

 $\mathbf{2}$ 

# State of Misconsin 2017 - 2018 LEGISLATURE

 $LRB-5242/2 \\ MD/TK/KP/EW/AG:all$ 

# 2017 ASSEMBLY BILL 907

January 31, 2018 - Introduced by Representatives Nygren, Pronschinske, Duchow, Snyder, Rodriguez, Petryk, Novak, Zimmerman, Tusler, Vandermeer, Horlacher, Krug, Rohrkaste, Petersen, E. Brooks, Edming, Spiros, Ballweg, Tittl, Tranel, Kitchens, Knodl, Born, Jagler, Sanfelippo, Skowronski, Billings, Kolste, Genrich, Kulp and Mursau, cosponsored by Senators Darling, Moulton, Wanggaard, Testin and Feyen. Referred to Joint Committee on Finance.

AN ACT to repeal 457.02 (5) and 457.02 (5m); to renumber and amend 448.665 and 449.06 (2m); to amend 118.01 (2) (d) 6., 118.01 (2) (d) 7., 440.88 (3) (a) (intro.), 440.88 (3m), 440.88 (7), 441.16 (3) (d), 447.056 (1) (intro.), 448.07 (1) (d), 961.385 (2) (cm) 1. (intro.) and 961.385 (2) (cm) 2.; and to create 20.285 (1) (c), 36.25 (55), 49.45 (29z), 118.01 (2) (d) 2. d., 440.043, 441.19, 447.02 (2) (k), 448.038, 448.13 (1) (a) 3., 448.13 (4), 448.20 (3) (c), 448.40 (2) (ck), 448.40 (2) (cm), 448.665 (1) (b) and 449.06 (2m) (b) of the statutes; relating to: continuing education in prescribing controlled substances for certain health care practitioners; maintenance and detoxification treatment provided by physician assistants and advanced practice nurse prescribers; requiring school boards to provide instruction about drug abuse awareness and prevention; graduate training of psychiatric nurses; training materials for social services workers handling substance abuse-related cases; substance abuse counseling and

1

2

modifying and creating administrative rules related to substance abuse counseling; granting rule-making authority; and making appropriations.

### Analysis by the Legislative Reference Bureau

### Continuing education

This bill requires a physician, physician assistant, advanced practice nurse prescriber, podiatrist, dentist, or optometrist who is authorized to prescribe controlled substances, when renewing his or her license issued by the applicable credentialing board, to submit proof of completion of continuing education requirements promulgated by rule of the board regarding best practices in prescribing controlled substances.

### Buprenorphine combination products; federal waivers

Under current federal law, the federal Drug Enforcement Administration (DEA) registers health care practitioners to dispense controlled substances, and practitioners who dispense narcotic drugs to individuals for addiction treatment must additionally obtain a separate DEA registration for that purpose. However, qualifying health care practitioners may, subject to certain requirements and limitations, obtain a waiver from the requirement to obtain a separate DEA registration to dispense those drugs for addiction treatment. Health care practitioners eligible to obtain and practice under such a waiver include qualifying physicians and, until October 1, 2021, qualifying physician assistants and nurse practitioners. In order to qualify for a waiver, a nurse practitioner or physician assistant must be supervised by, or work in collaboration with, a qualifying physician, if the nurse practitioner or physician assistant is required by state law to act in collaboration with or under the supervision of a physician.

Under rules promulgated by the state Medical Examining Board, the practice of a physician assistant must be under the supervision of one or more physicians, and under rules promulgated by the state Board of Nursing, advanced practice nurse prescribers must work in a collaborative relationship with a physician.

This bill provides that, with respect to the ability of an advanced practice nurse prescriber or physician assistant to obtain and practice under a waiver, a physician who satisfies any of the criteria specified in federal law to be eligible to obtain a waiver is considered eligible to serve as a qualifying physician for purposes of the collaboration or supervision requirement under federal law, regardless of whether the physician himself or herself holds a waiver.

The bill prohibits the Department of Health Services from requiring prior authorization for or another limitation on prescribing and dispensing of buprenorphine combination products to a Medical Assistance recipient, who is not pregnant, by a health care provider who possesses a valid waiver, if the prior authorization or other limitation is not required under the federal law.

### Substance abuse counseling

This bill makes the following changes regarding substance abuse counseling:

- 1. Allows marriage and family therapists and professional counselors to represent themselves to the public as substance abuse counselors, clinical supervisors, or prevention specialists without holding a certification for that purpose granted by the Department of Safety and Professional Services.
- 2. Requires DSPS to grant a certification as a substance abuse counselor, clinical supervisor, or prevention specialist to an individual who holds a similar unexpired certification granted by another state that has requirements for certification that are not lower than this state's certification requirements.
- 3. Requires the secretary of DSPS to appoint an advisory behavioral health review committee to semiannually review the requirements for obtaining certain substance abuse counseling certifications; for obtaining credentials granted by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board; and for obtaining other credentials related to behavioral health. Under the bill, the advisory committee is required to accept public comments related to its review and may propose changes in statutes and administrative rules to DSPS.
- 4. Allows a person certified as a social worker, advanced practice social worker, or independent social worker, within the scope of his or her credential, to treat substance use disorder as a specialty. In order to treat substance use disorder as a specialty, current law requires a person holding one of those certifications to satisfy additional criteria related to education and amount of supervised practice, and to complete continuing education every two years, or to obtain a substance abuse counselor, clinical supervisor, or prevention specialist certification from DSPS.
- 5. Specifies the contents required in an application for certification as a substance abuse counselor, clinical substance abuse counselor, intermediate or independent clinical supervisor, prevention specialist, substance abuse counselor-in-training, clinical supervisor-in-training, or prevention specialist-in-training.
- 6. Adds various actions to the scope of unprofessional conduct for which DSPS may discipline a substance abuse counselor or other related professional.
- 7. Specifies the requirements that a person with an expired substance abuse counselor or other related certification must satisfy to renew or reinstate an expired, surrendered, or revoked certification.
- 8. Specifies the contents required in an application to be approved by DSPS to provide education that satisfies the educational requirements for a substance abuse counselor or other related certification.
- 9. Specifies the continuing education requirements that a substance abuse counselor, clinical substance abuse counselor, prevention specialist, or clinical supervisor is required to satisfy in order to renew his or her certification.

