



1995 ASSEMBLY BILL 440

June 8, 1995 - Introduced by Representatives SILBAUGH, AINSWORTH, ALBERS and
LORGE, cosponsored by Senator CHVALA. Referred to Committee on Health.

1 **AN ACT relating to:** granting professional counselor certificates to certain
2 persons.

Analysis by the Legislative Reference Bureau

Under current law, a person may not use the title “professional counselor”, “professional rehabilitation counselor”, “vocational rehabilitation counselor” or “rehabilitation counselor” or any similar title unless the person is certified as a professional counselor by the examining board of social workers, marriage and family therapists and professional counselors (examining board). To be certified as a professional counselor, an applicant must have a master’s or doctorate degree in professional counseling or its equivalent, have engaged in at least 2 years of full-time supervised clinical professional counseling practice after receiving the master’s degree or in at least one year of full-time supervised clinical professional counseling practice after receiving the doctorate degree, and pass an examination. The act creating the requirements for certification as a professional counselor included a “grandfather” provision that allowed the examining board to grant a professional counselor certificate to a person who meets the education and experience requirements but who has not passed an examination if the person applies for certification before June 30, 1995.

This bill requires the examining board to grant a professional counselor certificate to a person whose application for a professional counselor certificate under the grandfather provision was denied if the person submits evidence that he or she is employed or eligible to be employed as a mental health professional (other than a physician, nurse, licensed psychologist or social worker) at an outpatient psychotherapy facility that is certified by the department of health and social services (DHSS) as a provider for purposes of medical assistance reimbursement. Under current DHSS rules, a person is eligible to be a mental health professional at an outpatient psychotherapy clinic if he or she has training and experience in mental health, including either 3,000 hours of supervised experience in clinical practice or

being listed in the national academy of certified mental health counselors or the national register of health services providers in psychology.

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. Nonstatutory provisions.**

2 (1) WAIVER OF PROFESSIONAL COUNSELOR CERTIFICATION REQUIREMENTS.

3 Notwithstanding 1991 Wisconsin Act 160, section 21 (2) (f), and section 457.12 of the
4 statutes, the professional counselor section of the examining board of social workers,
5 marriage and family therapists and professional counselors shall grant a
6 professional counselor certificate under section 457.12 of the statutes to an
7 individual who satisfies all of the following:

8 (a) He or she applied for a professional counselor certificate under 1991
9 Wisconsin Act 160, section 21 (2) (f).

10 (b) His or her application for a professional counselor certificate under 1991
11 Wisconsin Act 160, section 21 (2) (f), was denied by the professional counselor section
12 of the examining board of social workers, marriage and family therapists and
13 professional counselors.

14 (c) He or she submits, no later than the first day of the 13th month beginning
15 after the effective date of this paragraph, evidence satisfactory to the professional
16 counselor section of the examining board of social workers, marriage and family
17 therapists and professional counselors that he or she is employed or eligible to be
18 employed as a mental health professional under section HSS 61.96 (2), Wisconsin
19 Administrative Code, at an outpatient facility that is certified by the department of

1 health and social services as a psychotherapy provider for purposes of medical
2 assistance reimbursement.

3 (END)