



1995 ASSEMBLY BILL 738

December 12, 1995 - Introduced by Representatives AINSWORTH, SILBAUGH, GOETSCH, OWENS, SERATTI, ALBERS and GUNDERSON. Referred to Committee on Consumer Affairs.

1 **AN ACT to amend** 15.405 (7c) (a) of the statutes; **relating to:** the membership
2 of the examining board of social workers, marriage and family therapists and
3 professional counselors and granting independent clinical social worker
4 certificates to certain persons.

Analysis by the Legislative Reference Bureau

Under current law, a person may not use the title "independent clinical social worker" or "clinical social worker" unless the person is certified as an independent clinical social worker by the examining board of social workers, marriage and family therapists and professional counselors (examining board). To be certified as an independent clinical social worker, an applicant must show that he or she has done all of the following: 1) received either a master's degree in social work from a program accredited by, or a preaccreditation program of, the council on social work education, or a doctorate degree in social work; 2) as part of the master's or doctorate degree program, concentrated in clinical social work and completed supervised clinical field training; 3) engaged in at least 2 years of full-time supervised clinical social work practice after receiving the master's or doctorate degree; and 4) passed an examination approved by the examining board. The act creating the requirements for certification as an independent clinical social worker included a "grandfather" provision that allowed the examining board to grant an independent clinical social worker certificate to a person who has a master's or doctorate degree in social work, marriage and family therapy, psychology, sociology, professional counseling or other human service program and who meets the experience requirements but who has not passed an examination, if the person applied for certification before June 30, 1995.

This bill requires the examining board to grant an independent clinical social worker certificate to a person whose application for an independent clinical social worker certificate under the grandfather provision was denied if the person submits evidence that, at the time that he or she submitted his or her application under the

grandfather provision, he or she had a master's or doctorate degree in pastoral counseling or its equivalent.

In addition, under current law, the examining board is comprised of 13 members. Of these 13 members, 4 must be certified as social workers, 3 must be certified as marriage and family therapists and 3 must be certified as professional counselors. The remaining 3 members are public members. This bill provides that at least one of the social worker members of the examining board must have a master's or doctorate degree in pastoral counseling or be a fellow or diplomat of the American Association of Pastoral Counselors.

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 amended to read:

2 15.405 (7c) (a) There is created an examining board of social workers, marriage
3 and family therapists and professional counselors in the department of regulation
4 and licensing. The members of the examining board shall be appointed for 4-year
5 terms. Four members shall be certified under ch. 457 as social workers. Three
6 members shall be certified under ch. 457 as marriage and family therapists. Three
7 members shall be certified under ch. 457 as professional counselors. Three members
8 shall be public members. Of the 4 certified social worker members, one shall be
9 certified under ch. 457 as an advanced practice social worker, one shall be certified
10 under ch. 457 as an independent social worker, one shall be certified under ch. 457
11 as an independent clinical social worker, at least one shall have a master's or
12 doctorate degree in pastoral counseling or be a fellow or diplomat of the American
13 Association of Pastoral Counselors, and at least one shall be employed as a social
14 worker by a federal, state or local governmental agency.

15 **SECTION 2. Nonstatutory provisions.**

1 (1) WAIVER OF INDEPENDENT CLINICAL SOCIAL WORKER CERTIFICATION
2 REQUIREMENTS. Notwithstanding 1991 Wisconsin Act 160, section 21 (2) (d), and
3 section 457.08 (4) of the statutes, the social worker section of the examining board
4 of social workers, marriage and family therapists and professional counselors shall
5 grant an independent clinical social worker certificate under section 457.08 (4) of the
6 statutes to an individual who satisfies all of the following:

7 (a) He or she applied for an independent clinical social worker certificate under
8 1991 Wisconsin Act 160, section 21 (2) (d).

9 (b) His or her application for an independent clinical social worker certificate
10 under 1991 Wisconsin Act 160, section 21 (2) (d), was denied by the social worker
11 section of the examining board of social workers, marriage and family therapists and
12 professional counselors.

13 (c) He or she submits, no later than the first day of the 25th month beginning
14 after the effective date of this paragraph, evidence satisfactory to the social worker
15 section of the examining board of social workers, marriage and family therapists and
16 professional counselors that, at the time that he or she applied for an independent
17 clinical social worker certificate under 1991 Wisconsin Act 160, section 21 (2) (d), he
18 or she had a master's or doctorate degree in pastoral counseling or its equivalent.

19 **SECTION 3. Initial applicability.**

20 (1) EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND
21 PROFESSIONAL COUNSELORS; APPOINTMENT OF SOCIAL WORKER MEMBER WHO HAS PASTORAL
22 COUNSELING DEGREE. The treatment of section 15.405 (7c) (a) of the statutes first
23 applies to an appointment of a social worker member to the examining board of social
24 workers, marriage and family therapists and professional counselors to fill a vacancy
25 in a social worker member position that occurs on or after the effective date of this

SECTION 3

1 subsection, regardless of whether the vacancy is due to the expiration of a social
2 worker member's term, the resignation of a social worker member or otherwise.

3 (END)