

## WISCONSIN LEGISLATIVE COUNCIL STAFF

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**CLEARINGHOUSE REPORT TO AGENCY**

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[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 00-158**

AN ORDER to create SFC 1.05 (7), relating to the state jurisprudence examination.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

11-06-00 RECEIVED BY LEGISLATIVE COUNCIL.

11-30-00 REPORT SENT TO AGENCY.

RNS:NZ:jal;tlu



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## CLEARINGHOUSE RULE 00-158

### Comments

**[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### 4. Adequacy of References to Related Statutes, Rules and Forms

In the analysis section, the statutes interpreted should be changed from "s. 457.08 (1) (b), (2) (b) . . ." to "s. 457.08 (1) (c), (2) (c) . . ."

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

Under the rule, if an applicant took and passed part II of the examination for another certificate, but did not receive the certificate because of failure on part I of that examination, the person would be required to take part II again as part of the application for a social worker certificate. Is this intended? If not, "and receiving" should be deleted. [Also see s. SFC 1.05 (6) regarding retaking only the failed part of the examination.]

STATE OF WISCONSIN  
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS  
AND PROFESSIONAL COUNSELORS

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IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL  
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND FAMILY  
WORKERS, MARRIAGE AND : THERAPISTS AND PROFESSIONAL  
FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES  
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 00- )  
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PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to create SFC 1.05 (7), relating to the state jurisprudence examination.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 457.03 (3), Stats.

Statutes interpreted: s. 457.08 (1) (b), (2) (b), (3) (d) and (4) (d), Stats.

The Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors issues four different types of social work certification, based on an applicant's education and experience. An individual who has received one type of certification may later apply for another type. All applicants are currently required to take and pass a state jurisprudence examination. The proposed change would eliminate the need to retake the state jurisprudence examination if the applicant passed the examination within the previous five years.

TEXT OF RULE

SECTION 1. SFC 1.05 (7) is created to read:

SFC 1.05 (7) An applicant for certification as a social worker, advanced practice social worker, independent social worker, independent clinical social worker, marriage and family therapist, or professional counselor need not take part II of the examination if within the 5 years preceding the date of application, the applicant took and passed part II in the process of applying for and receiving another certification from the board.

(END OF TEXT OF RULE)

*in sub of passed part II,  
and never rec'd. sub.  
her. didn't pass other part.*

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Examining Board of Social Workers,  
Marriage and Family Therapists  
and Professional Counselors

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

These proposed rules will be reviewed by the department through its Small Business Review Advisory Committee to determine whether there will be an economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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11/6/00