

2001 DRAFTING REQUEST

Bill

Received: 10/13/2000

Received By: **kunkemd**

Wanted: As time permits

Identical to LRB:

For: **Frank Urban (608) 266-9175**

By/Representing: **Dismas Becker**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Regulation of social workers

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1	kunkemd 02/08/2001		jfrantze 01/04/2001	_____	lrb_docadmin 01/04/2001		State
/2	kunkemd 02/15/2001	csicilia 02/12/2001 csicilia 02/16/2001	pgreensl 02/12/2001	_____	lrb_docadmin 02/12/2001	lrb_docadminState 02/13/2001	
/3	kunkemd 03/02/2001	csicilia 03/05/2001	martykr 02/16/2001	_____	lrb_docadmin 02/16/2001	lrb_docadminState 02/16/2001	

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Handwritten notes:
 14 cjs 3/5 01
 Km 3/6
 RS Km 5/12

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Km 2/16 *res 2/16*

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FE Sent For:

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Kunkel, Mark

From: Dismas Becker [dismas@gdinet.com]
Sent: Sunday, October 15, 2000 9:16 PM
To: Kunkel, Mark
Subject: Rep. Urban's request for draft of licensure

but see language provided

Dear Mark,

Sorry I missed you. Rep. Urban would like you to redraft the licensure bill for the practice of psychotherapy by clinical marriage and family therapist, clinical professional counselors and clinical social workers. Make the draft based on LRB 2435/4 with the following changes

- ✓ 1. change the name of the board to Examining Board for the practice of psychotherapy by clinical marriage and family therapist, clinical professional counselors, clinical social workers and the certification of social
- ✓ 2. Change the structure of the examining board as proposed in LRB 2435/4 back to present law.
- ✓ 3. Change the definition of psychotherapy to read: "Psychotherapy means the diagnosis and treatment of mental, emotional, and behavioral disorders, conditions and addictions through the informed and intentional application of clinical methods and interpersonal stances derived from established psychological principles for the purpose of assisting people to modify their behaviors, cognitions, emotions, and/or other personal characteristics in directions that the participants deem desirable, which may include the understanding of unconscious processes, intrapersonal, interpersonal and psychosocial dynamics.

- ✓ 4. In the requirements for who may supervise an applicant for the required 3,000 hrs., there are three categories. These categories should be prioritized, i.e. if an applicant cannot obtain a supervisor meeting the definitions in number one, then he/she may find one meeting the definitions of number two and if neither of these can be obtained, then they can use number three definitions.

This is a start. I have jury duty this week but I will try to get hold of you the following week.

Thank you.

Dismas Becker
dismas@gdinet.com

shd be priority, but up to examining board to figure out

- grandfather in those who are certified
- ind. clinical → clinical SWR license (not the other SWR's)

- Exemptions - doesn't restrict practice of, i.g., pastoral counseling
 BUT pastoral counselors can't practice psychology unless lic'd

- strict except - for psychologists, psychiatrists or anyone else practicing psychology w/ scope of state license

- all lic'd psychiatrists
eligible for 3d party payment

- Title 19
Medical
Medicare } rule: must work
for clinic

out of state
don't recognize
certified

- not mandatory coverage,
but if coverage provided,
then must pay persons
who are licensed under
the bill

→ Am 49. 46(2)(b) 6. Lm. ?

see HFS 105.22(2)(a)

Per message from Dismas, 11/13:
- require that
- ADD: everyone licensed under
bill is eligible for
3d party payments

Memorandum

To: Mark Kunkel
From: Dismas Becker
Date: 11/08/00
Re: update drafting instruction for Rep. Urban's psychotherapy practice bill

- ✓ 1. I am including a draft of the proposed bill with most of the updated changes. This draft does not include the non-statutory language. (I did not know how to do that.)
- ✓ 2. The draft eliminates the use of the word "clinical" as part of the title of marriage and family therapist. It maintains the title "clinical social workers" replacing existing statutory title of "independent clinical social worker."
- ✓ 3. The structure of the examining board remains the same as in ss. 457
- ✓ 4. It keeps the new definition of psychotherapy as given in my first instructions.
- ✓ 5. It includes language requiring 3,000 hrs. and who can supervise the applicant. Beginning on page 12 of the enclosed line 5 through line 15, page 14 line 20 - page 15 line 9 and page 16 line 10 - 20. I attempted in the third choice of supervisor to state that this choice can only be used if choice 1 and 2 are not conveniently available. Change it if the language I used does not adequately provide for that restriction.
- ✓ 6. Grandfather all those who presently hold certification to practice psychotherapy under ss 457 provided they can demonstrate upon renewal that they have practiced or supervised the practice of psychotherapy in the past two years.
- ✓ 7. I may have adequately stated in my draft that applicants must have professional consultant(s) to whom they can refer or seek consultation for cases that go beyond their scope of practice as defined by rule. Check that out and correct where necessary.
- ✓ 8. The draft has all the other changes that we want to keep from last years bill, AB 420.

✓ duty to
consult
(may continue to
work with
client if
consult)

2001 – 2002 LEGISLATURE

ASSEMBLY BILL

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Section 1. 15.08 (1m) (b) of the statutes is amended to read:

15.08 (1m) (b) The public members of the chiropractic examining board, the marriage and family therapy, professional counseling and social work examining board of ~~social workers, marriage and family therapists and professional counselors~~ and the psychology examining board....

Section 2. 15.405 (7c) (title) of the statutes is repealed and recreated to read:

15.405 (7c) (title) Marriage and Family Therapy, Professional Counseling and Social Work Examining Board.

Section 3. 15.405 (7c) (a) of the statutes is renumbered 15.405 (7c) (a) (intro.) and amended to read:

15.405 (7c) (a) (intro.) There is created ~~an~~ a marriage and family therapy, professional counseling and social work examining board of ~~social workers, marriage and family therapists and professional counselors~~ in the department of regulation and licensing. ~~The~~ consisting of the following members of ~~the~~ examining board shall be appointed for 4-year terms. ~~Four:~~

1. Four members ~~shall be~~ who are certified and/or licensed under ch. 457 as social workers or clinical social workers.

2. Three ~~marriage and family therapists. therapist members shall be certified under ch. 457 as~~ who are licensed under ch. 457.

3. Three ~~professional counselors. Three members shall be~~ counselor members who are licensed under ch. 457.

1 4. Three public members. ~~Of the 4 certified social workers members, one shall be~~ who represent
 2 groups that promote the interests of consumers of services provided by persons who are
 3 certified or licensed under ch. 457.

