



## 1997 ASSEMBLY BILL 517

September 16, 1997 - Introduced by Representatives URBAN, NOTESTEIN, JOHNSRUD, HASENOHRL, OTT, WASSERMAN, DUFF, GRONEMUS, MEYER, SERATTI, PLALE, HOVEN, PLOUFF, GOETSCH, SPRINGER, ALBERS, KELSO and HANSON, cosponsored by Senators GROBSCHMIDT, FARROW, RISSER, C. POTTER, HUELSMAN, WIRCH and BRESKE. Referred to Committee on Consumer Affairs.

1     **AN ACT to repeal** 457.01 (1); **to renumber and amend** 15.405 (7c) (a); **to amend**  
2           15.405 (7c) (c), 48.56 (2), 146.81 (1) (hg), 252.10 (7), 252.14 (1) (ar) 7., 253.10 (2)  
3           (f), 450.10 (3) (a) 10., 457.01 (3), 457.01 (7), 457.01 (9), 457.01 (10), 457.02 (1)  
4           to (5), 457.03 (1) to (3), 457.04 (1) to (4), 457.04 (5), 457.04 (6), 457.06 (intro.) and  
5           (1), 457.08 (title), 457.08 (1) (intro.), 457.08 (2) (intro.), 457.08 (3) (intro.),  
6           457.08 (4) (intro.), 457.09 (title) and (1) (intro.) and (a), 457.09 (1) (d), 457.09 (2),  
7           457.09 (3), 457.09 (4) (intro.), 457.09 (4) (b) 1. and 2., 457.09 (4m), 457.09 (5) (a)  
8           and (b), 457.09 (5) (d), 457.10 (intro.), 457.12 (intro.), 457.13 (title) and (1)  
9           (intro.) and (a), 457.13 (2), 457.14, 457.15 (title), 457.15 (1) (a) to (d), 457.15 (2),  
10          457.15 (3), 457.16 (1), 457.16 (2), 457.16 (3), 457.20 (1) and (2), 457.20 (3) (c),  
11          457.20 (4), 457.22, 457.25, 457.26 (2) (intro.), (a) and (b), 457.26 (2) (e), 457.26  
12          (2) (g), 905.04 (1) (bm), 905.04 (1) (dm) and 905.04 (1) (g); and **to create** 457.01  
13          (1d), 457.01 (1f), 457.01 (1m), 457.01 (2d), 457.01 (2h), 457.01 (2p), 457.01 (2t),  
14          457.01 (2w), 457.01 (5m), 457.02 (6), 457.02 (7) and 457.02 (8) of the statutes;

**ASSEMBLY BILL 517**

1           **relating to:** the regulation of social workers, advanced practice social workers,  
2           independent social workers, independent clinical social workers, marriage and  
3           family therapists, and professional counselors.

---

***Analysis by the Legislative Reference Bureau***

Under current law, the use of titles related to social work, marriage and family therapy and professional counseling is restricted to persons who satisfy certain eligibility requirements and who are granted a certificate by the examining board of social workers, marriage and family therapists and professional counselors (examining board). With respect to social work, there are certificates for the following titles: “social worker”, “advanced practice social worker”, “independent social worker” and “independent clinical social worker”. The examining board is required to promulgate rules that specify the services that a person who is granted one of the social work certificates is qualified to perform. Current law does not prohibit a person who has not been granted a certificate from practicing social work, marriage and family therapy or professional counseling.

This bill transforms the certification requirements under current law into licensing requirements and restricts the use of titles related to social work, marriage and family therapy or professional counseling to persons who are licensed. The bill also prohibits, with certain exceptions, a person from practicing social work, marriage and family therapy or professional counseling unless he or she is licensed. In addition, a person may not perform services that may be performed by an advanced practice, independent or independent clinical social worker unless he or she has been granted a social worker license and either an advanced practice, independent or independent clinical social worker license. The examining board is required to promulgate rules that specify the services that may be performed by the different types of social workers. The eligibility requirements for a social worker, marriage and family therapist or professional counselor license, or for a license to practice an advanced level of social work, under the bill are the same as the requirements for a certificate under current law.

Under current law, no social worker, marriage and family therapist or professional counselor certificate is required for a person to use any of the following titles: “pastoral counselor”, “investment counselor”, “vocational counselor”, “career counselor”, “alcohol and drug counselor” or “chemical dependency counselor”. This bill does not require a person to be licensed to use such a title or to engage in such counseling. Under current law, no certificate is required for a person who has been granted a school social worker or school counselor license by the department of public instruction to use the title “school social worker” or “school counselor”. This bill does not require such a person to be licensed to use such a title. The bill’s licensing requirements also do not apply to a person who is: 1) lawfully practicing within the scope of a license, permit, registration or certification granted by this state or the federal government; 2) practicing social work within the scope of his or her education

**ASSEMBLY BILL 517**

or training as a student for a bachelor's or master's degree in social work; or 3) licensed to practice social work, marriage and family therapy or professional counseling in another state or territory of the United States and who provides a consultation or demonstration with a person who has been granted a license.

Under current law, the social worker and professional counselor sections of the examining board may grant a social worker or professional counselor training certificate that allows a person to use the title "social worker" or "professional counselor" before meeting certain eligibility requirements for a certificate. This bill allows the social worker and professional counselor sections of the examining board to grant a social worker or professional counselor training permit that is subject to the same requirements as a training certificate under current law. Also under current law, any section of the examining board may grant the following: 1) a temporary certificate to a person who has not yet passed an examination required for a certificate; and 2) a reciprocal certificate to a person who is certified in another state that has substantially similar certification requirements. Under this bill, any section of the examining board may grant a temporary or reciprocal license that is subject to the same requirements as a temporary or reciprocal certificate under current law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 15.405 (7c) (a) of the statutes is renumbered 15.405 (7c) (a) (intro.)  
2 and amended to read:

3           15.405 **(7c)** (a) (intro.) There is created an examining board of social workers,  
4 marriage and family therapists and professional counselors in the department of  
5 regulation and licensing. ~~The consisting of the following members of the examining~~  
6 ~~board shall be appointed for 4-year terms.;~~

7           1. Four members ~~shall be certified~~ who are licensed under ch. 457 as social  
8 workers.

