinical membership in the American association for marriage and family therapy after review of appropriate training and experience may be considered as the equivalent of a graduate degree in marriage and family therapy from an accredited institution on the marriage and family therapists section's review of documentation of the applicant's clinical membership in the American association for marriage and family therapy. The applicant shall request the American association for marriage and family therapy to send documentation of the applicant's clinical membership in the American association for marriage and family therapy and the date the membership was granted directly to the marriage and family therapists section from the American association of marriage and family therapy.

(4) Proof that an applicant who applies on or before May 31, 1995, has been awarded a master's or doctoral degree in a field substantially equivalent to marriage and family therapy from a regionally accredited college or university. The applicant shall provide documentation of having completed at least 8 courses from the areas under sub. (1) (a) to (f). The applicant shall be required to document completion of at least one course in each of the categories in sub. (1) (a) to (c). The applicant shall also provide an affidavit documenting 2 years of full-time practice of marriage and family therapy under the supervision of a qualified supervisor, followed by 3 years of full-time independent practice of marriage and family therapy.

SFC 16.03 SUPERVISED CLINICAL PRACTICE. For purposes of meeting the postgraduate supervised practice requirement, 2 years of clinical practice of marriage and family therapy consists of 1,000 hours of client contact over a period of not less than 24 months. The person whose practice is being supervised shall receive a minimum of 50 hours of face-to-face supervision within each 12 month period of supervised practice. Practice of marriage and family therapy which occurs as part of the requirements for obtaining a master's or doctoral degree in marriage and family therapy or a substantially related field shall not be considered to fulfill any part of the postgraduate supervised practice requirement.

SFC 16.04 SUPERVISED PRACTICE REQUIREMENT FOR PSYCHOTHERAPY. The supervised practice period required as a prerequisite for a certificate as a marriage and family therapist counts towards the completion of the supervised practice period required of a person who wishes to include psychotherapeutic services in his or her practice as a certified marriage and family therapist, but no marriage and family therapist may perform psychotherapy without supervision with any client until the marriage and family therapist has completed the equivalent of 2 years full-time supervised practice of marriage and family therapy.

SFC 16.05 QUALIFICATIONS OF A PERSON PROVIDING PRACTICE SUPERVISION.

(1) Supervision of a period of supervised practice of marriage and family therapy may be exercised by either:

(a) A person who holds an "approved supervisor" certificate from the American association for marriage and family therapy; or

(b) A person who holds a master's or doctoral degree in marriage and family therapy or a substantially equivalent field, if the person has course work in supervision of marriage and family therapy; or

(c) A person with 3 years of experience supervising the provision of marriage and family therapy services following 3 years of independent practice of marriage and family therapy.

(2) Supervision of required postgraduate clinical practice shall be conducted by a supervisor with adequate training, knowledge and skill to competently supervise any marriage and family therapy service that a marriage and family therapist undertakes. The supervision of the practice of marriage and family therapy may be exercised by a person other than an employment supervisor. The supervisor may not permit a supervisee to engage in any marriage and family therapy practice that the supervisor cannot competently supervise. All supervisors shall be legally and ethically responsible for the activities of the marriage and family therapist supervisee. Supervisors shall be available or make appropriate provision for emergency consultation and intervention. Supervisors shall be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases, and to terminate the supervised relationship if necessary.

(3) It is the applicant's responsibility to satisfy the marriage and family therapists section that the applicant's supervisor met all qualifications.

SFC 16.06 LIMITATIONS ON GROUP SUPERVISION. (1) If supervision is provided in group sessions, the group shall consist of no more than 6 persons receiving supervision for every one person providing supervision.

(2) If supervision is provided in group sessions, each person receiving supervision as part of the group session receives one hour credit for each hour that the group meets for supervision, but may not credit any time which is primarily social activity with the group or supervisor as part of a supervision session.

(3) A supervision session for a group or individual which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session, not including social activities.

Chapter SFC 17 (title)
MARRIAGE AND FAMILY THERAPY
TEMPORARY PERMITS

SFC 17.01 TEMPORARY PERMITS. A temporary permit for the use of the title marriage and family therapist shall be issued to a person who has completed the educational and supervised practice requirements for eligibility for a certificate as a marriage and family therapist upon payment of the fee for the temporary permit and application for the next available examination. The temporary permit is valid for a period not to exceed 9 months from the date of its issuance, or the date on which examination scores are released, whichever occurs sooner. The marriage and family therapists section may grant one renewal of the temporary permit in cases of hardship, for a period not to exceed 9 months or the date of the release of scores from the next available examination after the date of renewal of the temporary certificate, whichever occurs sooner. A person who fails the certification examination shall immediately return the temporary permit to the marriage and family therapists section. The marriage and family therapists section may not grant or renew a temporary permit to an applicant who has failed the certification examination.

Chapter SFC 18 (title)
MARRIAGE AND FAMILY THERAPY
EXAMINATIONS

SFC 18.01 EXAMINATION. Unless the applicant is exempt under s. SFC 18.02 from the examination requirement, an applicant for a certificate as a marriage and family therapist shall successfully complete the examination consisting of the Wisconsin statutes and rules examination and the examination in marriage and family therapy of the association of marital and family therapy regulatory boards.