4 (am) the 4 members appointed under par. (a) 1. Shall consist of the following:

5 1. One member who is certified under ch. 457 as an advanced practice social worker, ~~one~~
 6 shall be.

7 2. One member who is certified under ch. 457 as an independent social worker, ~~one shall be~~
 8 certified under ch. 457 as an independent clinical social worker and at.

9 3. One member who is licensed under ch. 457 as a clinical social worker.

10 4. At least one shall be member who is employed as a social worker by a federal, state or local
 11 governmental agency.

12 **Section 10.** 146.81 (1) (hg) of the statutes is amended to read:

13 146.81 (1) (hg) A social worker, marriage and family therapist or professional counselor certified
 14 or licensed under ch. 457.

15 **Section 11.** 180.1901 (1m) (f) of the statutes is amended to read:

16 180.1901 (1m) (f) Examining Marriage and family therapy, professional counseling, and social
 17 work examining board of social worker, marriage and family therapists and professional counselors
 18 under ch. 457.

19 **Section 12.** 252.10 (7) of the statutes is amended to read:

20 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis... under subch. X of
 21 ch. 440, social workers, marriage and family therapists or professional counselors certified or licensed
 22 under ch. 457,....

23 **Section 13.** 252.14 (1) (ar) 7. Of the statutes is amended to read:

1 252.14 (1) (ar) 7. A social worker, marriage and family therapist or professional counselor
2 certified or licensed under ch. 457.

3 **Section 14.** 450.10 (3) (a) 10. Of the statutes is amended to read;

4 450.10 (3) (a) 10. A social worker, marriage and family therapist or professional counselor
5 certified or licensed under ch. 457.

6 **Section 15.** Chapter 457 (title) of the statutes is repealed and recreated to read:

7 **CHAPTER 457**

8 **EXAMINING BORAD OF MARRIAGE AND FAMILY THERAPISTS, PROFESSIONAL**
9 **COUNSELORS AND SOCIAL WORKERS**

10 ✓ **Section 16.** 457.01 (1) of the statutes is renumber 457.01 (1m)

11 ✓ **Section 17.** 457.01 (3) of the statutes is renumbered 457.01 (1p) and amended to read:

12 457.01 (1p) "Marriage and family therapist" means an individual who ~~practiees~~ holds a license to
13 practice marriage and family therapy granted by the examining board.

14 **Section 18.** 457.01 (7) of the statutes is renumbered 457.01 (1q) and amended to read:

15 457.01 (1q) "Professional counselor" means an individual who ~~practiees~~ holds a license to practice
16 professional counseling granted by the examining board.

17 **Section 19.** 457.01 (1r) of the statutes is created to read:

18 457.01 (1r) "Clinical social work" means ~~providing services without supervision for~~ ^{diagnosis with} the diagnosis,
19 treatment and prevention of mental and emotional disorders in individuals, families and groups, to
20 restore, maintain and enhance social functioning through treatment interventions that include
21 psychosocial evaluation, counseling of individuals, families or groups, referral to community
22 resources, advocacy, facilitation of organizational change to meet social needs and individual, marital
23 or group psychotherapy.

1 **Section 20.** 457.01 (1s) of the statutes is created to read:

2 457.01 (1s) "Clinical social worker" means an individual who holds a license to practice clinical social
3 work granted by the examining board.

4 **Section 21.** 457.01 (1w) of the statutes is created to read:

5 457.01 (1w) "Credential" means a license, certificate or permit granted under this chapter.

6 **Section 22.** 457.01 (2) of the statutes is amended to read:

7 457.01 (2) "Examining board" means the marriage and family therapy, professional counseling and
8 social work examining board of ~~social workers, marriage and family therapists and professional~~
9 ~~counselors.~~

10 **Section 23.** 457.01 (2g) of the statutes is created to read:

11 457.01 (2g) "independent social worker" means an individual who holds an independent social
12 worker certificate granted by the examining board.

13 **Section 24.** 457.01 (2r) of the statutes is created to read:

14 457.01 (2r) "licensee" means a person who is licensed under this chapter.

15 **Section 25.** 457.01 (8m) of the statutes is repealed and recreated to read:

16 457.01 (8m) ""Psychotherapy" means the diagnosis ^{or} and treatment of mental, emotional, and ^{or}
17 behavioral disorders, conditions and addictions through the informed and intentional application of
18 clinical methods and interpersonal ^{practices} stances derived from established psychological principles for the
19 purpose of assisting ^{individuals} people to modify their behaviors, cognitions, emotions, ^{or} and/or other personal
20 characteristics in directions that the participants deem desirable, which may include the understanding
21 of unconscious processes, ^{or} intrapersonal, interpersonal and psychosocial dynamics.

22 **Section 26.** 457.01 (9) of the statutes is amended to read:

purpose
of

1 457.01 (9) "Social work" means applying psychosocial, ~~psychotherapeutic~~ or counseling
 2 principles, methods or procedures in the assessment, evaluation, or psychosocial ~~or psychotherapeutic~~
 3 diagnosis, prevention, treatment or resolution of a difficulty in the social, psychological, personal,
 4 emotional or mental ~~disorder~~ functioning of an individual, couple, family, group of individuals or
 5 community, including the enhancement or restoration of, the capacity of an individual, couple, family,
 6 group of individuals or community for social functioning or the delivery of services to a group of
 7 individuals or a community to assist the group or community in providing or improving the provision
 8 of social or health services to others.

9 **Section 27.** 457.01 (10) of the statutes is amended to read:

10 457.01 (10) "Social worker" means an individual who ~~practices~~ holds a social work ~~worker~~
 11 certificate granted by the examining board.

12 **Section 28.** 457.02 (1) to (5) of the statutes are amended to read:

13 457.02 **Applicability.** This chapter does not do any of the following:

14 (!) Require any individual to be certified or licensed under this chapter in order to use the title
 15 "pastoral counselor" "investment counselor", "vocational counselor", "career counselor", "alcohol and
 16 drug counselor" ~~or~~ , "chemical dependency counselor" or "employee assistance counselor", or to
 17 engage in such counseling, if the individual does not use any other title or designation that represents
 18 or may tend to represent that he or she is certified or licensed under this chapter, and does not represent
 19 himself or herself as an individual who engages in social work, advance practice social work,
 20 independent social work, clinical social work, marriage and family therapy or professional counseling.

21 (2) Require any individual who is licensed as a school social worker or school counselor by the
 22 department of public instruction to be certified ~~as a social worker or professional counselor~~ or licensed
 23 under this chapter in order to use the title "school social worker" or "school counselor".

