

State of Wisconsin



2023 Assembly Bill 251

Date of enactment: **March 22, 2024**

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2023 WISCONSIN ACT 196

AN ACT relating to: a tier I license issued by the Department of Public Instruction and modifying administrative rules promulgated by the Department of Public Instruction.

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

SECTION 1. PI 34.0375 of the administrative code is created to read:

PI 34.0375 Tier I, clinically trained mental health professional license. (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to work as a clinically trained mental health professional. A license issued under this section does not authorize the license holder to work as a school social worker or a school counselor.

(2) **ELIGIBILITY.** The state superintendent may issue a tier I license under this section to an applicant who satisfies all of the following:

(a) The applicant holds all of the following:

1. A master's degree in marriage and family therapy, mental health counseling, social work, or a similar field.
2. A valid clinical marriage and family therapy

license, clinical professional counselor license, or clinical social worker license issued by the marriage and family therapy, professional counseling, and social work examining board.

(b) The applicant agrees to do all of the following:

1. Store, safeguard, and dispose of client records in ways that maintain confidentiality and comply with the federal Health Insurance Portability and Accountability Act of 1996, 45 CFR 164.502.

2. Maintain accurate and adequate clinical and financial records in accordance with the federal Health Insurance Portability and Accountability Act of 1996, 45 CFR 164.502.

(3) **DURATION.** A license issued under this section is valid for 2 years.

(4) **RENEWAL.** A license issued under this section is renewable.

SECTION 2. Effective date.

(1) This act takes effect as provided in s. 227.265.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."