9           2. Three members ~~shall be certified~~ who are licensed under ch. 457 as marriage  
10 and family therapists.

**ASSEMBLY BILL 517****SECTION 1**

1           3. Three members ~~shall be certified~~ who are licensed under ch. 457 as  
2 professional counselors.

3           4. Three public members ~~shall be public members. Of the 4 certified social~~  
4 ~~worker,~~

5           (am) The 4 members, one appointed under par. (a) 1, shall be certified consist  
6 of the following:

7           1. One member who is licensed under ch. 457 as an advanced practice social  
8 worker, ~~one shall be certified,~~

9           2. One member who is licensed under ch. 457 as an independent social worker,  
10 ~~one shall be certified.~~

11           3. One member who is licensed under ch. 457 as an independent clinical social  
12 worker ~~and at,~~

13           4. ~~At least one shall be~~ member who is employed as a social worker by a federal,  
14 state or local governmental agency.

15           **SECTION 2.** 15.405 (7c) (c) of the statutes is amended to read:

16           15.405 **(7c)** (c) All matters pertaining to granting, denying, limiting,  
17 suspending or revoking a ~~certificate~~ permit or license under ch. 457, and all other  
18 matters of interest to either the social worker, marriage and family therapist or  
19 professional counselor section, shall be acted upon solely by the interested section of  
20 the examining board.

21           **SECTION 3.** 48.56 (2) of the statutes is amended to read:

22           48.56 **(2)** Each county department shall employ personnel who devote all or  
23 part of their time to child welfare services. Whenever possible, these personnel shall  
24 be social workers ~~eertified~~ licensed under ch. 457.

25           **SECTION 4.** 146.81 (1) (hg) of the statutes is amended to read:

**ASSEMBLY BILL 517**

1           146.81 (1) (hg) A social worker, marriage and family therapist or professional  
2 counselor ~~certified~~ licensed under ch. 457.

3           **SECTION 5.** 252.10 (7) of the statutes is amended to read:

4           252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis  
5 shall be purchased by the department from the appropriation under s. 20.435 (1) (e)  
6 and dispensed to patients through the public health dispensaries or through health  
7 care providers, as defined in s. 146.81 (1), other than social workers, marriage and  
8 family therapists or professional counselors ~~certified~~ licensed under ch. 457,  
9 speech-language pathologists or audiologists licensed under subch. II of ch. 459,  
10 speech and language pathologists licensed by the department of ~~education~~ public  
11 instruction or, on or after July 1, 1995, and no later than June 30, 1999, dietitians  
12 certified under subch. IV of ch. 448.

13           **SECTION 6.** 252.14 (1) (ar) 7. of the statutes is amended to read:

14           252.14 (1) (ar) 7. A social worker, marriage and family therapist or professional  
15 counselor ~~certified~~ licensed under ch. 457.

16           **SECTION 7.** 253.10 (2) (f) of the statutes is amended to read:

17           253.10 (2) (f) “Qualified person assisting the physician” means a social worker  
18 ~~certified~~ licensed under ch. 457, a registered nurse or a physician assistant to whom  
19 a physician who is to perform or induce an abortion has delegated the responsibility,  
20 as the physician’s agent, for providing the information required under sub. (3) (c) 2.

21           **SECTION 8.** 450.10 (3) (a) 10. of the statutes is amended to read:

22           450.10 (3) (a) 10. A social worker, marriage and family therapist or professional  
23 counselor ~~certified~~ licensed under ch. 457.

24           **SECTION 9.** 457.01 (1) of the statutes is repealed.

25           **SECTION 10.** 457.01 (1d) of the statutes is created to read:

**ASSEMBLY BILL 517****SECTION 10**

1           457.01 (1d) “Advanced practice social work” means applying psychosocial,  
2           psychotherapeutic or counseling principles, methods or procedures in the  
3           assessment, evaluation, or psychosocial or psychotherapeutic diagnosis, prevention,  
4           treatment or resolution of a complex difficulty in the social, psychological, personal,  
5           emotional or mental disorder functioning of an individual, couple, family, group of  
6           individuals or community, including the enhancement or restoration of, or the  
7           creation of societal conditions favorable to the enhancement or restoration of, the  
8           capacity of an individual, couple, family, group of individuals or community for social  
9           functioning or the delivery of services to a group of individuals or a community to  
10          assist the group or community in providing or improving the provision of social or  
11          health services to others.

12           **SECTION 11.** 457.01 (1f) of the statutes is created to read:

13           457.01 (1f) “Advanced practice social worker” means an individual who holds  
14          a license to practice advanced practice social work granted by the social worker  
15          section.

16           **SECTION 12.** 457.01 (1m) of the statutes is created to read:

17           457.01 (1m) “Credential” means a license, permit, or certificate of certification  
18          or registration, that is issued by another state or territory of the United States.

19           **SECTION 13.** 457.01 (2d) of the statutes is created to read:

20           457.01 (2d) “Independent clinical social work” means providing services  
21          without supervision for the diagnosis, treatment and prevention of mental and  
22          emotional disorders in individuals, families and groups, to restore, maintain and  
23          enhance social functioning through treatment interventions that include  
24          psychosocial evaluation, counseling of individuals, families or groups, referral to

**ASSEMBLY BILL 517**

1 community resources, advocacy, facilitation of organizational change to meet social  
2 needs and individual, marital or group psychotherapy.

3 **SECTION 14.** 457.01 (2h) of the statutes is created to read:

4 457.01 **(2h)** “Independent clinical social worker” means an individual who  
5 holds a license to practice independent clinical social work granted by the social  
6 worker section.

7 **SECTION 15.** 457.01 (2p) of the statutes is created to read:

8 457.01 **(2p)** “Independent social work” has the meaning given for advanced  
9 practice social work in sub. (1d).

10 **SECTION 16.** 457.01 (2t) of the statutes is created to read:

11 457.01 **(2t)** “Independent social worker” means an individual who holds a  
12 license to practice independent social work granted by the social worker section.

13 **SECTION 17.** 457.01 (2w) of the statutes is created to read:

14 457.01 **(2w)** “Licensee” means a person who is licensed under this chapter.