1 (3) Require a person who is licensed as a psychologist under ch. 455 or who is a psychiatrist, as
2 defined in s. 146.34 (1) (h), to be ~~certified as a marriage and family therapist or professional counselor~~
3 licensed under this chapter in order to use the title "marriage and family therapist", "marriage and
4 family counselor" or professional counselor" if the psychologist or psychiatrist does not use the term
5 "licensed", "certified" or "registered" or any similar term in connection with the title "marriage and
6 family therapist", "marriage and family counselor" or "professional counselor".

7 (4) Authorize any individual who is certified ~~as a social worker or professional counselor or~~
8 licensed under this chapter to use the title "school social worker" or "school counselor" unless the
9 individual is licensed as a school social worker or school counselor by the department of public
10 instruction.

11 (5) Authorize any individual who is certified or licensed under this chapter to use the title "alcohol
12 and drug counselor" or "chemical dependency counselor" unless the individual is certified as an
13 alcohol and drug counselor or as a chemical dependency counselor through a process recognized by
14 the department of health and family services.

15 **Section 29.** 457.02 (6) of the statutes is created to read:

16 457.02 (6) Require a credential for a person to do any of the following:

- 17 (a) Lawfully practice within the scope of a license, permit, registration or certificate granted by
18 this state or the federal government, including practicing psychotherapy under such a license,
19 permit, registration or certificate.
- 20 (b) Provide a consultation or demonstration with an individual licensed under this chapter if the
21 person providing the consultation or demonstration is licensed to practice marriage and family
22 therapy, professional counseling or clinical social work in another state or territory of the
23 United States.

1 **Section 30.** 457.03 of the statutes is renumbered 457.03(1) and 457.03 (1)(a),(b) and (c), as
2 renumbered, are amended to read:

3 457.03 (1)

4 (a) Upon the advice of the social worker section, marriage and family therapist section and
5 professional counselor section, promulgate rules establishing minimum standards for educational
6 programs that must be completed for certification or licensure under this chapter and for supervised
7 clinical training that must be completed for ~~certification~~ licensure as ~~an independent~~ a clinical social
8 worker, marriage and family therapist or professional counselor under this chapter and approve
9 educational programs and supervised clinical training programs in accordance with those standards.

10 (b) Upon the advice of the social worker section, marriage and family therapist section and
11 professional counselor section , promulgate rules establishing a code of ethics to govern the
12 professional conduct of certificate holders. The rules shall specify the services included within the
13 practice of social work, advanced practice social work or independent social work that an individual
14 who is certified under this chapter as a social worker, advanced practice social worker, or independent
15 social worker ~~or independent clinical social worker is qualified to~~ may perform and the degree of
16 supervision, if any required to perform those services. ~~The rules may not permit a certificate holder to~~
17 ~~engage in psychotherapy unless the individual is certified under this chapter as an advanced practice~~
18 ~~social worker, independent social worker, independent clinical social worker, marriage and family~~
19 ~~therapist or professional counselor and has engaged in the equivalent of at least 2 years of full time~~
20 ~~supervised social work, marriage and family therapy or professional counseling clinical practice after~~
21 ~~receiving the master's or doctorate degree required under s. 457.08)3_ (b) or (4) (b), 457.10 (2) or~~
22 ~~457.12 (2).~~

1 (c) Upon the advice of the social worker section, promulgate rules establishing levels of advanced
2 social work practice, in addition to the levels of practice for which certificates are granted under s.
3 457.08 (2) ~~to (4)~~ and (3), and establishing appropriate educational, training, experience, examination
4 and continuing education requirements for certification and renewal of a certificate at each level of
5 practice established in rules promulgated under this subsection paragraph.

6 **Section 31.** 457.03 (1), (ae) (am) and (as) of the statutes are created to read:

7 457.03 (1) (ae) Upon the advice of the social work section, promulgate rules establishing
8 minimum standards for educational programs that must be completed for licensure as clinical
9 social workers under this chapter and approved educational programs in accordance with those
10 standards.

11 (am) Upon the advise of the members of the marriage and family therapy section, promulgate
12 rules establishing minimum standards for educational programs that must be completed for
13 licensure as a marriage and family therapist under this chapter and approve educational programs
14 in accordance with those standards.

15
16 (as) Upon the advice of the members of the professional counseling section, promulgate rules
17 establishing minimum standards for educational programs that must be completed for licensure as
18 clinical professional counselors under this chapter and approve educational programs in accordance
19 with those standards.

20

21 **Section 32,** 457.03 (1) (be), (bm) and (bs) of the statutes are created to read:

22 457.03 (1) (be) Upon the advice of the members of the social work section promulgate rules
23 establishing a code of ethics to govern the professional conduct of clinical social workers.

1 (bm) Upon the advice of the members of the marriage and family therapy section promulgate
2 rules establishing a code of ethics to govern the professional conduct of marriage and family
3 therapists.

4 (bs) Upon the advice of the members of the licensure section who are clinical professional
5 counselors, promulgate rules establishing a code of ethics to govern the professional conduct of
6 clinical professional counselors.

7 **Section 33.** 457.03 (1) (d) and (e) of the statutes are created to read:

8 **457.03 (1) (d)** Promulgate rules that specify the different levels of psychometric testing that an
9 individual who is certified or licensed under this chapter is qualified to perform. A certificate
10 holder or licensee may not engage in psychometric testing except as provided under the rules
11 promulgated under this paragraph.

12 (e) Promulgate rules establishing the educational practice requirements that are specified in ss.
13 457.08 (4) © 3., 457.10 (3) © and 457.12 (3) (a) 3. And (b) 3.

14 **Section 34.** 457.03 (2m) of the statutes is created to read:

15 **457. 03 (2m)** The examining board may not promulgate rules under sub. (1) that permits an
16 individual to engage in psychotherapy unless one of the following applies:

17 (a) the individual is licensed under this chapter as a clinical social worker, marriage and family
18 therapist or professional counselor.

19 (b) The individual is certified as an advanced practice or independent social worker and the
20 individual engages in psychotherapy only under the supervision of a clinical social worker
21 who is licensed under this chapter.

22 **Section 35.** 457.04 (1) to (4) of the statutes are amended to read:

1 457.04 (1) Use Designate himself or herself as a social worker or use or assume the title "social
2 worker" or any other title or designation that represents or may tend to represent the person as a
3 social worker unless the person is certified as a social worker under this chapter.

4 (2) Use Designate himself or herself as an advanced practice social worker or use or assume the
5 title "advanced practice social worker" or any other title or designation that represents or may tend to
6 represent the person as an advanced practice social worker unless the person is certified or licensed as
7 an advanced practice social worker, independent social worker or ~~independent~~ clinical social worker
8 under this chapter.

