

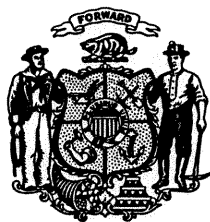
WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC  
FORM 2

***RULES CLEARINGHOUSE***

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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 99-002**

AN ORDER to amend SFC 3.13 (3) (a) and (b); and to create SFC 3.13 (1) (a) 1., 2. and 3., relating to criteria for approval of other human services degree programs for eligibility for a social worker training certificate.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

01-06-99      RECEIVED BY LEGISLATIVE COUNCIL.

02-04-99      REPORT SENT TO AGENCY.

RNS:LR:kjf:jt

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES ☐      NO ☒

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES ☒      NO ☐

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES ☐      NO ☒

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES ☒      NO ☐

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES ☐      NO ☒

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES ☐      NO ☒

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

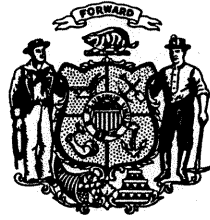
Comment Attached      YES ☐      NO ☒

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 99-002

### 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.]**

#### **2. Form, Style and Placement in Administrative Code**

a. The rule creates s. SFC 3.13 (1) (a). However, that paragraph already exists in the Administrative Code. In addition, current s. SFC 3.13 relates to social worker training certificates and the proposed rule has nothing to do with that.

b. In s. SFC 3.13 (1) (a) 1. (intro.), "do all of the following" should be inserted before the colon.

c. In s. SFC 3.13 (1) (a) 3., the word "your" should be replaced by the word "the."

d. Section SFC 3.13 (1) (a) 2. begins with "In this section." Section SFC 3.13 (1) (a) 3. begins with "In this subsection." Both clauses should be followed by a comma. In addition, "In this paragraph," would be more appropriate (although this may change because of renumbering as a result of comment 2. a.).

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

a. Section SFC 3.13 (1) (a) 1. (intro.) refers to "under sub. (1) (a)." However, it appears that the correct reference is "under s. 457.09 (1) (c), Stats."

b. Section SFC 3.13 (1) (a) 2. refers to "the criteria above." The reference should be to "the criteria under subd. 1." (although this may change because of renumbering as a result of comment 2. a.). [See s. 1.01 (9) (c), Manual.]

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 EXAMINING
PROCEEDINGS BEFORE THE	:	BOARD OF SOCIAL WORKERS,
EXAMINING BOARD OF SOCIAL	:	MARRIAGE AND FAMILY THERAPISTS
WORKERS, MARRIAGE AND FAMILY	:	AND PROFESSIONAL COUNSELORS
THERAPISTS AND PROFESSIONAL	:	ADOPTING RULES
COUNSELORS	:	(CLEARINGHOUSE RULE 99- )

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PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to ***amend*** SFC 3.13 (3) (a) and (b); and to ***create*** SFC 3.13 (1) (a) 1., 2. and 3., relating to criteria for approval of other human services degree programs for eligibility for a social worker training certificate.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 457.09, Stats.

Statutes interpreted: s. 457.09, Stats.

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Social Worker Section) specifies the criteria for obtaining a social worker training certificate. The requirements are: a) a major that meets the criteria in subds. 1. to 3.; b) a minimum grade point of 2.5 in the major course content to focus on providing services to individuals with difficulties in psychological and social functioning; c) a course with significant content in professional ethics and values in context of the helping professions; d) a senior seminar or capstone that pulls together all the themes of the helping professions; e) 30 semester credits or 40 quarter credits acquired within the major as defined by the text; f) a human service internship which involved direct practice with clients and was supervised by a social worker certified under s. 457.08, Stats., and who has a bachelor's or master's degree in social work and provides direct on-site supervision of the intern; or one year of social work employment as specified to satisfy the requirements set forth.

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10/1/99

20/1/99

## TEXT OF RULE

SECTION 1. SFC 3.13 (1) (a) 1., 2. and 3. are created to read:

457.09(1)(c) *Revis sub. (1)(a)*

SFC 3.13 (1) (a) 1. To qualify as "another human service program approved by the section" under sub. (1) (a), the program shall include a major that meets the criteria in subd. pars. a., b. and c., and the applicant shall have obtained a grade point average of 2.5 or greater in the major. The major shall: *do all...*

a. Focus predominantly on course content related to providing services to individuals with difficulties in psychological and social functioning.

b. Include a course with significant content in professional ethics and values in the context of the helping professions.

c. Include a senior seminar or capstone case that pulled together all the themes of the helping professions.

2. In this section "major" means an organized course of study recognized on the transcript as a major by the degree-granting institution. A collection of 30 semester credits, or 40 quarter credits, not defined as a particular course of study by the degree-granting institution would not qualify as a human services major. Individualized majors developed in conjunction with the degree-granting institution and recognized as majors by the institution will be considered as majors, and evaluated in relation to the criteria above for predominant focus of coursework.