15 **SECTION 18.** 457.01 (3) of the statutes is amended to read:

16 457.01 **(3)** “Marriage and family therapist” means an individual who ~~practices~~  
17 holds a license to practice marriage and family therapy granted by the marriage and  
18 family therapist section.

19 **SECTION 19.** 457.01 (5m) of the statutes is created to read:

20 457.01 **(5m)** “Permit holder” means an individual who holds a permit granted  
21 under this chapter.

22 **SECTION 20.** 457.01 (7) of the statutes is amended to read:

23 457.01 **(7)** “Professional counselor” means an individual who ~~practices~~ holds  
24 a license to practice professional counseling granted by the professional counselor  
25 section.

**ASSEMBLY BILL 517****SECTION 21**

1           **SECTION 21.** 457.01 (9) of the statutes is amended to read:

2           457.01 (9) “Social work” means applying psychosocial, ~~psychotherapeutic~~ or  
3 counseling principles, methods or procedures in the assessment, evaluation, or  
4 psychosocial ~~or psychotherapeutic~~ diagnosis, prevention, treatment or resolution of  
5 a difficulty in the social, psychological, personal, emotional or mental ~~disorder~~  
6 functioning of an individual, couple, family, group of individuals or community,  
7 including the enhancement or restoration of, or the creation of societal conditions  
8 favorable to the enhancement or restoration of, the capacity of an individual, couple,  
9 family, group of individuals or community for social functioning or the delivery of  
10 services to a group of individuals or a community to assist the group or community  
11 in providing or improving the provision of social or health services to others.

12           **SECTION 22.** 457.01 (10) of the statutes is amended to read:

13           457.01 (10) “Social worker” means an individual who ~~practices~~ holds a license  
14 to practice social work granted by the social worker section.

15           **SECTION 23.** 457.02 (1) to (5) of the statutes are amended to read:

16           457.02 (1) Require any individual to be ~~certified~~ licensed under this chapter  
17 in order to use the title “pastoral counselor”, “investment counselor”, “vocational  
18 counselor”, “career counselor”, “alcohol and drug counselor” or “chemical dependency  
19 counselor”, or to engage in such counseling, if the individual does not use any other  
20 title or designation which represents or may tend to represent that he or she is  
21 licensed to practice social work, advanced practice social work, independent social  
22 work, independent clinical social work, marriage and family therapy or professional  
23 counseling, and does not represent himself or herself as an individual who engages  
24 in social work, advanced practice social work, independent social work, independent  
25 clinical social work, marriage and family therapy or professional counseling.



**ASSEMBLY BILL 517**

1           (2) Require any individual who is licensed as a school social worker or school  
2 counselor by the department of education public instruction to be ~~certified~~ licensed  
3 as a social worker or professional counselor under this chapter in order to use the title  
4 “school social worker” or “school counselor”.

5           (3) Require a person who is licensed as a psychologist under ch. 455 or who is  
6 a psychiatrist, as defined in s. 146.34 (1) (h), to be ~~certified~~ licensed as a marriage  
7 and family therapist or professional counselor under this chapter in order to use the  
8 title “marriage and family therapist”, “marriage and family counselor” or  
9 “professional counselor” if the psychologist or psychiatrist does not use the term  
10 “licensed”, “certified” or “registered” or any similar term in connection with the title  
11 “marriage and family therapist”, “marriage and family counselor” or “professional  
12 counselor”.

13           (4) Authorize any individual who is ~~certified~~ licensed as a social worker or  
14 professional counselor under this chapter to use the title “school social worker” or  
15 “school counselor” unless the individual is licensed as a school social worker or school  
16 counselor by the department of education public instruction.

17           (5) Authorize any individual who is ~~certified~~ licensed under this chapter to use  
18 the title “alcohol and drug counselor” or “chemical dependency counselor” unless the  
19 individual is certified as an alcohol and drug counselor or as a chemical dependency  
20 counselor through a process recognized by the department of health and family  
21 services.

22           **SECTION 24.** 457.02 (6) of the statutes is created to read:

23           457.02 (6) Require a student enrolled in a program leading to a bachelor’s  
24 degree in social work to be licensed as a social worker under this chapter if he or she  
25 is practicing social work within the scope of his or her education or training and

**ASSEMBLY BILL 517**

1 under the supervision of a person who has received a bachelor's, master's or  
2 doctorate degree in social work.

3 **SECTION 25.** 457.02 (7) of the statutes is created to read:

4 457.02 (7) Require a student enrolled in a program leading to a master's degree  
5 in social work to be licensed under this chapter if he or she is practicing social work  
6 within the scope of his or her education or training and under the supervision of a  
7 person who has received a master's or doctorate degree in social work.

8 **SECTION 26.** 457.02 (8) of the statutes is created to read:

9 457.02 (8) Require a license or permit granted under this chapter for a person  
10 to do any of the following:

11 (a) Lawfully practice within the scope of a license, permit, registration or  
12 certification granted by this state or the federal government.

13 (b) Provide a consultation or demonstration with a marriage and family  
14 therapist, professional counselor or social worker if the person providing the  
15 consultation or demonstration is licensed to practice marriage and family therapy,  
16 professional counseling or social work in another state or territory of the United  
17 States.

18 **SECTION 27.** 457.03 (1) to (3) of the statutes are amended to read:

19 457.03 (1) Upon the advice of the social worker section, marriage and family  
20 therapist section and professional counselor section, promulgate rules establishing  
21 minimum standards for educational programs that must be completed for  
22 ~~certification~~ licensure under this chapter and for supervised clinical training that  
23 must be completed for ~~certification~~ licensure as an independent clinical social  
24 worker, marriage and family therapist or professional counselor under this chapter

**ASSEMBLY BILL 517**

1 and approve educational programs and supervised clinical training programs in  
2 accordance with those standards.