9 (3) Use Designate himself or herself as an independent social worker or use or assume the title
10 "independent social worker" or any other title or designation that represents or may tend to represent
11 the person as an independent social worker unless the person is certified or licensed as an independent
12 social worker or ~~independent~~ clinical social worker under this chapter.

13 (4) Use Practice clinical social work or designate himself or herself as a clinical social worker or
14 use or assume the title "independent clinical social worker" or or any other title or designation that
15 represents or may tend to represent the person as an independent social worker unless the person is
16 ~~certified~~ licensed as an ~~independent~~ a clinical social worker under this chapter.

17 **Section 36.** 457.04 (5) of the statutes is amended to read:

18 457.04 (5) Use Practice marriage and family therapy or designate himself or herself as a marriage
19 and family therapist or use or assume the title "marriage and family therapist" "marriage and family
20 counselor" or any other other title or designation that represents or may tend to represent the person as
21 a marriage and family therapist unless any of the following applies:

22 (a) The person is ~~certified~~ licensed as a marriage and family therapist under this chapter.

1 (b) The person is ~~certified~~ licensed as an ~~independent~~ a clinical social worker under this chapter
 2 and initially became certified as an independent clinical social worker under ~~this chapter~~ ch. 457, 1997
 3 stats., on or before May 31, 1995.

4 **Section 37.** 457.04 (6) of the statutes is amended to read:

5 457.04 (6) ~~Use~~ Practice professional counseling or designate himself or herself as a
 6 professional counselor or use or assume the title "professional counselor", " professional rehabilitation
 7 counselor", "vocational rehabilitation counselor" or, "rehabilitation counselor" or any similar other title
 8 or designation that represents or may tend to represent the person as a professional counselor unless the
 9 person is licensed as a professional counselor under this chapter.

10 **Section 38.** 457.04 (7) of the statutes is created to read:

11 457.04 (7) Practice psychotherapy unless the person is licensed under this chapter or unless the
 12 person is a certificate holder who may practice psychotherapy under the rules promulgated under s.
 13 457.03 (1) and (2m).

14 **Section 39.** (intro.) and (1) of the statutes are amended to read:

15 **457.06 General requirements for certification or licensure.** (intro.) The social worker
 16 section, marriage and family therapist section or professional counselor section may not grant any
 17 certificate or license under this chapter unless the applicant does all of the following:

18 (1) Submits an application for certificate or license to the department on a form provided by the
 19 department.

20 **Section 40.** 457.08 (title) of the statutes is amended to read:

21 **457.08(title) Social worker ~~certificate and advanced practice certificates~~ and licenses.**

22 **Section 41.** 457.08 (4) (intro.) of the statutes is amended to read:

1 457.08 (4) ~~Independent-clinical~~ Clinical Social Worker ~~certificate~~ License. (intro.) The social
 2 worker section shall grant ~~an-independent~~ a clinical social worker ~~certificate~~ license to any individual
 3 who is certified under sub. (1) and does all of the following:

4 **Section 42.** 457.08 (4) (c) of the statutes is amended to read:

5 457.08 (4) (c) Submits evidence satisfactory to the social worker section that after receiving a
 6 master's or doctorate degree in social work he or she has engaged in the equivalent of at least ~~2-years-of~~
 7 ~~full-time-supervised~~ 3,000 hours of clinical social work practice ~~approved by the social worker section.~~
 8 supervised by one of the following :

9 **Section 43.** 457.08 (4) (c) 1., 2. and 3. of the statutes are created to read:

10 457.08 (4) (c) 1. An individual licensed as a clinical social worker who has received a doctorate
 11 degree in social work.

12 2. An individual licensed as a clinical social worker who has engaged in the equivalent of 5 years
 13 of full-time clinical social work.

14 3. An individual licensed to practice psychotherapy as a psychologist or psychiatrist if 457.08 (4)
 15 (c) 1. and 2. cannot be conveniently satisfied.

16 **Section 44.** 457.08 (4) (d) of the statutes is amended to read:

17 457.08 (4) (d) Passes an examination approved by the social worker section to determine minimum
 18 competence to practice as ~~an-independent~~ a clinical social worker as specified in the rules promulgated
 19 under s. 457.03 (2) or passes ~~an-advanced~~ a clinical social work examination approved by the social
 20 worker section.

21 **Section 45.** 457.09 (title) and (1) (intro.) and (a) of the statutes are amended to read:

22 457.09 (title) **Social worker training certificate** permit. (1) (intro.) The social worker section
 23 shall grant a social worker training ~~certificate~~ permit to any individual who does all of the following:

1 (a) Submits an application for the ~~certificate~~ permit to the department on a form provided by the
2 department.

3 **Section 46.** 457.09 (1) (d) of the statutes is amended to read:

4 457.09 (1) (d) Submits a statement to the social worker section that he or she is seeking to attain
5 social worker degree equivalency under sub. (4) while he or she holds a social worker training
6 certificate permit.

7

8 **Section 47.** 457.09 (2) of the statutes is amended to read:

9 457.09 (2) (a) ~~A~~ Notwithstanding s. 457.04 (1), a social worker training certificate permit
10 authorizes the holder to use the title specified in s. 457.04 (1) during the period in which the certificate
11 permit is valid.

12 (b) A social worker training certificate permit holder is a social worker certified under this chapter
13 for purposes of any law governing social workers certified under this chapter.

14 **Section 48.** 457.09 (3) of the statutes is amended to read:

15 (3) (a) Except as provided in par. (b), a social worker training certificate permit is valid for 24
16 months.

17 (b) A social worker training certificate permit shall expire on the date on which the certificate
18 permit holder receives the results of the examination that he or she has taken under sub. (5) (a) if that
19 date occurs before the end of the period specified in par. (a).

20 (c) A social worker training certificate permit may not be renewed.

21

22 **Section 49.** 457.09 (4m) of the statutes is amended to read:

1 457.09 (4m) (a) The social worker section shall determine whether a course, internship or
2 employment satisfies the requirements under (4) and whether a social worker training ~~certificate~~
3 permit holder has attained social worker degree equivalency.

4 (b) Notwithstanding sub. (4), for the purpose of determining whether a social worker training
5 ~~certificate~~ permit holder has attained social worker degree equivalency under sub. (4), the section shall
6 apply course work or internships that the ~~certificate~~ permit holder completed, or employment that the
7 ~~certificate~~ permit holder held. As part of the program leading to the degree that he or she specified to
8 satisfy the requirement in sub. (1) (c) if the course work, internship or employment satisfies the
9 requirements in sub. (4).