SFC 18.02 EXCEPTION TO EXAMINATION REQUIREMENT. An applicant who pays the fee specified in s. 440.05 (1), Stats., and applies on or before May 31, 1995, and who provides satisfactory evidence of meeting the certification criteria specified in s. SFC 16.01 shall be exempt from the examination.

Chapter SFC 20 (title)
CONDUCT

SFC 20.01 DEFINITION. "Gross negligence" in the practice of social work, or marriage and family therapy, or professional counseling means the performance of professional services that does not comply with an accepted standard of practice that has a significant relationship to the protection of the health, safety or welfare of a patient, client, or the public, and that is performed in a manner indicating that the person performing the services knew or should have known, but acted with indifference to or disregard of, the accepted standard of practice.

SFC 20.02 UNPROFESSIONAL CONDUCT. Unprofessional conduct related to the practice under the credential issued under ch. 457, Stats., includes, but is not limited to, engaging in, attempting to engage in, or aiding or abetting the following conduct:

(1) Performing or offering to perform services for which the certificate holder is not qualified by education, training or experience.

(2) Violating a law of any jurisdiction, the circumstances of which substantially relate to the practice under the credential.

(3) Undertaking or continuing performance of professional services after having been adjudged incompetent by any court of law.

(4) Using fraud or deception in the application for a certificate.

(5) Using false, fraudulent, misleading or deceptive advertising, or maintaining a professional relationship with one engaging in such advertising.

(6) Engaging in false, fraudulent, deceptive or misleading billing practices.

(7) Reporting distorted, false, or misleading information or making false statements in practice.

(8) Discriminating on the basis of age, race, color, sex, religion, creed, national origin, ancestry, disability or sexual orientation by means of service provided or denied.

(9) Practicing or attempting to practice while the certificate holder is impaired due to the utilization of alcohol or other drugs, or as a result of an illness which impairs the certificate holder's ability to appropriately carry out the functions delineated under the credential in a manner consistent with the safety of a client, patient, or the public.

(10) Revealing facts, data, information, records or communication received from a client in a professional capacity, except in the following circumstances:

(a) With the informed consent of the client or the client's authorized representative;

(b) With notification to the client prior to the time the information was elicited of the use and distribution of the information; or

(c) If necessary to prevent injury to the client or another person;

(d) Pursuant to a lawful order of a court of law;

(e) Use of case history material for teaching, therapeutic or research purposes, or in textbooks or other literature, provided that proper precautions are taken to conceal the identity of the client; or

(f) When required pursuant to federal or state statute.

(11) Engaging in sexual contact, sexual conduct, or any other behavior with a client which could reasonably be construed as seductive. For purposes of this rule, a person shall continue to be a client for 2 years after the termination of professional services.

(12) Failing to provide the client or client's authorized representative a description of what may be expected in the way of tests, consultation, reports, fees, billing, therapeutic regimen or schedule.

(13) Failing to avoid dual relationships or relationships that may impair the credentialed person's objectivity or create a conflict of interest. Dual relationships prohibited to credentialed persons providing psychotherapy include the credentialed person treating the credentialed person's employers, employes, supervisors, supervisees, close friends or relatives, and any other person with whom the credentialed person shares any important continuing relationship.

(14) Failing to conduct an assessment, evaluation, or diagnosis as a basis for treatment consultation.

(15) Employing or claiming to have available secret techniques or procedures that the certificate holder refuses to divulge.

(16) In the conduct of research, failing to inform study participants of all features of the research that might reasonably be expected to influence willingness to participate; failure to ensure as soon as possible participants' understanding of the reasons and justification for methodological requirements of concealment or deception in the study; failure to protect participants from physical or mental discomfort, harm or danger, or to notify the participant of such danger; and failure to detect and remove any undesirable consequences to the participants resulting from research procedures.

(17) Failing to inform the client of financial interests which are not obvious and which might accrue to the certificate holder for referral to or for any use of service, product or publication.

(18) Failing to maintain adequate records relating to services provided a client in the course of a professional relationship.

(19) Violating any of the provisions of ch. 457, Stats.

(20) Failing to notify the board that a license, certificate or registration for the practice of any profession previously issued to the certificate holder has been revoked, suspended, limited or denied, or subject to any other disciplinary action by the authorities of any jurisdiction.

(21) Failing to make reasonable efforts to notify a client or a client's authorized representative when professional services will be interrupted or terminated by the professional.

(22) Gross negligence in practice in a single instance, or negligence in practice in more than one instance.

DRAFT OF SEPTEMBER 20, 1993

(23) Having a license, registration, or certificate permitting the practice of social work, marriage and family therapy, or professional counseling, or authorizing the use of the title "social worker," "marriage and family therapist," "professional counselor," or similar terms revoked, suspended, limited, subjected to any other discipline, by any other jurisdiction.

(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

September 23, 1993

Agency

Steve Zankas
Chairperson *RW*

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

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: September 23, 1993

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela Haack, Administrative Assistant
Department of Regulation and Licensing

SUBJECT: Final Rulemaking Order



**Agency: EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS**

Clearinghouse Rule: 93-90

Attached is a copy and a certified copy of a final order adopting rules.
Would you please publish these rules in the code.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.