3 (2) Upon the advice of the social worker section, marriage and family therapist  
4 section and professional counselor section, promulgate rules establishing a code of  
5 ethics to govern the professional conduct of ~~certificate~~ licensees and permit holders.  
6 The rules shall specify the services included within the practice of social work,  
7 advanced practice social work, independent social work or independent clinical  
8 social work that an individual who is ~~certified~~ licensed under this chapter as a social  
9 worker, advanced practice social worker, independent social worker or independent  
10 clinical social worker is ~~qualified to~~ may perform and the degree of supervision, if  
11 any, required to perform those services. The rules may not permit a ~~certificate~~  
12 licensee or permit holder to engage in psychotherapy unless the individual is  
13 ~~certified~~ licensed under this chapter as an advanced practice social worker,  
14 independent social worker, independent clinical social worker, marriage and family  
15 therapist or professional counselor and has engaged in the equivalent of at least 2  
16 years of full-time supervised social work, marriage and family therapy or  
17 professional counseling clinical practice after receiving the master's or doctorate  
18 degree required under s. 457.08 (3) (b) or (4) (b), 457.10 (2) or 457.12 (2).

19 (3) Upon the advice of the social worker section, promulgate rules establishing  
20 levels of advanced social work practice, in addition to the levels of practice for which  
21 ~~certificates~~ licenses are granted under s. 457.08 (2) to (4), and establishing  
22 appropriate educational, training, experience, examination and continuing  
23 education requirements for ~~certification~~ licensure and renewal of a ~~certificate~~ license  
24 at each level of practice established in rules promulgated under this subsection.

25 **SECTION 28.** 457.04 (1) to (4) of the statutes are amended to read:

**ASSEMBLY BILL 517****SECTION 28**

1           457.04 (1) Use Practice social work or designate himself or herself as a social  
2 worker or use or assume the title “social worker” or any other title or designation  
3 which represents or may tend to represent the person as a social worker unless the  
4 person is ~~certified~~ licensed as a social worker under this chapter.

5           (2) Use Designate himself or herself as an advanced practice social worker, use  
6 or assume the title “advanced practice social worker” or any other title or designation  
7 which represents or may tend to represent the person as an advanced practice social  
8 worker or, notwithstanding sub. (1), perform services specified in rules promulgated  
9 under s. 457.03 (2) that an advanced practice social worker may perform unless the  
10 person is ~~certified~~ licensed as an advanced practice social worker, independent social  
11 worker or independent clinical social worker under this chapter.

12           (3) Use Designate himself or herself as an independent social worker, use or  
13 assume the title “independent social worker” or any other title or designation which  
14 represents or may tend to represent the person as an independent social worker or,  
15 notwithstanding sub. (1), perform services specified in rules promulgated under s.  
16 457.03 (2) that an independent social worker may perform unless the person is  
17 ~~certified~~ licensed as an independent social worker or independent clinical social  
18 worker under this chapter.

19           (4) Use Designate himself or herself as an independent clinical social worker,  
20 use or assume the title “independent clinical social worker” or “clinical social worker”  
21 or any other title or designation which represents or may tend to represent the  
22 person as an independent clinical social worker or, notwithstanding sub. (1), perform  
23 services specified in rules promulgated under s. 457.03 (2) that an independent  
24 clinical social worker may perform unless the person is ~~certified~~ licensed as an  
25 independent clinical social worker under this chapter.

**ASSEMBLY BILL 517**

1           **SECTION 29.** 457.04 (5) of the statutes is amended to read:

2           457.04 (5) Use Practice marriage and family therapy or designate himself or  
3 herself as a marriage and family therapist or use or assume the title “marriage and  
4 family therapist”, “marriage and family counselor” or any ~~similar~~ other title or  
5 designation which represents or may tend to represent the person as a marriage and  
6 family therapist unless any of the following applies:

7           (a) The person is ~~certified~~ licensed as a marriage and family therapist under  
8 this chapter.

9           (b) The person is ~~certified~~ licensed as an independent clinical social worker  
10 under this chapter and initially became certified as an independent clinical social  
11 worker under ~~this chapter~~ ch. 457, 1995 stats., on or before May 31, 1995.

12           **SECTION 30.** 457.04 (6) of the statutes is amended to read:

13           457.04 (6) Use Practice professional counseling or designate himself or herself  
14 as a professional counselor or use or assume the title “professional counselor”,  
15 “professional rehabilitation counselor”, “vocational rehabilitation counselor” ~~or,~~  
16 “rehabilitation counselor” or any ~~similar~~ other title or designation which represents  
17 or may tend to represent the person as a professional counselor unless the person is  
18 ~~certified~~ licensed as a professional counselor under this chapter.

19           **SECTION 31.** 457.06 (intro.) and (1) of the statutes are amended to read:

20           **457.06** (title) **General requirements for ~~certification~~ licensure.** (intro.)  
21 The social worker section, marriage and family therapist section or professional  
22 counselor section may not grant any ~~certificate~~ license under this chapter unless the  
23 applicant does all of the following:

24           (1) Submits an application for the ~~certificate~~ license to the department on a  
25 form provided by the department.

**ASSEMBLY BILL 517**

**SECTION 32**

1           **SECTION 32.** 457.08 (title) of the statutes is amended to read:

2           **457.08 (title) Social worker certificate and advanced practice**  
3 **certificates licenses.**

4           **SECTION 33.** 457.08 (1) (intro.) of the statutes is amended to read:

5           **457.08 (1)** (title) ~~SOCIAL WORKER CERTIFICATE LICENSE.~~ (intro.) The social worker  
6 section shall grant a social worker certificate license to an individual who qualifies  
7 under s. 457.09 (5) (d) or to any individual who does all of the following:

8           **SECTION 34.** 457.08 (2) (intro.) of the statutes is amended to read:

9           **457.08 (2)** (title) ~~ADVANCED PRACTICE SOCIAL WORKER CERTIFICATE LICENSE.~~  
10 (intro.) The social worker section shall grant an advanced practice social worker  
11 certificate license to any individual who is certified licensed under sub. (1) and does  
12 all of the following:

13           **SECTION 35.** 457.08 (3) (intro.) of the statutes is amended to read:

14           **457.08 (3)** (title) ~~INDEPENDENT SOCIAL WORKER CERTIFICATE LICENSE.~~ (intro.) The  
15 social worker section shall grant an independent social worker certificate license to  
16 any individual who is certified licensed under sub. (1) and does all of the following:

17           **SECTION 36.** 457.08 (4) (intro.) of the statutes is amended to read:

18           **457.08 (4)** (title) ~~INDEPENDENT CLINICAL SOCIAL WORKER CERTIFICATE LICENSE.~~  
19 (intro.) The social worker section shall grant an independent clinical social worker  
20 certificate license to any individual who is certified licensed under sub. (1) and does  
21 all of the following:

22           **SECTION 37.** 457.09 (title) and (1) (intro.) and (a) of the statutes are amended  
23 to read:

**ASSEMBLY BILL 517**

1           **457.09** (title) **Social worker training certificate permit.** (1) (intro.) The  
2 social worker section shall grant a social worker training certificate permit to any  
3 individual who does all of the following:

4           (a) Submits an application for the certificate permit to the department on a  
5 form provided by the department.