10 **Section 50.** 457.09 (5) of the statutes is amended to read:

11 457.09 (5) (a) A social worker training ~~certificate~~ permit holder may take the national social work
12 examination at any time after he or she completes the requirements under sub. (4).

13 (b) If a social worker training ~~certificate~~ permit holder passes the examination specified under par.
14 (a), he or she shall be permitted to take an examination approved by the social worker section that test
15 knowledge of state law relating to social work.

16 **Section 51.** 457.10 (intro.) of the statutes is amended to read:

17 **457.10 Marriage and family therapist ~~certificate~~ license.** (intro.) The marriage and family
18 therapist section shall grant a marriage and family therapist ~~certificate~~ license to any individual who
19 does the following:

20 **Section 52.** 457.10 (3) of the statutes is amended to read:

21 457.10 (3) Submits evidence satisfactory to the marriage and family therapist section that after
22 receiving a master's or doctorate degree required under sub. (2) he or she has engaged in the
23 equivalent of at least ~~2-years-of-full-time-supervised~~ 3,000 hours of clinical marriage and family

1 therapy practice ~~approved by the marriage and family therapist section.~~ supervised by one of the
2 following:

3 **Section 53.** 457.10 (3) (a), (b) and (c) of the statutes are created to read:

4 457.10 (3) (a) An individual licensed as a marriage and family therapist who has received a
5 doctorate degree in marriage and family therapy.

6 b. An individual licensed as a marriage and family therapist who has engaged in the equivalent of 5
7 years of full-time marriage and family therapy practice.

8 c. An individual licensed to practice psychotherapy as a psychologist or psychiatrist if 457.10 (3)
9 (a) and (b) cannot be conveniently satisfied.

10

11 **Section 54.** 457.11 of the statutes is created to read:

12

13 **457.11 Marriage and family therapist training permit.** (1) The marriage and family therapy
14 section shall grant a clinical marriage and family therapist training permit to any individual who does
15 all of the following:

16 (a) Submits an application for the permit to the department on a form provided by the department.

17 (b) Pays the fee specified in s. 440.05 (60).

18 (c) Satisfies the requirements in s. 457.10 (2)

19 (d) Submits evidence satisfactory to the marriage and family therapy section that he or she is
20 employed full-time, or has an offer of full-time employment, as a marriage and family therapist in a
21 supervised marriage and family practice or in a position in which the applicant will, in the opinion of
22 the marriage and family therapy section, receive training and supervision equivalent to the training and
23 supervision received in a full-time supervised marriage and family therapist practice.

1 (2) A marriage and family therapist training permit is valid for 24 months or until the date on
2 which the holder of the permit ceases to be employed in a position specified in sub. (1) (d), whichever
3 occurs first, and may not be renewed by the marriage and family therapy section. A marriage and
4 family therapist training permit authorizes the holder to use any title specified in s. 457.04 (5) during
5 the period in which the permit is valid.

6 **Section 55.** 457.12 (intro.) of the statutes is amended to read:

7 **457.12 Professional counselor certificate license.** (intro.) The professional counselor section
8 shall grant a professional counselor certificate license to any individual who does all of the following:

9 **Section 56.** 457.12 (3) (a) of the statutes is amended to read:

10 457.12 (3) (a) After receiving a master's degree in professional counseling or its equivalent,
11 engaged in the equivalent of at least ~~2 years of full-time supervised~~ 3,000 hours of professional
12 counseling practice ~~approved by the professional counselor section. supervised by one of the~~
13 following:

14 **Section 57.** 457.12 (3) (b) 1., 2. and 3. of the statutes are created to read:

15 457.12 (3) (b) 1. An individual licensed as a professional counselor who has received a doctorate
16 degree in professional counseling.

17 2. An individual licensed as a professional counselor who has engaged in the equivalent of 5 years
18 of full-time professional counseling practice.

19 3. An individual licensed to practice psychotherapy as a psychologist or psychiatrist if 457.12 (3)
20 (b) 1. and 2. cannot be conveniently satisfied.

21 **Section 58.** 457.13 (title) and (1) (intro.) and (a) of the statutes are amended to read:

1 **457.13 (title) Professional counselor training certificate permit.** (a) (intro.) The professional
2 counselor section shall grant a professional counselor training certificate permit to any individual who
3 does all of the following:

4 (a) Submits an application for the certificate permit to the department on a form provided by the
5 department.

6 **Section 59.** 457.13 (2) of the statutes is amended to read:

7 **457.13 (2)** A professional counselor training certificate permit is valid for 24 months or until the date
8 on which the holder of the certificate permit ceases to be employed in a position specified in sub. (1)
9 (d), whichever occurs first, and may not be renewed by the professional counselor section. A
10 Notwithstanding s. 457.04 (6), a professional counselor training certificate permit authorizes the holder
11 to use any title specified in s. 457.04 (6) and to practice professional counseling within the scope of his
12 or her training or supervision during the period in which the certificate permit is valid.

13 **Section 60.** 457.14 of the statutes is amended to read:

14 **457.14 Temporary certificates and licenses.** Upon application and payment of the fee specified
15 in s. 440.05 (6), the appropriate section of the examining board may grant a temporary social worker,
16 advanced practice social worker, independent social worker, clinical social worker, marriage and
17 family therapist or professional counselor certificate or license to any individual who satisfies the
18 requirements under s. 457.10 (1) to (3) or 457.12 (1) to (3) and has submitted an application to take the
19 next available examination for certification or licensure under s. 457.08 (1) ©, (2) ©, (3) (d) or (4) (d),
20 457.10 (4) or 457.12 (4). A temporary certificate or license granted under this section is valid for a
21 period designated by the appropriate section of the examining board, not to exceed 9 months, and may
22 be renewed once by that section of the examining board.

23 **Section 61.** 457.15 (title) of the statutes is amended to read:

1 **457.15 (title) Reciprocal certificates and licenses.**

2 **Section 62.** 457.15 (1) (d) of the statutes is renumbered 457.15 (2) (a) and amended to read:

3 457.15 (2) (a) Grant ~~an independent~~ a clinical social worker certificate to any individual who is
4 certified under ~~par. Sub (1) (a)~~ Sub (1) (a) or under s. 457.08 (1) and who holds a similar certificate in another
5 state or territory of the United States if the social worker section determines that the requirements for
6 obtaining the certificate in the other state or territory are substantially equivalent to the requirements
7 under s. 457.08 (4).