# Drug abuse awareness and prevention instruction

This bill requires each school board to incorporate drug abuse awareness and prevention in its health instructional program. Current law requires school boards to provide instruction about the effects of controlled substances and alcohol on the human system, but a school board may not require a pupil to receive that instruction if the pupil's parent or guardian files a written objection. Current law also requires school boards to provide instruction to pupils on the relationship between highway

safety and controlled substances and the relationship between youth suicide and controlled substances. This bill specifies that the references to controlled substances in these requirements include prescription drugs included in the Uniform Controlled Substances Act.

### Graduate psychiatric nursing education

This bill requires the Board of Regents of the University of Wisconsin System, in consultation with the chancellor of UW-Madison, to do all of the following with respect to the graduate program in psychiatric mental health nursing at UW-Madison: 1) increase the number of students provided the opportunity to study to be board-eligible psychiatric mental health nurse practitioners; 2) expand the instructional capacity available to teach psychiatric mental health nursing; and 3) subject to certain student commitments, annually provide fellowships for psychiatric mental health nursing students to participate in clinical rotations in rural communities or areas with shortages of mental health professionals in this state. The bill provides additional funding to the UW System for these purposes.

### Training resources for social services workers

This bill provides \$50,000 of funding to the Department of Children and Families to develop and maintain online training resources for social services workers who deal with substance abuse-related cases.

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:

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2017-18 2018-19

#### 20.285 University of Wisconsin System

4 (1) University education, research and public

5 SERVICE

3

6

(c) Graduate psychiatric nursing

7 education GPR A -0- 250,000

8 **Section 2.** 20.285 (1) (c) of the statutes is created to read:

24

1	20.285 (1) (c) Graduate psychiatric nursing education. The amounts in the
2	schedule for the purposes specified in s. 36.25 (55) (a).
3	<b>Section 3.</b> 36.25 (55) of the statutes is created to read:
4	36.25 (55) Graduate psychiatric nursing education at the University of
5	WISCONSIN-MADISON. (a) In consultation with the chancellor of the University of
6	Wisconsin-Madison, the board shall do all of the following with respect to the
7	graduate program in psychiatric mental health nursing at the University of
8	Wisconsin-Madison:
9	1. Increase the number of students provided the opportunity to study to be
10	board-eligible psychiatric mental health nurse practitioners.
11	2. Expand the instructional capacity available to teach psychiatric mental
12	health nursing.
13	3. Annually provide fellowships for psychiatric mental health nursing students
14	to participate in clinical rotations in rural communities or areas with shortages of
15	mental health professionals in this state. In order to receive a fellowship under this
16	subdivision, a student shall commit to passing applicable board certification and to
17	practicing in this state for at least 2 years after graduation from the program.
18	(b) Costs associated with the board's duties under par. (a) shall be funded from
19	the appropriation account under s. $20.285(1)(c)$ .
20	<b>Section 4.</b> 49.45 (29z) of the statutes is created to read:
21	49.45 (29z) Opioid treatment authorization. The department may not require
22	prior authorization for or other limitation on prescribing and dispensing of
23	buprenorphine combination products to a recipient, who is not pregnant, under the

Medical Assistance program under this subchapter by a health care provider who

- possesses a valid waiver under 21 USC 823, if the prior authorization or other limitation is not required by 21 USC 823.
- **Section 5.** 118.01 (2) (d) 2. d. of the statutes is created to read:
- 4 118.01 (2) (d) 2. d. Awareness about drug abuse, including prescription drug abuse, and prevention.
  - **SECTION 6.** 118.01 (2) (d) 6. of the statutes is amended to read:
  - 118.01 (2) (d) 6. Knowledge of the prevention of accidents and promotion of safety on the public highways, including instruction on the relationship between highway safety and the use of alcohol and controlled substances, including prescription drugs, under ch. 961.
    - **SECTION 7.** 118.01 (2) (d) 7. of the statutes is amended to read:
  - 118.01 (2) (d) 7. The skills needed to make sound decisions, knowledge of the conditions which may cause and the signs of suicidal tendencies, knowledge of the relationship between youth suicide and the use of alcohol and controlled substances, including prescription drugs, under ch. 961 and knowledge of the available community youth suicide prevention and intervention services. Instruction shall be designed to help prevent suicides by pupils by promoting the positive emotional development of pupils.
    - **Section 8.** 440.043 of the statutes is created to read:
  - 440.043 Behavioral health review committee. (1) The secretary shall appoint an advisory committee under s. 440.042 to provide advice concerning behavioral health. The advisory committee shall semiannually conduct a review of the requirements for obtaining a credential under s. 440.88 or ch. 457 or for other credentials related to behavioral health.

(2) The advisory committee shall accept comments from the public related to
its review under sub. (1). Before conducting a review under sub. (1), the department
shall publish a class 1 notice under ch. 985 and shall publish notice on its Internet
site announcing the opportunity for public comment.
(3) The advisory committee established under sub. (1) may propose changes in
statutes and rules to the department.
<b>Section 9.</b> 440.88 (3) (a) (intro.) of the statutes is amended to read:
440.88 (3) (a) (intro.) Subject to pars. (b) and (c) and except as provided in sub.
(3m), the department shall promulgate rules that establish minimum standards and
qualifications for the certification of all of the following, including substance abuse
counselors and clinical supervisors described under s. HFS 75.02 (11) and (84), Wis.
Adm. Code, in effect on December 15, 2006, as defined by the department of health
services by rule:
<b>SECTION 10.</b> 440.88 (3m) of the statutes is amended to read:
440.88 (3m) Exception. This section does not apply to a physician, as defined
in s. 448.01 (5), a clinical social worker, as defined in s. 457.01 (1r), or a licensed
psychologist, as defined in s. 455.01 (4), a marriage and family therapist, as defined
in s. 457.01 (3), or a professional counselor, as defined in s. 457.01 (7), who practices
as a substance abuse clinical supervisor or provides substance abuse counseling,
treatment, or prevention services within the scope of his or her licensure.
<b>SECTION 11.</b> 440.88 (7) of the statutes is amended to read:
440.88 (7) RECIPROCAL CERTIFICATION. The department may shall, upon

application and payment of the required fee, issue certification as a substance abuse

counselor, clinical supervisor, or prevention specialist to an individual who holds a

similar unexpired certification issued to the individual by another state for which the

requirements for certification are of a standard that is not lower than that specified in this subchapter.