6           **SECTION 38.** 457.09 (1) (d) of the statutes is amended to read:

7           457.09 (1) (d) Submits a statement to the social worker section that he or she  
8 is seeking to attain social worker degree equivalency under sub. (4) while he or she  
9 holds a social worker training certificate permit.

10          **SECTION 39.** 457.09 (2) of the statutes is amended to read:

11          457.09 (2) (a) ~~A~~ Notwithstanding s. 457.04 (1), a social worker training  
12 certificate permit authorizes the holder to use the title specified in s. 457.04 (1) and  
13 practice social work within the scope of his or her training or education during the  
14 period in which the certificate permit is valid.

15          (b) A social worker training certificate permit holder is a social worker ~~certified~~  
16 licensed under this chapter for purposes of any law governing social workers ~~certified~~  
17 licensed under this chapter.

18          **SECTION 40.** 457.09 (3) of the statutes is amended to read:

19          457.09 (3) (a) Except as provided in par. (b), a social worker training certificate  
20 permit is valid for 24 months.

21          (b) A social worker training certificate permit shall expire on the date on which  
22 the certificate permit holder receives the results of the examination that he or she  
23 has taken under sub. (5) (a) if that date occurs before the end of the period specified  
24 in par. (a).

25          (c) A social worker training certificate permit may not be renewed.

**ASSEMBLY BILL 517****SECTION 41**

1           **SECTION 41.** 457.09 (4) (intro.) of the statutes is amended to read:

2           457.09 (4) (intro.) During the period in which a social worker training  
3 ~~certificate~~ permit is valid, the ~~certificate~~ permit holder shall do all of the following:

4           **SECTION 42.** 457.09 (4) (b) 1. and 2. of the statutes are amended to read:

5           457.09 (4) (b) 1. A human services internship that involves direct practice with  
6 clients and that is supervised by a social worker ~~certified~~ licensed under this chapter  
7 who has a bachelor's or master's degree in social work.

8           2. One year of social work employment that involves direct practice with clients  
9 and that is supervised by a social worker ~~certified~~ licensed under this chapter who  
10 has a bachelor's or master's degree in social work.

11           **SECTION 43.** 457.09 (4m) of the statutes is amended to read:

12           457.09 (4m) (a) The social worker section shall determine whether a course,  
13 internship or employment satisfies the requirements under sub. (4) and whether a  
14 social worker training ~~certificate~~ permit holder has attained social worker degree  
15 equivalency.

16           (b) Notwithstanding sub. (4), for the purpose of determining whether a social  
17 worker training ~~certificate~~ permit holder has attained social worker degree  
18 equivalency under sub. (4), the section shall apply course work or internships that  
19 the ~~certificate~~ permit holder completed, or employment that the ~~certificate~~ permit  
20 holder held, as part of the program leading to the degree that he or she specified to  
21 satisfy the requirement in sub. (1) (c) if the course work, internship or employment  
22 satisfies the requirements in sub. (4).

23           **SECTION 44.** 457.09 (5) (a) and (b) of the statutes are amended to read:



**ASSEMBLY BILL 517**

1           457.09 (5) (a) A social worker training ~~certificate~~ permit holder may take the  
2 national social work examination at any time after he or she completes the  
3 requirements under sub. (4).

4           (b) If a social worker training ~~certificate~~ permit holder passes the examination  
5 specified under par. (a), he or she shall be permitted to take an examination approved  
6 by the social worker section that tests knowledge of state law relating to social work.

7           **SECTION 45.** 457.09 (5) (d) of the statutes is amended to read:

8           457.09 (5) (d) The social worker section shall grant a social worker ~~certificate~~  
9 license to an individual who has held a social worker training ~~certificate~~ permit and  
10 who passes the examinations specified under pars. (a) and (b).

11           **SECTION 46.** 457.10 (intro.) of the statutes is amended to read:

12           **457.10** (title) **Marriage and family therapist ~~certificate~~ license.** (intro.)  
13 The marriage and family therapist section shall grant a marriage and family  
14 therapist ~~certificate~~ license to any individual who does all of the following:

15           **SECTION 47.** 457.12 (intro.) of the statutes is amended to read:

16           **457.12** (title) **Professional counselor ~~certificate~~ license.** (intro.) The  
17 professional counselor section shall grant a professional counselor ~~certificate~~ license  
18 to any individual who does all of the following:

19           **SECTION 48.** 457.13 (title) and (1) (intro.) and (a) of the statutes are amended  
20 to read:

21           **457.13** (title) **Professional counselor training ~~certificate~~ permit.** (1)  
22 (intro.) The professional counselor section shall grant a professional counselor  
23 training ~~certificate~~ permit to any individual who does all of the following:

24           (a) Submits an application for the ~~certificate~~ permit to the department on a  
25 form provided by the department.

**ASSEMBLY BILL 517**

1           **SECTION 49.** 457.13 (2) of the statutes is amended to read:

2           457.13 (2) A professional counselor training ~~certificate~~ permit is valid for 24  
3 months or until the date on which the holder of the ~~certificate~~ permit ceases to be  
4 employed in a position specified in sub. (1) (d), whichever occurs first, and may not  
5 be renewed by the professional counselor section. ~~A- Notwithstanding s. 457.04 (6),~~  
6 a professional counselor training certificate permit authorizes the holder to use any  
7 title specified in s. 457.04 (6) and to practice professional counseling within the scope  
8 of his or her training or supervision during the period in which the ~~certificate permit~~  
9 is valid.