8

9 **Section 63.** 457.15 (2) of the statutes is renumbered 457.15 (2) (intro.) and amended to read:

10 457.15 (2) (intro.) Upon application and payment of the fee specified in s. 440.05 (2), the marriage
11 and family therapist section shall ~~grant~~ do all of the following:

12 (b) Grant a marriage and family therapist certificate to any individual who holds a similar
13 certificate in another state or territory of the United States if the marriage and family therapist section
14 determines that the requirements for obtaining the certificate in the other state or territory are
15 substantially equivalent to the requirements under s. 457.10.

16 **Section 64.** 457.15 (3) of the statutes is renumbered 457.15 (2) (c) and amended to read:

17 ~~457.15 (2) (c) Upon application and payment of the fee specified in s. 440.05 (2), the professional~~
18 ~~counselor section shall grant~~ Grant a professional counselor certificate to any individual who holds a
19 similar certificate in another state or territory of the United States if the professional counselor section
20 determines that the requirements for obtaining the certificate in the other state or territory are
21 substantially equivalent to the requirements under s. 457.12.

22 **Section 65.** 457.16 (1) of the statutes is amended to read:

1 457.16 (1) The appropriate section of the examining board shall arrange for examinations for
2 social worker, advanced practice social worker, independent social worker, ~~independent~~ clinical social
3 worker, marriage and family therapist and professional counselor certification and licensure to be
4 conducted at least semiannually and at times and places determined by that section of the examining
5 board, and shall provide public notice of each examination at least 90 days before the date of the
6 examination.

7 **Section 66.** 457.16 (2) of the statutes is amended to read:

8 457.16 (2) Examinations shall consist of written or oral tests, or both, requiring applicants to
9 demonstrate minimum competency in subjects substantially related to the practice of social work,
10 advanced practice social work, independent social work, clinical social work, marriage and family
11 therapy or professional counseling, as appropriate.

12 **Section 67.** 457.16 (3) of the statutes is amended to read:

13 457.16 (3) An individual is not eligible for examination unless he or she satisfies the requirements
14 for certification or licensure under s. 457.08 (1) (a) and (b), (2) (intro.), (a) and (b), (3) (intro.) and (a)
15 to (c) or (4) (intro.) and (a) to (c), 457.10 (1) to (3) or 457.12 (1) to (3) and, at least 30 days before the
16 date of the examination, submits an application for examination to the department on a form provided
17 by the department and pays the fee specified in s. 440.05 (1).

18 **Section 68.** 457.20 (1) and (2) of the statutes are amended to read:

19 457.20 (1) The department shall issue a certificate of certification or licensure to each individual
20 who is certified or licensed under this chapter.

21 (2) The renewal dates for certificates and licenses granted under this chapter, other than
22 ~~certificates granted under ss. 457.12 and 457.14~~ temporary certificates and licenses, are specified under
23 s. 440.08 (s) (a).

1 **Section 69.** 457.20 (3) (b) and (c) of the statutes are amended to read:

2 457.20 (3) (b) ~~Proof~~ If the application is for renewal of a certificate of certification, proof of
3 completion of continuing education requirements in s. 457.22.

4 (c) If the application is for renewal of a professional counselor ~~certificate~~ license that was
5 originally granted as a professional counselor certificate under 1991 Wisconsin Act 160, section 21 (2)

6 (g) evidence satisfactory to the professional counselor section that the applicant continues to be
7 employed by a federal state or local governmental agency as a professional counselor, professional
8 rehabilitation counselor, vocational rehabilitation counselor or rehabilitation counselor.

9 **Section 70.** 457.20 (4) of the statutes is amended to read:

10 457.20 (4) Renewal of an advanced practice social worker, independent social worker or ~~independent~~
11 clinical social worker certificate or license automatically renews the individual's social worker
12 certificate without payment of the renewal fee for the social worker certificate or completion of the
13 continuing education requirements that would otherwise be require for renewal of a social worker
14 certificate.

15 **Section 71.** 457.22 of the statutes is renumbered 457.22 (1) (intro.) and amended to read:

16 457.22 (1) (intro.) The examining board may ~~promulgate~~ do any of the following:

17 (a) Upon the advice of the social worker section promulgate rules establishing requirements
18 and procedures for certificate holders to complete continuing education programs or courses of study
19 in order to qualify for renewal.

20 (2) The rules promulgated under sub. (1) may not require an individual to complete more than 30
21 hours of continuing education programs or courses of study in order to qualify for renewal. The
22 appropriate section of the examining board may waive all or part of the requirements established in

1 rules promulgated under this section if it determines that prolonged illness, disability or other
2 exceptional circumstances have prevented the individual from completing the requirements.

3 **Section 72.** 457.22 (1) (b) and (c) of the statutes are created to read:

4 457.22 (1) (b) Upon the advice of the members of the marriage and family therapists section
5 promulgate rules establishing requirements and procedures for marriage and family therapist to
6 complete continuing education programs or courses of study in order to qualify for renewal.

7 (c) Upon the advice of the members of the professional counselors section promulgate rules
8 establishing requirements and procedures for professional counselors to complete continuing education
9 programs or courses of study in order to qualify for renewal.

10 **Section 73.** 457.25 of the statutes is amended to read:

11 **457.25 Reporting requirements. (1)** Any public or private mental health or health care agency,
12 institution or facility, or any other person or entity that employs or contracts for services with a
13 ~~certificate~~ credential holder, that terminates, suspends or restricts the employment or contract of the
14 ~~certificate~~ credential holder as a result of adverse or disciplinary action against the ~~certificate~~ credential
15 holder relating to his or her practice of social work, advanced practice social work, independent social
16 work, clinical social work, marriage and family therapy or professional counseling shall submit a
17 written report of the action to the appropriate section of the examining board within 30 days after the
18 date on which the action is taken or, if grounds for such an action exist and the ~~certificate~~ credential
19 holder terminates his or her employment before the action is taken, within 30 days after the date on
20 which the ~~certificate~~ credential holder terminates his or her employment.

21 (2) Any state or local professional society or organization of social workers, marriage and family
22 therapists or professional counselors that terminates, revokes or suspends the membership of a
23 ~~certificate~~ credential holder, or takes any other adverse or disciplinary action against a ~~certificate~~

1 credential holder relating to his or her practice of social work, advanced practice social work,
2 independent social work, clinical social work, marriage and family therapy or professional counseling,
3 shall submit a written report of the action to the appropriate section of the examining board within 30
4 days after the date on which the action is taken or, if grounds for such an action exist and the ~~certificate~~
5 credential holder terminates his or her membership.