**Section 12.** 441.16 (3) (d) of the statutes is amended to read:

441.16 (3) (d) Establishing procedures for maintaining a certificate to issue prescription orders, including requirements for continuing education and a requirement to complete the nursing workforce survey and submit the fee required under s. 441.01 (7). The requirements established by the board under this paragraph shall include continuing education requirements regarding best practices in prescribing controlled substances, as defined in s. 961.01 (4), for any advanced practice nurse who is authorized to dispense controlled substances under 21 USC 821 to 831, and the board shall specify a minimum number of hours of such instruction that must be completed in each 2-year period.

**Section 13.** 441.19 of the statutes is created to read:

- 441.19 Maintenance and detoxification treatment under federal waiver. (1) In this section, "waiver" means a waiver issued by the federal department of health and human services under 21 USC 823 (g) (2) (A).
- (2) With respect to the ability of an advanced practice nurse who is certified to issue prescription orders to obtain and practice under a waiver, a physician who meets any of the conditions specified in 21 USC 823 (g) (2) (G) (ii) shall be considered eligible to serve as a qualifying physician for purposes of the requirement under 21 USC 823 (g) (2) (G) (iv) (III), regardless of whether the physician himself or herself holds a waiver.
  - **Section 14.** 447.02 (2) (k) of the statutes is created to read:
- 447.02 (2) (k) Continuing education requirements for dentists under s. 447.056 regarding best practices in prescribing controlled substances, as defined in s. 961.01

(4). The board shall specify a minimum number of hours of such instruction that must be completed in each 2-year period. Continuing education requirements established in the rules promulgated under this paragraph shall apply only with respect to a dentist who is authorized to dispense controlled substances under 21 USC 821 to 831.

**SECTION 15.** 447.056 (1) (intro.) of the statutes is amended to read:

447.056 (1) (intro.) Except as provided in subs. (2) to (4), a person is not eligible for renewal of a license to practice dentistry, other than a permit issued under s. 447.02 (3), unless the person has taught, attended, or otherwise completed, during the 2-year period immediately preceding the renewal date specified under s. 440.08 (2) (a), 30 credit hours of continuing education related to the practice of dentistry or the practice of medicine, including not less than 25 credit hours of instruction in clinical dentistry or clinical medicine and including the credit hours of instruction regarding best practices in prescribing controlled substances that are required by the board in rules promulgated under s. 447.02 (2) (k). Not more than 4 of the 30 hours may be from teaching. Continuing education does not satisfy the requirements under this subsection unless the continuing education is one of the following:

**Section 16.** 448.038 of the statutes is created to read:

448.038 Maintenance and detoxification treatment under federal waiver. (1) In this section, "waiver" means a waiver issued by the federal department of health and human services under 21 USC 823 (g) (2) (A).

(2) With respect to the ability of a physician assistant to obtain and practice under a waiver, a physician who meets any of the conditions specified in 21 USC 823 (g) (2) (G) (ii) shall be considered eligible to serve as a qualifying physician for

purposes of the requirement under 21 USC 823 (g) (2) (G) (iv) (III), regardless of whether the physician himself or herself holds a waiver.

**SECTION 17.** 448.07 (1) (d) of the statutes, as affected by 2013 Wisconsin Act 240, is amended to read:

448.07 (1) (d) No registration may be permitted by the secretary of the board in the case of any physician, physician assistant, or perfusionist who has failed to meet the requirements of s. 448.13 or any person whose license or certificate has been suspended or revoked and the registration of any such person shall be deemed automatically annulled upon receipt by the secretary of the board of a verified report of such suspension or revocation, subject to the person's right of appeal. A person whose license or certificate has been suspended or revoked and subsequently restored shall be registered by the board upon tendering a verified report of such restoration of the license or certificate, together with an application for registration and the registration fee.

**Section 18.** 448.13 (1) (a) 3. of the statutes is created to read:

448.13 (1) (a) 3. If the physician is authorized to dispense controlled substances under 21 USC 821 to 831, continuing education programs regarding best practices in prescribing controlled substances, as defined in s. 961.01 (4).

**SECTION 19.** 448.13 (4) of the statutes is created to read:

448.13 (4) Each person who is licensed as a physician assistant and who is authorized to dispense controlled substances under 21 USC 821 to 831 shall, in each 2nd year at the time of application for a certificate of registration under s. 448.07, submit proof of completion of continuing education requirements promulgated by rule by the board regarding best practices in prescribing controlled substances, as defined in s. 961.01 (4).

require do all of the following:

25

# **ASSEMBLY BILL 907**

1	<b>Section 20.</b> 448.20 (3) (c) of the statutes is created to read:
2	448.20 (3) (c) Promulgating the rules establishing continuing education
3	requirements under s. 448.40 (2) (cm).
4	<b>Section 21.</b> 448.40 (2) (ck) of the statutes is created to read:
5	448.40 (2) (ck) Establishing continuing education requirements under s.
6	448.13 (1) (a) 3. regarding best practices in prescribing controlled substances, as
7	defined in s. 961.01 (4), for renewal of a license to practice medicine and surgery by
8	a physician authorized to dispense controlled substances under 21 USC 821 to 831.
9	The board shall specify a minimum number of hours of such instruction that must
10	be completed in each 2-year period.
11	<b>Section 22.</b> 448.40 (2) (cm) of the statutes is created to read:
12	448.40 (2) (cm) Establishing continuing education requirements under s.
13	$448.13\ (4)$ regarding best practices in prescribing controlled substances, as defined
14	in s. $961.01$ (4), for renewal of a physician assistant license by a physician assistant
15	authorized to dispense controlled substances under 21 USC 821 to 831. The board
16	shall specify a minimum number of hours of such instruction that must be completed
17	in each 2-year period. In promulgating rules under this paragraph, the board shall
18	give deference to the recommendations of the council on physician assistants.
19	Section 23. 448.665 of the statutes is renumbered 448.665 (1) (intro.) and
20	amended to read:
21	448.665 (1) (intro.) The affiliated credentialing board shall promulgate rules
22	establishing requirements and procedures for licensees to complete continuing
23	education programs or courses of study in order to qualify for renewal of a license
24	granted under this subchapter. The rules promulgated under this section shall

(a) Require a licensee to complete at least 30 hours of continuing education
programs or courses of study within each 2-year period immediately preceding the
renewal date specified under s. 440.08 (2) (a).
(2) The affiliated credentialing board may waive all or part of these the
requirements for the completion of continuing education programs or courses of

requirements for the completion of continuing education programs or courses of study <u>under sub. (1)</u> if the affiliated credentialing board determines that prolonged illness, disability, or other exceptional circumstances have prevented a licensee from completing the requirements.