3. In this subsection "predominantly" means comprising at least 30 semester credits or 40 quarter credits of the major program in which your degree was granted. *re 5*

Note: Related course content includes courses typically included in human services program content such as: psychology, sociology, crisis intervention, working with diverse populations, family dynamics, therapeutic interviewing, rehabilitation, gerontology, adolescence or child welfare, interview, observation and recordkeeping skills, individual and group counseling techniques, program planning, internships, clinical placements and field practicums.

SECTION 2. SFC 3.13 (3) (a) and (b) are amended to read:

SFC 3.13 (3) (a) A human services internship that was part of the program leading to the degree the certificate holder specified to satisfy the requirement in s. 457.09 (1) (c) and (4m) (b), Stats., or completed while holding the training certificate, and involved direct practice with clients and that was supervised by a social worker certified under s. 457.08, Stats., and who has a bachelor's or master's degree in social work and provides direct, on-site supervision of the intern.

(b) One year of social work employment that was part of the program leading to the degree the certificate holder specified to satisfy the requirements in s. 457.09 (1) (c) and (4m) (b), Stats., or completed while holding the training certificate, which involved at least 400 hours of face-to-face client contact in not less than 12 months, and that was supervised by a social worker certified under s. 457.08, Stats., who has a bachelor's or master's degree in social work and who provides direct, on-site supervision of the certificate holder during the time the certificate holder is at work.

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(END OF TEXT OF RULE)  
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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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1/5/99

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

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<b>IN THE MATTER OF RULE-MAKING PROCEEDINGS BEFORE THE EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS</b>	<b>: : : : : :</b>	<b>PROPOSED ORDER OF THE EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS ADOPTING RULES (CLEARINGHOUSE RULE 99-002)</b>
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TO: Senator Judy Robson, Senate Co-Chairperson  
Joint Committee for the Review of Administrative Rules  
Room 15 South, State Capitol  
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS is submitting in final draft form proposed rules relating to criteria for approval of "another human service program approved by the section" for eligibility for a social worker training certificate and supervision of training certificate holders.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

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Tommy G. Thompson  
Governor

State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING



Marlene A. Cummings  
Secretary

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## **Administrative Rules in Final Draft Form**

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

#### **Rule: SFC 3.13**

#### **Relating to: Human Service Programs**

#### **Clearinghouse Rule: No. 99-002**

Regulatory Boards

Accounting; Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors; Professional Geologists, Hydrologists and Soil Scientists; Auctioneer; Barbering and Cosmetology; Chiropractic; Controlled Substances; Dentistry; Dietitians; Funeral Directors; Hearing and Speech; Medical; Nursing; Nursing Home Administrator; Optometry; Pharmacy; Physical Therapists; Podiatry; Psychology; Real Estate; Real Estate Appraisers; Social Workers, Marriage and Family Therapists and Professional Counselors; and Veterinary.

Committed to Equal Opportunity in Employment and Licensing

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

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<b>IN THE MATTER OF RULE-MAKING :</b>	
<b>PROCEEDINGS BEFORE THE :</b>	
<b>EXAMINING BOARD OF SOCIAL :</b>	<b>REPORT TO THE LEGISLATURE</b>
<b>WORKERS, MARRIAGE AND :</b>	<b>ON CLEARINGHOUSE RULE 99-002</b>
<b>FAMILY THERAPISTS AND :</b>	<b>(s. 227.19 (3), Stats.)</b>
<b>PROFESSIONAL COUNSELORS :</b>	

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS:**

No new or revised forms are required.

**III. FISCAL ESTIMATES:**

These proposed rules will have no significant impact upon state or local units of government.

**IV. STATEMENT EXPLAINING NEED:**

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Social Worker Section) specifies the criteria for approval of "another human service program approved by the section" for eligibility for a social worker training certificate. The requirements are: a) a major that meets the criteria in subds. 1. to 3.; b) a minimum grade point of 2.5 in the major course content to focus on providing services to individuals with difficulties in psychological and social functioning; c) a course with significant content in professional ethics and values in context of the helping professions; d) a senior seminar or capstone that pulls together all the themes of the helping professions; e) 30 semester credits or 40 quarter credits acquired within the major as defined by the text; f) a human service internship which involved direct practice with clients and was supervised by a social worker certified under s. 457.08, Stats., and who has a bachelor's or master's degree in social work and provides direct on-site supervision of the intern; or one year of social work employment as specified to satisfy the requirements set forth.

**V. NOTICE OF PUBLIC HEARING:**

A public hearing was held on April 20, 1999. There were no appearances at the public hearing.

Written comments were received from Joan E. Riedle, Department of Psychology, University of Platteville. Professor Riedle opposed the requirement of direct on-site supervision by a person with a bachelor's or master's degree in social work in the proposed rules, because of the difficulty faced by certain small agencies, especially in southwest Wisconsin, in obtaining persons with the required credential to perform the supervision. The Social Worker Section wants to retain the provision because individuals with training certificates have the least amount of education and experience in social work and, therefore, closer supervision by a person with a bachelor's or master's degree is needed to protect the public.