6 (3) Any insurer, as defined in s. 600.03 (27), who provides professional liability insurance
7 coverage for a ~~certificate~~ credential holder and who pays a claim for damages arising out of the
8 rendering of services by the ~~certificate~~ credential holder or obtains any information that tends to
9 substantiate a charge that the ~~certificate~~ credential holder has engaged in conduct that constitutes
10 grounds for discipline under s. 457.26 shall submit a written report of the payment or information to
11 the appropriate section of the examining board within 30 days after the date on which the payment is
12 made or information is obtained.

13 (4) Any circuit court that appoints a guardian of the person or estate of a ~~certificate~~ credential
14 holder is mentally ill or mentally incompetent or that a ~~certificate~~ credential holder has done any of the
15 acts enumerated in s. 457.26 (2) shall submit a written report of the appointment, judgment or
16 determination to the appropriate section of the examining board within 30 days after the date on which
17 the appointment, judgment or determination is made.

18 (5) (a) Within 30 days after receipt of a report under sub. (1), (2), (3) or (4), the appropriate section
19 of the examining board shall notify the ~~certificate~~ credential holder, in writing, of the substance of the
20 report. The ~~certificate~~ credential holder and ~~the certificate holder's~~ his or her authorized representative
21 may examine the report and may place into the record a statement, of reasonable length, of the
22 ~~certificate~~ credential holder's view of the correctness or relevance of any information in the report.

1 The ~~certificate~~ credential holder may petition the appropriate section of the examining board to remove
2 any prior reports, which did not result in disciplinary action, from his or her record.

3 **Section 74.** 457.26 (2) (intro.), (a) and (b) of the statutes are amended to read:

4 457.26 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the appropriate section of
5 the examining board may reprimand a ~~certificate~~ credential holder or deny, limit, suspend or revoke a
6 ~~certificate~~ credential under this chapter if it finds that the applicant ~~or certificate~~ credential holder has
7 done any of the following:

8 (a) Made a material misstatement in an application for a ~~certificate~~ credential or for renewal of a
9 ~~certificate~~ credential.

10 (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the circumstances of
11 which substantially relate to the practice of social work, advanced practice social work, independent
12 social work, clinical social work, marriage and family therapy or professional counseling.

13 **Section 75.** 457.26 (2) (e) of the statutes is amended to read:

14 457.26 (2) (e) Subject to ss. 111.321, 111.322 and 111.34, practiced social work, advanced
15 practice social work, independent social work, clinical social work, marriage and family therapy or
16 professional counseling while his or her ability to practice was impaired by alcohol or other drugs.

17 **Section 76.** 457.26 (2) (f) of the statutes is amended to read:

18 457.26 (2) (g) Performed social work, advanced practice social work or independent social work
19 services in violation of the rules promulgated under s. 457.03 (1) (b) or otherwise engaged in conduct
20 while practicing social work, advanced practice social work, independent social work, clinical social
21 work, marriage and family therapy or professional counseling which evidences a lack of knowledge or
22 ability to apply professional principles or skills.

23 **Section 76.** 905.04 (1) (bm) of the statutes is amended to read:

1 ✓ 905.04 (1) (bm) "Marriage and family therapist" means an individual who is ~~certified~~ licensed as a
2 marriage and family therapist under ch. 457 or an individual reasonably believed by the patient to be a
3 marriage and family therapist.

4 **Section 78. Nonstatutory provisions.** (should be the same as the present practice.)

Kunkel, Mark

From: Dismas Becker [dismas@gdinet.com]
Sent: Monday, November 13, 2000 4:21 PM
To: Mark Kunkel
Subject: added instruction for psychotherapy licensure

Mark,

I forgot to add on my last instruction for Rep. Urban's psychotherapy licensure draft that you include in the draft a statement that **those licensed under this chapter are eligible for third party payments.** I did not know how or where such language should be included in the bill.

If you have any questions, contact me by e-mail at dismas@gdinet.com.

Dismas

11/13/2000

Kunkel, Mark

From: Dismas Becker [dismas@gdinet.com]

Sent: Monday, December 11, 2000 4:11

To: Mark Kunkel

Subject: draft for psychotherapy license

Mark,

The Dept. of Reg. & Licensure contacted me about the drafting instruction I gave you. In my instructions I maintained what you changed in last years bill. In that bill you changed the word certificate in Social Worker Training certificate and Professional Counselor Training certificate to **training permit**. You also included Marriage and Family Therapist training permit. They have also asked for a bill to grant Marriage and Family Therapist a training certificate. They would like our bill to use the same word - **certificate** - instead of permit. You will find this wording in the draft I did on page 12, lines 22, 23, page 13, lines 1, 6, 9, 11, 12, 15, 17, 18, 20, page 14, lines 2 & 3, 5, 6, 7, 11, 13, 17, 18, page 15, lines 13, 14, 16, page 16, lines 1, 2, 4, 5, page 17, lines 1, 2, 4, 7, 8, 10, 12, and wherever else certificate has been changed to permit. Please change it back to certificate if that is possible. I realize you may be using permit in this draft to distinguish it from the other certificates but the prefers of **training** should be sufficient to distinguish it. It is a matter of semantics but it apparently means something to them. The less arguements I can avoid over non-essentials the easier it is to move the bill along.

Let me know when you get the first draft completed.

Thank you,

Dismas Becker

12/12/2000

Kunkel, Mark

From: Kunkel, Mark
Sent: Wednesday, December 13, 2000 3:28 PM
To: 'dismas@gdinet.com'
Subject: Professional counselor question

Dismas,

I am working on your draft and have a question. Do you want to change the title "professional counselor" to "clinical professional counselor"? I understand that you do *not* want to change the title "marriage and family therapist" to "clinical marriage and family therapist", but I am not sure about what you want to do with professional counselors.

Please give me a call or email back.

Mark Kunkel
Legislative Attorney
Legislative Reference Bureau
(608) 266-0131 mark.kunkel@legis.state.wi.us

Kunkel, Mark

From: Kunkel, Mark
Sent: Wednesday, December 13, 2000 4:33 PM
To: 'dismas@gdinet.com'
Subject: Third party payment

Dismas,

Regarding the social worker, etc., draft, you want me to make sure that persons who are licensed to practice psychotherapy under the bill are eligible for third party payment. I'm not quite sure what this means. Do you mean that you want to make sure that these persons are eligible for reimbursement under the state's medical assistance (MA) program? Under a current HFS rule, for MA certification, a psychotherapy provider must be either: 1) a physician who completed a residency in psychiatry; 2) a psychologist; or 3) certain outpatient facilities and their staff. See Wis. Adm. Code s. HFS 105.22 (1) (a) to (d). Do you want to change this rule so that persons licensed under the bill are treated the same way as physicians and psychologists? Or do you have something completely different in mind?