**Section 24.** 448.665 (1) (b) of the statutes is created to read:

448.665 (1) (b) Establish requirements for a licensee who is authorized to dispense controlled substances under 21 USC 821 to 831 to complete continuing education programs regarding best practices in prescribing controlled substances, as defined in s. 961.01 (4). The affiliated credentialing board shall specify a minimum number of hours of such instruction that must be completed in each 2-year period.

**SECTION 25.** 449.06 (2m) of the statutes is renumbered 449.06 (2m) (intro.) and amended to read:

449.06 **(2m)** (intro.) The examining board shall promulgate rules requiring a person who is issued a license to practice optometry to complete, during the 2-year period immediately preceding the renewal date specified in s. 440.08 (2) (a), not less than 30 hours of continuing education. The rules shall include requirements all of the following:

(a) Requirements that apply only to optometrists who are allowed to use topical ocular diagnostic pharmaceutical agents under s. 449.17 or who are allowed to use therapeutic pharmaceutical agents or remove foreign bodies from an eye or from an appendage to the eye under s. 449.18.

1

 $\mathbf{2}$ 

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

**Section 26.** 449.06 (2m) (b) of the statutes is created to read: 449.06 (2m) (b) Requirements for optometrists who are authorized to dispense controlled substances under 21 USC 821 to 831 to complete continuing education programs regarding best practices in prescribing controlled substances, as defined in s. 961.01 (4). The examining board shall specify a minimum number of hours of such instruction that must be completed in each 2-year period. **Section 27.** 457.02 (5) of the statutes is repealed. **Section 28.** 457.02 (5m) of the statutes is repealed. **Section 29.** 961.385 (2) (cm) 1. (intro.) of the statutes, as created by 2015 Wisconsin Act 266, is amended to read: 961.385 (2) (cm) 1. (intro.) A practitioner, pharmacist, registered nurse licensed under s. 441.06, or substance abuse counselor, as defined in s. 440.88 (1) (b), or an individual authorized under s. 457.02 (5m) to treat who treats, within the scope of his or her credential, alcohol or substance dependency or abuse as a specialty, if any of the following is applicable: **Section 30.** 961.385 (2) (cm) 2. of the statutes, as created by 2015 Wisconsin Act 266, is amended to read: 961.385 (2) (cm) 2. A person who medically coordinates, directs, or supervises, or establishes standard operating procedures for, a practitioner, pharmacist, registered nurse, substance abuse counselor, or individual authorized under s. 457.02 (5m) to treat alcohol or substance dependency or abuse as a specialty to whom records may be disclosed under subd. 1., if the person is evaluating the job performance of the practitioner, pharmacist, registered nurse, substance abuse counselor, or individual, or is performing quality assessment and improvement activities, including outcomes evaluation or development of clinical guidelines, and

read:

if the disclosure does not contain personally identifiable information, as defined in
s. 19.62 (5), of a patient and is limited to only those records about the practitioner
pharmacist, registered nurse, substance abuse counselor, or individual the person
medically coordinates, directs, or supervises, or for whom the person establishes
standard operating procedures.
<b>Section 31.</b> DHS 75.02 (15) of the administrative code is amended to read:
DHS 75.02 (15) "Counseling" means the application of recognized theories
principles, techniques and strategies to manage and facilitate the progress of diverse
patients toward mutually determined treatment goals and objectives using
culturally sensitive modalities as described in s. SPS 166.01 (3) 160.02 (10m) or s
MPSW 2.01 (10).
Section 32. DHS 75.02 (84) (d) of the administrative code is amended to read
DHS 75.02 (84) (d) As. MPSW 1.09 specialty An individual who holds a
credential under ch. 457, Stats., granted by DSPS.
Section 33. DHS 75.03 (4) (e) of the administrative code is amended to read
DHS 75.03 (4) (e) All Any staff who provide provides clinical supervision shall
fulfill the requirements established, as defined in s. SPS 160.02 (6) and, shall hold
a certificate from DSPS as required be a clinical supervisor, as defined in s. SPS
160.02 (7), except for a physician knowledgeable in addiction treatment, licensed
psychologist with a knowledge of psychopharmacology and addiction treatment, or
professional possessing the s. MPSW 1.09 subspecialty a credential under ch. 457
Stats.
Section 34. MPSW 1.09 of the administrative code is repealed.

**SECTION 35.** Chapter SPS 160 (title) of the administrative code is amended to

### Chapter SPS 160

### **APPLICABILITY AND DEFINITIONS**

**Section 36.** SPS 160.015 of the administrative code is created to read:

SPS 160.015 Applicability. (1) Except as provided in sub. (2), no person may represent himself or herself to the public as a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist or use in connection with his or her name a title or description that conveys the impression that he or she is a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist unless he or she is so certified under s. 440.88, Stats.

- (2) Chapters SPS 160 to 168 do not apply to any of the following:
- (a) A physician, as defined in s. 448.01 (5), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.
- (b) A clinical social worker, as defined in s. 457.01 (1r), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.
- (c) A licensed psychologist, as defined in s. 455.01 (4), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.
- (d) A marriage and family therapist, as defined in s. 457.01 (3), or a professional counselor, as defined in s. 457.01 (7), who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

(e) The preparation of a patient for substance use disorder treatment by
referral, the treatment of a patient for substance use disorder until a referral for
substance use disorder treatment is completed, and the continuation of treatment
with the nonsubstance use disorder issues of a person, when performed by a mental
health provider practicing within the scope of his or her credential.

**Section 37.** SPS 160.02 (2m) of the administrative code is created to read:

SPS 160.02 (2m) "Assessment training" means education on the comprehensive process of collecting pertinent data about patients or patient systems and their environment, and appraising the data as a basis for making decisions regarding substance use disorder diagnosis and treatment or referral. The education shall consist of culturally inclusive studies in understanding addiction, psychopharmacology, recognition and differentiation of co-occurring medical and psychological disorders, clinical evaluation, and treatment planning.