#### **VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

Comment 2.a. The proposed rule does not create s. SFC 3.13 (1) (a). It creates s. SFC 3.13 (1) (a) 1., a., b., c., 2., 3. and a Note. Current s. SFC 3.13 does relate to social worker training certificates.

The remaining recommendations suggested in the Clearinghouse Report were accepted in whole.

#### **VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:**

The Department's Small Business Review Advisory Committee reviewed these proposed rules on January 6, 1999. The rules will not have a significant economic impact on a substantial number of small businesses.

The Small Business Review Advisory Committee opposed the requirement of direct on-site supervision by a person with a bachelor's or master's degree in social work in the proposed rules, because of the difficulty faced by certain small agencies, especially in southwest Wisconsin, in obtaining persons with the required credential to perform the supervision. The Social Worker Section wants to retain the provision because individuals with training certificates have the least amount of education and experience in social work and, therefore, closer supervision by a person with a bachelor's or master's degree is needed to protect the public.

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 EXAMINING
PROCEEDINGS BEFORE THE	:	BOARD OF SOCIAL WORKERS,
EXAMINING BOARD OF SOCIAL	:	MARRIAGE AND FAMILY THERAPISTS
WORKERS, MARRIAGE AND FAMILY	:	AND PROFESSIONAL COUNSELORS
THERAPISTS AND PROFESSIONAL	:	ADOPTING RULES
COUNSELORS	:	(CLEARINGHOUSE RULE 99-002)

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PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to **amend** SFC 3.13 (3) (a) and (b); and to **create** SFC 3.13 (1) (a) 1., a., b., c., 2., 3. and a Note relating to criteria for approval of "another human service program approved by the section" for eligibility for a social worker training certificate and supervision of training certificate holders.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 457.09, Stats.

Statutes interpreted: s. 457.09, Stats.

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Social Worker Section) specifies the criteria for obtaining a social worker training certificate. The requirements are: a) a major that meets the criteria in subds. 1. to 3.; b) a minimum grade point of 2.5 in the major course content to focus on providing services to individuals with difficulties in psychological and social functioning; c) a course with significant content in professional ethics and values in context of the helping professions; d) a senior seminar or capstone that pulls together all the themes of the helping professions; e) 30 semester credits or 40 quarter credits acquired within the major as defined by the text; f) a human service internship which involved direct practice with clients and was supervised by a social worker certified under s. 457.08, Stats., and who has a bachelor's or master's degree in social work and provides direct on-site supervision of the intern; or one year of social work employment as specified to satisfy the requirements set forth.

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## TEXT OF RULE

SECTION 1. SFC 3.13 (1) (a) 1., a., b., c., 2., 3. and Note are created to read:

SFC 3.13 (1) (a) 1. To qualify as “another human service program approved by the section” under s. 457.09 (1) (c), Stats., the program shall include a major that meets the criteria in sub. (1) (a) and the applicant shall have obtained a grade point average of 2.5 or greater in the major. The major shall include all of the following:

- a. Focus predominantly on course content related to providing services to individuals with difficulties in psychological and social functioning.
- b. Include a course with significant content in professional ethics and values in the context of the helping professions.
- c. Include a senior seminar or capstone course that pulled together all the themes of the helping professions.

2. In subd. 1., “major” means an organized course of study recognized on the transcript as a major by the degree-granting institution. A collection of 30 semester credits or 40 quarter credits not defined as a particular course of study by the degree-granting institution would not qualify as a human services major. “Individualized” majors developed in conjunction will be considered as majors, and evaluated in relation to the criteria under subd. par. a., for predominant focus of coursework.

3. In subdivision paragraph a., “predominantly” means comprising at least 30 semester hours or 40 quarter credits of the major program in which the degree is granted.

Note: Related course content includes courses typically included in human services program content, such as: psychology, sociology, crisis intervention, working with diverse populations, family dynamics, therapeutic interviewing, rehabilitation, gerontology, adolescence or child welfare, interview, observation and recordkeeping skills, individual and group counseling techniques, program planning, internships, clinical placements and field practicums.

SFC 3.13 (3) (a) A human services internship that was part of the program leading to the degree the certificate holder specified to satisfy the requirement in s. 457.09 (1) (c) and (4m) (b), Stats., or completed while holding the training certificate, and involved direct practice with clients and that was supervised by a social worker certified under s. 457.08, Stats., and who has a bachelor’s or master’s degree in social work and provides direct, on-site supervision of the intern.

(b) One year of social work employment that was part of the program leading to the degree the certificate holder specified to satisfy the requirements in s. 457.09 (1) (c) and (4m) (b), Stats., or completed while holding the training certificate, which involved at

least 400 hours of face-to-face client contact in not less than 12 months, and that was supervised by a social worker certified under s. 457.08, Stats., who has a bachelor's or master's degree in social work and who provides direct, on-site supervision of the certificate holder during the time the certificate holder is at work.

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(END OF TEXT OF RULE)  
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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.

FINAL REGULATORY FLEXIBILITY ANALYSIS

These proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

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