10           **SECTION 50.** 457.14 of the statutes is amended to read:

11           **457.14** (title) **Temporary certificates licenses.** Upon application and  
12 payment of the fee specified in s. 440.05 (6), the appropriate section of the examining  
13 board may grant a temporary social worker, advanced practice social worker,  
14 independent social worker, independent clinical social worker, marriage and family  
15 therapist or professional counselor ~~certificate~~ license to any individual who satisfies  
16 the requirements under s. 457.08 (1) (a) and (b), (2) (a) and (b), (3) (a) to (c) or (4) (a)  
17 to (c), 457.10 (1) to (3) or 457.12 (1) to (3) and has submitted an application to take  
18 the next available examination for ~~certification~~ licensure under s. 457.08 (1) (c), (2)  
19 (c), (3) (d) or (4) (d), 457.10 (4) or 457.12 (4). A temporary ~~certificate~~ license granted  
20 under this section is valid for a period designated by the appropriate section of the  
21 examining board, not to exceed 9 months, and may be renewed once by that section  
22 of the examining board.

23           **SECTION 51.** 457.15 (title) of the statutes is amended to read:

24           **457.15** (title) **Reciprocal certificates licenses.**

25           **SECTION 52.** 457.15 (1) (a) to (d) of the statutes are amended to read:

**ASSEMBLY BILL 517**

1           457.15 (1) (a) Grant a social worker ~~certificate~~ license to any individual who  
2 holds a similar ~~certificate in another state or territory of the United States~~ credential  
3 if the social worker section determines that the requirements for obtaining the  
4 ~~certificate~~ credential in the other state or territory are substantially equivalent to  
5 the requirements under s. 457.08 (1).

6           (b) Grant an advanced practice social worker ~~certificate~~ license to any  
7 individual who is ~~certified~~ licensed under par. (a) or under s. 457.08 (1) and who holds  
8 a similar ~~certificate in another state or territory of the United States~~ credential if the  
9 social worker section determines that the requirements for obtaining the ~~certificate~~  
10 credential in the other state or territory are substantially equivalent to the  
11 requirements under s. 457.08 (2).

12           (c) Grant an independent social worker ~~certificate~~ license to any individual who  
13 is ~~certified~~ licensed under par. (a) or under s. 457.08 (1) and who holds a similar  
14 ~~certificate in another state or territory of the United States~~ credential if the social  
15 worker section determines that the requirements for obtaining the ~~certificate~~  
16 credential in the other state or territory are substantially equivalent to the  
17 requirements under s. 457.08 (3).

18           (d) Grant an independent clinical social worker ~~certificate~~ license to any  
19 individual who is ~~certified~~ licensed under par. (a) or under s. 457.08 (1) and who holds  
20 a similar ~~certificate in another state or territory of the United States~~ credential if the  
21 social worker section determines that the requirements for obtaining the ~~certificate~~  
22 credential in the other state or territory are substantially equivalent to the  
23 requirements under s. 457.08 (4).

24           **SECTION 53.** 457.15 (2) of the statutes is amended to read:

**ASSEMBLY BILL 517****SECTION 53**

1           457.15 (2) Upon application and payment of the fee specified in s. 440.05 (2),  
2 the marriage and family therapist section shall grant a marriage and family  
3 therapist ~~certificate~~ license to any individual who holds a similar ~~certificate in~~  
4 ~~another state or territory of the United States~~ credential if the marriage and family  
5 therapist section determines that the requirements for obtaining the ~~certificate~~  
6 credential in the other state or territory are substantially equivalent to the  
7 requirements under s. 457.10.

8           **SECTION 54.** 457.15 (3) of the statutes is amended to read:

9           457.15 (3) Upon application and payment of the fee specified in s. 440.05 (2),  
10 the professional counselor section shall grant a professional counselor ~~certificate~~  
11 license to any individual who holds a similar ~~certificate in another state or territory~~  
12 ~~of the United States~~ credential if the professional counselor section determines that  
13 the requirements for obtaining the ~~certificate~~ credential in the other state or  
14 territory are substantially equivalent to the requirements under s. 457.12.

15           **SECTION 55.** 457.16 (1) of the statutes is amended to read:

16           457.16 (1) The appropriate section of the examining board shall arrange for  
17 examinations for social worker, advanced practice social worker, independent social  
18 worker, independent clinical social worker, marriage and family therapist and  
19 professional counselor ~~certification~~ licensure to be conducted at least semiannually  
20 and at times and places determined by that section of the examining board, and shall  
21 provide public notice of each examination at least 90 days before the date of the  
22 examination.

23           **SECTION 56.** 457.16 (2) of the statutes is amended to read:

24           457.16 (2) Examinations shall consist of written or oral tests, or both, requiring  
25 applicants to demonstrate minimum competency in subjects substantially related to

**ASSEMBLY BILL 517**

1 the practice of social work, advanced practice social work, independent social work,  
2 independent clinical social work, marriage and family therapy or professional  
3 counseling, as appropriate.

4 **SECTION 57.** 457.16 (3) of the statutes is amended to read:

5 457.16 (3) An individual is not eligible for examination unless he or she  
6 satisfies the requirements for ~~certification~~ licensure under s. 457.08 (1) (a) and (b),  
7 (2) (intro.), (a) and (b), (3) (intro.) and (a) to (c) or (4) (intro.) and (a) to (c), 457.10 (1)  
8 to (3) or 457.12 (1) to (3) and, at least 30 days before the date of the examination,  
9 submits an application for examination to the department on a form provided by the  
10 department and pays the fee specified in s. 440.05 (1).

11 **SECTION 58.** 457.20 (1) and (2) of the statutes are amended to read:

12 457.20 (1) The department shall issue a certificate of ~~certification~~ licensure to  
13 each individual who is ~~certified~~ licensed under this chapter.

14 (2) The renewal dates for ~~certificates~~ licenses granted under this chapter, other  
15 than ~~certificates granted under ss. 457.13 and 457.14~~ temporary licenses, are  
16 specified under s. 440.08 (2) (a).