SECTION 38. SPS 160.02 (3) (g) of the administrative code is created to read: SPS 160.02 (3) (g) Marriage and family therapy, as defined in s. 457.01 (5), Stats.

**SECTION 39.** SPS 160.02 (3) (h) of the administrative code is created to read: SPS 160.02 (3) (h) Professional counseling, as defined in s. 457.01 (6), Stats. **SECTION 40.** SPS 160.02 (3m) of the administrative code is created to read:

SPS 160.02 (3m) "Case management" means education on culturally appropriate administrative, clinical, and evaluative activities included in the process of coordinating and prioritizing patient treatment goals and working with the patient and significant others, as well as other services, agencies, and resources to achieve those treatment goals. The education shall include studies in implementing treatment plans including continuing assessment, the referral

process, service coordination, including for co-occurring medical and psychological disorders, record management and documentation, and utilizing the written client record to guide and monitor services to reach measurable goals and objectives.

**SECTION 41.** SPS 160.02 (6) of the administrative code is amended to read:

SPS 160.02 (6) "Clinical supervision" means a specific and definitive process of oversight of a counselor's professional development in the didactic, experiential and application of the transdisciplinary foundations, and practice dimensions including core functions. Supervision takes place in intermittent in person contact between a clinical supervisor and treatment staff provided on or off the site of a service to ensure that each patient has an individualized treatment plan and is receiving quality care. A primary purpose of "clinical supervision" is to ensure skill development evidenced in quality patient care.

- **SECTION 42.** SPS 160.02 (9) of the administrative code is repealed.
- **SECTION 43.** SPS 160.02 (10) of the administrative code is repealed.
- **Section 44.** SPS 160.02 (10m) of the administrative code is created to read:

SPS 160.02 (10m) "Counseling training" means education that includes the study of fundamental theories, principles, and techniques of substance use disorder counseling to facilitate the progress of diverse patients toward mutually determined treatment goals and objectives using culturally sensitive modalities. Counseling education shall include studies of understanding addiction, recognized treatment theory and practice, the recovery process, effective strategies for meeting the counseling needs of diverse patients, crisis management skills, and awareness of co-occurring medical and psychological disorders.

- **Section 45.** SPS 160.02 (14) of the administrative code is repealed.
- **SECTION 46.** SPS 160.02 (16) of the administrative code is repealed.

**Section 47.** SPS 160.02 (19m) of the administrative code is created to read:

SPS 160.02 (19m) "Patient education" means education about the process of providing patients, groups, families, couples, significant others, and communities with information on risks related to substance use, the processes of dependence including signs, symptoms, and behavior patterns, and available resources for prevention, treatment, and recovery in culturally relevant ways. The education shall include studies in understanding addiction including addiction to nicotine, the classification and basic pharmacology of drugs, basic physiology and the effects of drug use on the human body and patient, learning styles and teaching methods, delivery of educational programs, health and behavior problems related to substance use including transmission of HIV/AIDS, tuberculosis, sexually transmitted infections, and other infectious diseases, and basic life skills such as stress management, communication, and assertiveness.

**Section 48.** SPS 160.02 (22) of the administrative code is repealed.

**Section 49.** SPS 160.02 (24m) of the administrative code is created to read:

SPS 160.02 (24m) "Professional responsibility" means education that addresses standards of conduct or professional behavior expectations for counselors, supervisors, and prevention workers. Professional behavior areas to be studied shall include, at a minimum, legal issues specific to substance use disorder professional practice, patient welfare as a primary concern, responsibility for professional competence and professional development, participation in ongoing supervision and consultation, counselor values and self-care, relationships with other professionals and institutions, and the establishment of limits and boundaries in the patient relationship. This education shall also address the impact of specific cultural, ethnic, and racial influences and expectations.

<b>Section 50.</b> SPS 160.02 (28) of the administrative code is amended to read:
SPS 160.02 (28) "Substance use disorder" means the existence of a diagnosis
of "substance dependence" or "substance abuse" "substance use disorder" listed in
the most current edition of DSM.
Section 51. SPS 160.02 (29) of the administrative code is repealed.
<b>Section 52.</b> SPS 160.03 of the administrative code is amended to read:
SPS 160.03 Use of title. A Except as consistent with s. SPS 160.015 (2), a
person may use the title "addiction counselor," "substance abuse counselor," "alcohol
and drug counselor," "substance use disorder counselor" or "chemical dependency
counselor" only if he or she is certified as a substance abuse counselor, or as a clinical
substance abuse counselor under s. 440.88, Stats., or as allowed under the provisions
of s. 457.02 (5m), Stats.
SECTION 53. Chapter SPS 161 of the administrative code is repealed and
recreated to read:
Chapter SPS 161
REQUIREMENTS FOR CERTIFICATION
SPS 161.01 Substance abuse counselor-in-training application. An
applicant for certification as a substance abuse counselor-in-training shall submit
11
all of the following:
all of the following:
all of the following:  (1) An application form.
all of the following:  (1) An application form.  (2) A fee as determined by the department under s. 440.05, Stats.

1	education, or department-approved education program. The 100 hours shall be in
2	all of the following:
3	(a) Fifteen hours in assessment training.
4	(b) Fifteen hours in counseling training.
5	(c) Ten hours in case management.
6	(d) Fifteen hours in patient education.
7	(e) Twenty hours in professional responsibility.
8	(f) Twenty-five hours in electives in any of the subjects in pars. (a) to (e).
9	(5) Evidence of current employment, a written offer of employment, internship,
10	practicum, or an agreement authorizing volunteer hours at an agency providing
11	substance use disorder treatment.
12	(6) For applicants who have a pending criminal charge or have been convicted
13	of a crime, all related information necessary for the department to determine
14	whether the circumstances of the pending criminal charge or conviction are
15	substantially related to the practice of substance abuse counseling.
16	SPS 161.02 Substance abuse counselor application. (1) Except as
17	provided in sub. (2), an applicant for certification as a substance abuse counselor
18	shall submit all of the following:
19	(a) An application form.
20	(b) A fee as determined by the department under s. 440.05, Stats.
21	(c) Evidence of successful passage of the jurisprudence examination unless the
22	applicant has previously passed the examination in the process of obtaining a

substance abuse counselor-in-training credential.