17 **SECTION 59.** 457.20 (3) (c) of the statutes is amended to read:

18 457.20 (3) (c) If the application is for renewal of a professional counselor  
19 ~~certificate~~ license that was originally granted as a professional counselor certificate  
20 under 1991 Wisconsin Act 160, section 21 (2) (g), evidence satisfactory to the  
21 professional counselor section that the applicant continues to be employed by a  
22 federal, state or local governmental agency as a professional counselor, professional  
23 rehabilitation counselor, vocational rehabilitation counselor or rehabilitation  
24 counselor.

25 **SECTION 60.** 457.20 (4) of the statutes is amended to read:

**ASSEMBLY BILL 517****SECTION 60**

1           457.20 (4) Renewal of an advanced practice social worker, independent social  
2 worker or independent clinical social worker ~~certificate~~ license automatically renews  
3 the individual's social worker ~~certificate~~ license without payment of the renewal fee  
4 for the social worker ~~certificate~~ license or completion of the continuing education  
5 requirements that would otherwise be required for renewal of a social worker  
6 ~~certificate~~ license.

7           **SECTION 61.** 457.22 of the statutes is amended to read:

8           **457.22 Continuing education.** The examining board may promulgate rules  
9 establishing requirements and procedures for ~~certificate holders~~ licensees to  
10 complete continuing education programs or courses of study in order to qualify for  
11 renewal. The rules may not require an individual to complete more than 30 hours  
12 of continuing education programs or courses of study in order to qualify for renewal.  
13 The appropriate section of the examining board may waive all or part of the  
14 requirements established in rules promulgated under this section if it determines  
15 that prolonged illness, disability or other exceptional circumstances have prevented  
16 the individual from completing the requirements.

17           **SECTION 62.** 457.25 of the statutes is amended to read:

18           **457.25 Reporting requirements. (1)** Any public or private mental health  
19 or health care agency, institution or facility, or any other person or entity that  
20 employs or contracts for services with a ~~certificate licensee or permit holder~~, that  
21 terminates, suspends or restricts the employment or contract of the ~~certificate~~  
22 licensee or permit holder as a result of adverse or disciplinary action against the  
23 ~~certificate licensee or permit holder~~ relating to his or her practice of social work,  
24 advanced practice social work, independent social work, independent clinical social  
25 work, marriage and family therapy or professional counseling shall submit a written

**ASSEMBLY BILL 517**

1 report of the action to the appropriate section of the examining board within 30 days  
2 after the date on which the action is taken or, if grounds for such an action exist and  
3 the ~~certificate~~ licensee or permit holder terminates his or her employment before the  
4 action is taken, within 30 days after the date on which the ~~certificate~~ licensee or  
5 permit holder terminates his or her employment.

6 (2) Any state or local professional society or organization of social workers,  
7 marriage and family therapists or professional counselors that terminates, revokes  
8 or suspends the membership of a ~~certificate~~ licensee or permit holder, or takes any  
9 other adverse or disciplinary action against a ~~certificate~~ licensee or permit holder  
10 relating to his or her practice of social work, advanced practice social work,  
11 independent social work, independent clinical social work, marriage and family  
12 therapy or professional counseling, shall submit a written report of the action to the  
13 appropriate section of the examining board within 30 days after the date on which  
14 the action is taken or, if grounds for such an action exist and the ~~certificate~~ licensee  
15 or permit holder terminates his or her membership before the action is taken, within  
16 30 days after the date on which the ~~certificate~~ licensee or permit holder terminates  
17 his or her membership.

18 (3) Any insurer, as defined in s. 600.03 (27), who provides professional liability  
19 insurance coverage for a ~~certificate~~ licensee or permit holder and who pays a claim  
20 for damages arising out of the rendering of services by the ~~certificate~~ licensee or  
21 permit holder or obtains any information that tends to substantiate a charge that the  
22 ~~certificate~~ licensee or permit holder has engaged in conduct that constitutes grounds  
23 for discipline under s. 457.26 shall submit a written report of the payment or  
24 information to the appropriate section of the examining board within 30 days after  
25 the date on which the payment is made or information is obtained.

**ASSEMBLY BILL 517****SECTION 62**

1           (4) Any circuit court that appoints a guardian of the person or estate of a  
2       certificate licensee or permit holder or makes a judgment or other determination that  
3       a certificate licensee or permit holder is mentally ill or mentally incompetent or that  
4       a certificate licensee or permit holder has done any of the acts enumerated in s.  
5       457.26 (2) shall submit a written report of the appointment, judgment or  
6       determination to the appropriate section of the examining board within 30 days after  
7       the date on which the appointment, judgment or determination is made.

8           (5) (a) Within 30 days after receipt of a report under sub. (1), (2), (3) or (4), the  
9       appropriate section of the examining board shall notify the certificate licensee or  
10      permit holder, in writing, of the substance of the report. The certificate licensee or  
11      permit holder and the ~~certificate holder's~~ his or her authorized representative may  
12      examine the report and may place into the record a statement, of reasonable length,  
13      of the ~~certificate licensee's or permit holder's~~ licensee's or permit holder's view of the correctness or relevance of  
14      any information in the report. The ~~certificate licensee or permit holder~~ licensee or permit holder may institute  
15      an action in circuit court to amend or expunge any part of the ~~certificate holder's~~ his  
16      or her record related to the report.

17           (b) If the appropriate section of the examining board determines that a report  
18      submitted under sub. (1), (2), (3) or (4) is without merit or that the ~~certificate licensee~~  
19      or permit holder has sufficiently improved his or her conduct, that section of the  
20      examining board shall remove the report from the ~~certificate holder's~~ his or her  
21      record. If no report about a certificate licensee or permit holder is filed under sub.  
22      (1), (2), (3) or (4) for 2 consecutive years, the ~~certificate licensee or permit~~ licensee or permit holder may  
23      petition the appropriate section of the examining board to remove any prior reports,  
24      which did not result in disciplinary action, from his or her record.

25           **SECTION 63.** 457.26 (2) (intro.), (a) and (b) of the statutes are amended to read:



**ASSEMBLY BILL 517**

1           457.26 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the  
2 appropriate section of the examining board may reprimand a ~~certificate~~ licensee or  
3 permit holder or deny, limit, suspend or revoke a ~~certificate~~ license or permit under  
4 this chapter if it finds that the applicant ~~or certificate, licensee or permit~~ holder has  
5 done any of the following:

6           (a) Made a material misstatement in an application for a ~~certificate~~ license or  
7 permit or for renewal of a ~~certificate~~ license.