23

	(d) Evidence of completion of 360 hours of substance use disorder specialized
educ	ation through a postsecondary institution or a department-approved education
progr	ram. The 360 hours shall be in all of the following:
	1. Sixty hours in assessment training.
	2. Sixty hours in counseling training.
	3. Sixty hours in case management.
	4. Sixty hours in patient education.
	5. Sixty hours in professional responsibility.
	6. Six hours in boundaries and ethics.
	7. Fifty-four hours in electives in any of the subjects in subds. 1. to 6.
	(e) Evidence of successful passage of the National Association for Alcoholism
and l	Drug Abuse Counselors' NCAC I exam.
	(f) Evidence of completion of 3,000 hours of work experience performing the
pract	tice dimensions supervised by an individual under ch. SPS 162 within the 5
years	s immediately preceding the date of application. The 3,000 hours shall include
all of	the following:
	1. One thousand hours in providing substance use disorder counseling with a
mini	mum of 500 hours in a one-on-one individual modality setting.
	2. Two hundred hours of providing counseling during the 12-month period
imme	ediately preceding the date of application of which 100 hours shall have been
comp	oleted using an individual modality setting.
	(g) For applicants who have a pending criminal charge or have been convicted
of a	crime, all related information necessary for the department to determine
whet	her the circumstances of the pending criminal charge or conviction are

substantially related to the practice of substance abuse counseling.

(2) An applicant for certification as a substance abuse counselor who is
credentialed by the marriage and family therapy, professional counseling, and social
work examining board at the bachelor's level or higher shall submit evidence
satisfactory to the department of the applicant's current credential under ch. 457,
Stats.
SPS 161.03 Clinical substance abuse counselor application. (1) Except
as provided in sub. (2), an applicant for certification as a clinical substance abuse
counselor shall submit all of the following:
(a) An application form.
(b) A fee as determined by the department under s. 440.05, Stats.
(c) Evidence of successful passage of the jurisprudence examination unless the
applicant has previously passed the examination in the process of obtaining a
substance abuse counselor-in-training or substance abuse counselor credential.
(d) Evidence of one of the following:
1. Holding a substance abuse counselor credential.
2. Completion of 360 hours of substance use disorder specialized education
through a postsecondary institution or department-approved education program.
The 360 hours shall be in all of the following:
a. Sixty hours in assessment training.
b. Sixty hours in counseling training.
c. Sixty hours in case management.
d. Sixty hours in patient education.
e. Sixty hours in professional responsibility.
f. Six hours in boundaries and ethics.

g. Fifty-four hours in electives in any of the subjects in subds. 2. a. to f.

(e) Evidence of an associate's degree or higher in a behavioral science field from
an accredited university or college.
(f) Evidence of successful passage of the National Association for Alcoholism
and Drug Abuse Counselors' NCAC I exam.
(g) Evidence of completion of 5,000 hours of work experience performing the
practice dimensions, supervised by an individual under ch. SPS 162 within the 5
years immediately preceding the date of application. The 5,000 hours may include
any work experience hours obtained as a requirement of the substance abuse
counselor credential.
(h) For applicants who have a pending criminal charge or have been convicted
of a crime, all related information necessary for the department to determine
whether the circumstances of the pending criminal charge or conviction are
substantially related to the practice of substance abuse counseling.
(2) An applicant for certification as a clinical substance abuse counselor who
is credentialed by the marriage and family therapy, professional counseling, and
social work examining board at the master's level or higher shall submit evidence
satisfactory to the department of the applicant's current credential under ch. 457
Stats.
SPS 161.04 Clinical supervisor-in-training application. An applicant
for certification as a clinical supervisor-in-training shall submit all of the following
(1) An application form.
(2) A fee as determined by the department under s. 440.05, Stats.

(3) Evidence of current employment, a written offer of employment, or an

agreement authorizing volunteer hours as a clinical supervisor of counselors

1	providing substance use disorder treatment services who are certified under s.
2	440.88, Stats., or under ch. 457, Stats.
3	(4) Evidence of one of the following:
4	(a) Holding an active clinical substance abuse counselor credential.
5	(b) Holding an active credential under ch. 457, Stats., at the master's level or
6	higher.
7	SPS 161.05 Intermediate clinical supervisor or independent clinical
8	supervisor application. An applicant for certification as an intermediate clinical
9	supervisor or independent clinical supervisor shall submit all of the following:
10	(1) An application form.
11	(2) A fee as determined by the department under s. 440.05, Stats.
12	(3) Evidence of holding an active credential of one of the following:
13	(a) Clinical substance abuse counselor.
14	(b) A credential under ch. 457, Stats., at the master's level or higher.
15	(4) Evidence of 2 years of clinical supervisory experience as a
16	supervisor-in-training or intermediate supervisor within the last 5 years as the
17	supervisor of counselors certified under s. 440.88, Stats., or having a credential
18	under ch. 457, Stats.
19	(5) Evidence of one of the following:
20	(a) Holding an intermediate clinical supervisor credential.
21	(b) Successful completion of 30 hours of education in clinical supervision,
22	including a minimum of 6 hours of training in each of the following:
23	1. Assessment and evaluation.
24	2. Counselor development.

3. Management and administration.

25

1	4. Professional responsibility.
2	(c) Holding an American Association for Marriage and Family Therapy
3	supervisor certification.
4	(6) Evidence of successful passage of the National Association of Alcoholism
5	Counselors and Trainers' NCSE exam.
6	SPS 161.06 Prevention specialist-in-training application. An applicant
7	for certification as a prevention specialist-in-training shall submit all of the
8	following:
9	(1) An application form.
10	(2) A fee as determined by the department under s. 440.05, Stats.
11	(3) Evidence of successful completion of 40 hours of approved education
12	including 5 hours specific to ethics, in the following content areas:
13	(a) Planning and evaluation.
14	(b) Prevention education and service delivery.
15	(c) Communication.
16	(d) Community organization.
17	(e) Public policy and environmental change.
18	(f) Professional growth and responsibility.
19	SPS 161.07 Prevention specialist application. An applicant for
20	certification as a prevention specialist shall submit all of the following:
21	(1) An application form.
22	(2) A fee as determined by the department under s. 440.05, Stats.
23	(3) Evidence of successful passage of the jurisprudence examination.

1

2

3

4

5

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

(4) E	Evidence of successful completion of 120 hours of approved education,
including 5	60 hours specific to alcohol, tobacco, and other substance abuse and 6 hours
specific to e	ethics, in the following content areas:

- (a) Planning and evaluation.
- (b) Prevention education and service delivery.
- 6 (c) Communication.
  - (d) Community organization.
    - (e) Public policy and environmental change.
    - (f) Professional growth and responsibility.

SPS 161.08 Reciprocity. An applicant holding a current credential in good standing as a substance abuse counselor, clinical supervisor, or prevention specialist or its equivalent in another state or U.S. territory with requirements for the credential that are not lower than specified in this chapter shall submit all of the following:

- (1) An application form.
- (2) A fee as determined by the department under s. 440.05, Stats.
- (3) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the department to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of substance abuse counseling.
- (4) For applicants who have had disciplinary or adverse action taken on their substance abuse counselor, clinical supervisor, or prevention specialist credential or its equivalent, all related information necessary for the department to determine whether the circumstances of the disciplinary action or adverse action warrant denial of the application.

1	(5) Evidence of successful passage of jurisprudence examination.
2	<b>Section 54.</b> SPS 163.01 of the administrative code is repealed.
3	Section 55. SPS 163.02 (1) of the administrative code is renumbered SPS
4	163.02 and amended to read:
5	SPS 163.02 Substance abuse counselor-in-training; limited scope of
6	practice. The granting of a substance abuse counselor-in-training certificate does
7	not denote or assure competency to provide substance use disorder counseling. A
8	substance abuse counselor-in-training may provide services in any of the core
9	functions, except counseling, if authorized and documented by the clinical
10	supervisor. A clinical supervisor may only authorize a substance abuse
11	$counselor-in-training \ to \ provide \ counseling \ in \ accordance \ with \ sub. \ (2).$
12	<b>Section 56.</b> SPS 163.02 (2) of the administrative code is repealed.
13	<b>Section 57.</b> SPS 163.02 (3) of the administrative code is repealed.
14	<b>Section 58.</b> SPS 164.01 (2) (fm) of the administrative code is created to read:
15	SPS 164.01 (2) (fm) Allowing students or supervisees to perform services for
16	which the substance abuse professional is not qualified by education, training, or
17	experience to perform.
18	<b>Section 59.</b> SPS 164.01 (2) (j) of the administrative code is amended to read:
19	SPS 164.01 (2) (j) Discriminating in practice on the basis of age, race, color, sex,
20	religion, creed, national origin, ancestry, disability, gender identity, or sexual
21	orientation.
22	Section 60. SPS 164.01 (2) (k) of the administrative code is amended to read:
23	SPS 164.01 (2) (k) Revealing to other personnel not engaged in the care of a
24	patient or to members of the public information which concerns a patient's identity
25	or condition unless release of the information is authorized by the patient or required

25

1	or authorized by law. This provision shall not be construed to prevent a credential
2	holder from cooperating with the department in the investigation of complaints.
3	<b>SECTION 61.</b> SPS 164.01 (2) (x) of the administrative code is amended to read:
4	SPS 164.01 (2) (x) Failing to report to the department or to institutional
5	supervisory personnel any violation of the rules of this chapter by a substance abuse
6	professional.
7	<b>Section 62.</b> SPS 164.01 (2) (y) of the administrative code is created to read:
8	SPS 164.01 (2) (y) Disclosing supervisee confidences, except as follows:
9	1. As mandated by law.
10	2. To prevent a clear and immediate danger to a person.
11	3. In educational or training settings where there are multiple supervisors who
12	share responsibility for training of the supervisee.
13	SECTION 63. Chapter SPS 165 of the administrative code is repealed and
14	recreated to read:
15	Chapter SPS 165
16	RENEWAL AND REINSTATEMENT
17	SPS 165.01 Late renewal. (1) GENERAL. A person with an expired credential
18	under s. 440.88, Stats., may not reapply for a credential using the initial application
19	process.
20	(2) RENEWAL WITHIN 5 YEARS. A person renewing a credential under s. 440.88,
21	Stats., within 5 years after its expiration shall do all of the following:
22	(a) Pay the renewal fee as determined by the department under s. 440.03 (9)
23	(a), Stats., and any applicable late renewal fee.
24	(b) Certify the completion of continuing education under ch. SPS 168 during

the 2-year period preceding the last renewal date.

EDUCATION APPROVAL
Chapter SPS 166
recreated to read:
SECTION 64. Chapter SPS 166 of the administrative code is repealed an
reinstatement.
(3) Evidence of rehabilitation or change in circumstances warranting
(2) Evidence of completion of disciplinary requirements, if applicable.
credential has not been active within the past 5 years.
(1) Evidence of completion of the requirements in s. SPS 165.01 (3) if the
all of the following:
surrendered or revoked may apply for the credential to be reinstated by submitting
within 5 years of its expiration or whose credential under s. 440.88, Stats., has been
disciplinary requirements and has not renewed a credential under s. 440.88, Stats
SPS 165.02 Reinstatement. A credential holder who has unsatisfie
6 hours on ethics and boundaries and 6 hours of psychopharmacology.
2. Completion of 60 hours of continuing education in the last 2 years, including
1. Holding a substantially equivalent credential in another state.
(b) Provide evidence of one of the following:
(a), Stats., and the late renewal fee.
(a) Pay the renewal fee as determined by the department under s. 440.03 (9)
under s. 440.88, Stats., after 5 years of its expiration shall do all of the following:
who has unsatisfied disciplinary requirements. A person renewing a credentia
(3) RENEWAL AFTER 5 YEARS. This subsection does not apply to a credential holder

an accredited institution.