8           (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the  
9 circumstances of which substantially relate to the practice of social work, advanced  
10 practice social work, independent social work, independent clinical social work,  
11 marriage and family therapy or professional counseling.

12           **SECTION 64.** 457.26 (2) (e) of the statutes is amended to read:

13           457.26 (2) (e) Subject to ss. 111.321, 111.322 and 111.34, practiced social work,  
14 advanced practice social work, independent social work, independent clinical social  
15 work, marriage and family therapy or professional counseling while his or her ability  
16 to practice was impaired by alcohol or other drugs.

17           **SECTION 65.** 457.26 (2) (g) of the statutes is amended to read:

18           457.26 (2) (g) Performed social work, advanced practice social work,  
19 independent social work or independent clinical social work services in violation of  
20 the rules promulgated under s. 457.03 (2) or otherwise engaged in conduct while  
21 practicing social work, advanced practice social work, independent social work,  
22 independent clinical social work, marriage and family therapy or professional  
23 counseling which evidences a lack of knowledge or ability to apply professional  
24 principles or skills.

25           **SECTION 66.** 905.04 (1) (bm) of the statutes is amended to read:

**ASSEMBLY BILL 517****SECTION 66**

1           905.04 (1) (bm) “Marriage and family therapist” means an individual who is  
2 certified licensed as a marriage and family therapist under ch. 457 or an individual  
3 reasonably believed by the patient to be a marriage and family therapist.

4           **SECTION 67.** 905.04 (1) (dm) of the statutes is amended to read:

5           905.04 (1) (dm) “Professional counselor” means an individual who is certified  
6 licensed as a professional counselor under ch. 457 or an individual reasonably  
7 believed by the patient to be a professional counselor.

8           **SECTION 68.** 905.04 (1) (g) of the statutes is amended to read:

9           905.04 (1) (g) “Social worker” means an individual who is certified licensed as  
10 a social worker under ch. 457 or an individual reasonably believed by the patient to  
11 be a social worker.

12           **SECTION 69. Nonstatutory provisions.**

13           (1) DEFINITION. In this SECTION, “examining board” means the examining board  
14 of social workers, marriage and family therapists and professional counselors.

15           (2) EXAMINING BOARD MEMBERSHIP. Notwithstanding section 15.405 (7c) (a) of  
16 the statutes, as affected by this act, a member of the examining board who was  
17 appointed on or before the effective date of this subsection may continue to serve as  
18 a member of the examining board until the end of his or her appointed term.

19           (3) TRANSITIONAL PROVISIONS.

20           (a) *Duties of examining board sections.* Notwithstanding sections 457.08,  
21 457.09 (1), 457.10, 457.12, 457.13 (1), 457.14 and 457.15 of the statutes, as affected  
22 by this act, on the effective date of this paragraph:

23           1. The social worker section of the examining board shall grant a social worker  
24 license under section 457.08 (1) of the statutes, as affected by this act, to any person

**ASSEMBLY BILL 517**

1 who holds a valid social worker certificate that was granted by the social worker  
2 section of the examining board before the effective date of this subdivision.

3 2. The social worker section of the examining board shall grant an advanced  
4 practice social worker license under section 457.08 (2) of the statutes, as affected by  
5 this act, to any person who holds a valid advanced practice social worker certificate  
6 that was granted by the social worker section of the examining board before the  
7 effective date of this subdivision.

8 3. The social worker section of the examining board shall grant an  
9 independent social worker license under section 457.08 (3) of the statutes, as affected  
10 by this act, to any person who holds a valid independent social worker certificate that  
11 was granted by the social worker section of the examining board before the effective  
12 date of this subdivision.

13 4. The social worker section of the examining board shall grant an  
14 independent clinical social worker license under section 457.08 (4) of the statutes,  
15 as affected by this act, to any person who holds a valid independent clinical social  
16 worker certificate that was granted by the social worker section of the examining  
17 board before the effective date of this subdivision.

18 5. The social worker section of the examining board shall grant a social worker  
19 training permit under section 457.09 (1) of the statutes, as affected by this act, to any  
20 person who holds a valid social worker training certificate that was granted by the  
21 social worker section of the examining board before the effective date of this  
22 subdivision. Notwithstanding section 457.09 (3) (a) and (b) of the statutes, as  
23 affected by this act, a social worker training permit granted under this subdivision  
24 is valid for 24 months beginning after the date on which the social worker section of  
25 the examining board granted the social worker training certificate to the person or

**ASSEMBLY BILL 517****SECTION 69**

1 until the date on which the person receives the results of the examination that he or  
2 she has taken under section 457.09 (5) (a) of the statutes, as affected by this act,  
3 whichever occurs first.

4 6. The marriage and family therapist section of the examining board shall grant  
5 a marriage and family therapist license under section 457.10 of the statutes, as  
6 affected by this act, to any person who holds a valid marriage and family therapist  
7 certificate that was granted by the marriage and family therapy section of the  
8 examining board before the effective date of this subdivision.

9 7. The professional counselor section of the examining board shall grant a  
10 professional counselor license under section 457.12 of the statutes, as affected by this  
11 act, to any person who holds a valid professional counselor certificate that was  
12 granted by the professional counselor section of the examining board before the  
13 effective date of this subdivision.

14 8. The professional counselor section of the examining board shall grant a  
15 professional counselor training permit under section 457.13 (1) of the statutes, as  
16 affected by this act, to any person who holds a valid professional counselor training  
17 certificate that was granted by the professional counselor section of the examining  
18 board before the effective date of this subdivision. Notwithstanding section 457.13  
19 (2) of the statutes, as affected by this act, a professional counselor training permit  
20 granted pursuant to this subdivision is valid for 24 months beginning after the date  
21 on which the professional counselor section of the examining board granted the  
22 professional counselor training certificate or until the date on which the person  
23 ceases to be employed in a position specified under section 457.13 (1) (d) of the  
24 statutes, whichever occurs first.