SPS 166.01 Approval of substance abuse counselor education. (1) An
application to be a department-approved education program shall include all of the
following:
(a) A detailed outline of each course, or for core competency programs a detailed
outline of each core competency and how the competency will be measured.
(b) For each course or core competency, indicate the allocation of hours or
competency hour equivalencies for the following content areas:
1. Assessment training.
2. Counseling training.
3. Case management.
4. Patient education.
5. Professional responsibility.
6. Boundaries and ethics.
(c) Evidence that each instructor satisfies one of the following:
1. The instructor holds one of the following credentials in good standing:
a. Substance abuse counselor.
b. Clinical substance abuse counselor.
c. A credential under ch. 457, Stats.
2. The instructor is a physician with knowledge and experience related to
substance use disorder counseling.
3. The instructor is a psychologist with knowledge and experience related to
substance use disorder counseling.
4. The instructor is an instructor of substance use disorder related courses at

(2) An instructor whose credential has been limited, suspended, or revoked
may not instruct in an approved program while the disciplinary action is in effect.
(3) An approved program shall inform the department in advance of any major
change in a course or instructor qualifications.
(4) An approval of a program remains in effect for 5 years. After 5 years, the
program shall resubmit a new application to become an approved educational
program.
(5) An approved program shall provide a certificate of completion or transcript
to each student and shall retain student records for at least 7 years after a student
has completed the program.
SPS 166.02 Approved prevention specialist education. The department
shall accept prevention specialist training provided, sponsored, or approved by any
of the following:
(1) An accredited college or university.
(2) The Wisconsin Association of Alcohol and Drug Abuse.
(3) The National Association of Alcohol and Drug Abuse Counselors.
(4) The Wisconsin Clearinghouse for Prevention Resources.
(5) The Federal Center for Substance Abuse Prevention.
(6) The National Center for the Application of Prevention Technologies or its
regional centers.
(7) The federal department of health and human services, or its agencies,
institutes, administrations, or centers.
(8) The White House Office of National Drug Control Policy.
(9) The department of health services.
(10) The department of public instruction.

**Section 65.** Chapter SPS 168 of the administrative code is repealed and recreated to read:

### Chapter SPS 168

#### **CONTINUING EDUCATION**

SPS 168.01 Continuing education requirements. (1) Unless granted a postponement or waiver of the continuing education requirements under s. SPS 168.03, a substance abuse counselor or prevention specialist shall complete 30 continuing education credit hours in approved continuing education programs during each 2-year credential period and shall certify on the renewal application that all required continuing education was completed.

- (2) A minimum of 4 continuing education credit hours of the required 30 credit hours shall be in the area of professional ethics and boundaries.
- (3) A credential holder who also holds an active credential granted under ch. 457, Stats., may satisfy the continuing education requirements by meeting the continuing education requirements under s. 457.22, Stats.
- (4) A clinical supervisor shall complete 4 hours of continuing education each 2-year credential period related to the supervision of substance abuse counselors. The 4 hours completed under this subsection may count toward the continuing education required for renewal of a clinical substance abuse counselor certification.
- (5) A new credential holder is not required to satisfy continuing education requirements during the time between initial credentialing and commencement of a full 2-year credential period.
- (6) Continuing education credit hours shall apply only to the 2-year credential period during which the credit hours are completed. If a credential holder fails to satisfy the continuing education requirements during a 2-year credential period,

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

any additional continuing education credit hours completed on or after the renewal date to satisfy the requirement of the preceding period will not apply to the period during which they are earned. SPS 168.02 Approved continuing education. (1) A continuing education program is approved if it is relevant to the practice of substance abuse counseling and any of the following applies: (a) The program is approved, sponsored, provided, endorsed, or authorized by any of the following: 1. The National Association of Alcohol and Drug Abuse Counseling or one of its affiliated divisions. 2. The International Certification & Reciprocity Consortium. 3. The American Association for Marriage and Family Therapy or one of its affiliated divisions. 4. The Wisconsin Association for Marriage and Family Therapy. 5. The National Rehabilitation Counseling Association. 6. The American Rehabilitation Counseling Association. 7. The Wisconsin Rehabilitation Counseling Association. 8. The National Board for Certified Counselors. 9. The Commission on Rehabilitation Counselor Certification. 10. The Association of Social Work Boards. 11. The National Association of Social Workers or one of its affiliated chapters. 12. The Association of Baccalaureate Program Directors. 13. The Council on Social Work Education.

(b) The program or course is offered by a training program accredited by the

Commission on Accreditation for Marriage and Family Therapy Education.

- (c) The program is approved, sponsored, or co-sponsored by a presenter approved by the Committee for the Approval of Continuing Education Sponsors of the American Psychological Association.
- (d) The program or course is offered by an accredited college or university. A credential holder shall receive 15 continuing education credit hours for completing a semester course approved under this paragraph.
- (e) The program is an employee sponsored inservice training and development program. No more than 15 continuing education credit hours earned through employee sponsored in-service training and development programs that are not approved under par. (a), (b), (c), or (d) may count toward satisfying continuing education requirements.
- (2) (a) A person may earn continuing education credit hours for engaging in any of the following activities, if the activity is relevant to the practice of substance abuse counseling:
- 1. Presenting professional material. One continuing education credit hour is earned under this subdivision for each hour of a continuing education presentation, except that 15 credit hours are earned for presenting a semester-long educational course. No continuing education credit hours are earned by a person for repeating a presentation for which the person has previously earned continuing education. A person who presents for any of the following may earn continuing education credit hours under this subdivision:
  - a. A seminar, workshop, program, or institution that is approved under sub. (1).
  - b. A university, college, or vocational technical adult education course.

 $\mathbf{2}$ 

- 2. Developing professional material. One continuing education credit hour is earned under this subdivision for each hour spent developing continuing education professional material.
- 3. Authoring a published textbook or professional resource book. Fifteen continuing education credit hours are earned for authoring a book under this subdivision.
- 4. Authoring a professional journal article or a chapter published in a textbook or professional resource book. Eight continuing education credit hours are earned for authoring an article or chapter under this subdivision.
- (b) A person may earn up to 15 continuing education credit hours that count toward satisfying continuing education requirements by completing continuing education that is approved under par. (a).

SPS 168.03 Postponement or waiver. A holder of a credential under s. 440.88, Stats., may apply to the department for a postponement or waiver of the requirements under this chapter on grounds of prolonged illness, disability, or other grounds constituting extreme hardship. The department shall consider each application individually on its merits.

#### Section 66. Fiscal changes.

(1) Training materials for substance abuse-related cases. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of children and families under section 20.437 (1) (a) of the statutes, the dollar amount for fiscal year 2018–19 is increased by \$50,000 to develop and maintain Internet-accessible training materials for county social services or veteran services workers on the appropriate response to cases involving substance abuse.

#### Section 67. Initial applicability.

1

2

3

4

5

6

7

8

(1) The treatment of chapters SPS 161, SPS 165, and SPS 166 of the Wisconsin	
Administrative Code first applies to an application received by the department of	
safety and professional services on the effective date of this subsection.	
SECTION 68. Effective dates. This act takes effect on the day after publication,	
except as follows:	
(1) The repeal and modifications of administrative rules take effect as provided	
in section 227.265 of the statutes.	

(END)