Mark Kunkel
Legislative Attorney
Legislative Reference Bureau
(608) 266-0131 mark.kunkel@legis.state.wi.us

Kunkel, Mark

From: Dismas Becker [dismas@gdinet.com]
Sent: Thursday, December 14, 2000 10:34 AM
To: Kunkel, Mark
Subject: Re: Professional counselor question

Mark,

I do not want the title "Clinical" used for professional counselors or Marriage and family therapist. The only profession that should have the title "clinical" in is the "clinical social workers." My request that the draft state that those licensed under this act are eligible to receive third party payment is for insurance companies. I realize that the rule must be changed to make them eligible for M.A. payments. The "eligible for third party payment" statement would help us to seek a rule change in the M.A. rules and it would clear any questions that insurance companies might raise regard payment of psychotherapy services they might provide.

Does this make sense?

Dismas

----- Original Message -----

From: Kunkel, Mark <Mark.Kunkel@legis.state.wi.us>
To: <dismas@gdinet.com>
Sent: Wednesday, December 13, 2000 3:27 PM
Subject: Professional counselor question

> Dismas,

>

> I am working on your draft and have a question. Do you want to change the
> title "professional counselor" to "clinical professional counselor"? I
> understand that you do not want to change the title "marriage and family
> therapist" to "clinical marriage and family therapist", but I am not sure
> about what you want to do with professional counselors.

>

> Please give me a call or email back.

>

>

> Mark Kunkel
> Legislative Attorney
> Legislative Reference Bureau
> (608) 266-0131 mark.kunkel@legis.state.wi.us

>

ADD to Oisma's request



Tommy G. Thompson
Governor

- INCLUDE IN
"1/2" version

Marlene A. Cummings
Secretary

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November 29, 2000

Memo to the Sections and to the Legislative Reference Bureau

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Marriage and Family Therapists and Professional Counselors

Information and Analysis to Facilitate the Drafting of Legislation

History and Background

The Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors comprises three sections: the Social Worker (SW) Section, the Marriage and Family Therapist (MFT) Section, and the Professional Counselor (PC) Section. The Social Worker Section certifies four different levels: social worker (CSW), independent social worker (CISW), advanced practice social worker (CAPSW), and independent clinical social worker (CICSW). Over the past few years, each of the sections has proposed legislative changes and these proposals have been drafted and introduced separately. This moment of redrafting is an opportune time to combine all the legislative proposals into one bill, and I recommend the drafting of such a single unified bill.

The previous bill drafts and their abbreviated titles were as follow:

0809/2 – “create a temporary certificate for APSWs and other SWs”

1133/1 (introduced as AB 642) – “(1) create an MFT training certificate and (2) allow MFT and PC applicants to take the national exam prior to completion of supervision”

1538/1 – “require all reciprocal applicants to take the state jurisprudence exam”

2633/1 (introduced as SB 321) – same as 1133

3388/1 – “(1) allow SW applicants to take the national exam prior to graduation; and (2) create a temporary certificate for APSWs”

This department’s records show two other legislative requests that were apparently never drafted: (1) a request dated 9/27/99 re “confidential records” and (2) a request dated 4/24/00 re “uniformity standards – SW”. Those requests represent different types of issues and are not included here.

Discussion

1. The proposal in **0809/2** to “create a temporary training certificate for APSWs and other SWs” has been superseded and improved by the “create a temporary certificate for APSWs” language in 3388/1. It is no longer needed or wanted.

2. The proposal previously drafted as **1133** and **2633** would create section 457.11 of the statutes and affect sections 457.16(3) and 457.20(2) as shown below. It would

(1) create an MFT training certificate to be available to a person with appropriate educational background who has supervised employment as an MFT or an offer of such employment; and

(2) allow an MFT/^{CPC}applicant to take the national exam prior to completing the period of supervised practice.

Parenthetically, since this proposal was introduced but died at the end of two legislative sessions already, both the Marriage and Family Therapist section and the department will be supporting its introduction as a standalone piece of legislation as well as incorporating it here, in an attempt to have it passed by one route or the other.

3. The proposal previously drafted as **1538** would affect sections 457.15(1) (intro.), (a), (b), (c), and (d), 457.15(2) and (3) as shown below. It would create a requirement that any person applying by reciprocity from another jurisdiction for any credential issued by the board (MFT, PC, CSW, CISW, CAPSW, or CICSW) pass a state jurisprudence exam.

4. The proposal previously drafted as **3388** would affect sections 457.08(1)(c) and (2)(c), and 457.09(5)(a), 457.14 and 457.20(2) as shown below. It would

(1) create a temporary certificate for APSWs to allow a person with appropriate educational background to practice and use that title prior to passing the national examination; and

(2) allow the holder of a social worker training certificate to take the national exam before completing other requirements for full certification (coursework and supervised practice).

Wisconsin Statutes

457.08 Social worker certificate and advanced practice certificates.

(1) SOCIAL WORKER CERTIFICATE. The social worker section shall grant a social worker certificate to an individual who qualifies under s. 457.09 (5) (d) or to any individual who does all of the following:

(a) Satisfies the requirements in s. 457.06.

(b) Submits evidence satisfactory to the social worker section that he or she has received a bachelor's or 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.

(c) Passes an examination approved by the social worker section to determine minimum competence to practice as a social worker as specified in the rules promulgated under s. 457.03 (2).

(2) **ADVANCED PRACTICE SOCIAL WORKER CERTIFICATE.** The social worker section shall grant an advanced practice social worker certificate to any individual who is certified under sub. (1) and does all of the following:

(a) Satisfies the requirements in s. 457.06.

(b) Submits evidence satisfactory to the social worker section that he or she has received 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.

(c) Passes an examination approved by the social worker section to determine minimum competence to practice as an advanced practice social worker as specified in the rules promulgated under s. 457.03 (2).

...

457.09 Social worker training certificate.

...

(5) (a) A social worker training certificate holder may take the national social work examination at any time before or after he or she completes the requirements under sub. (4). [3388]

...

457.11 Marriage and family training certificate. (1) The marriage and family therapist section shall grant a marriage and family therapist training certificate to any individual who does all of the following:

(a) Submits an application for the certificate to the department on a form provided by the department.

(b) Pays the fee specified in s. 440.05(6).

(c) Satisfies the requirements in s. 457.10 (2).

(d) Submits evidence satisfactory to the marriage and family therapist section that he or she is employed part time or full time, or has an offer of part-time or full-time employment, as a marriage and family therapist in a supervised marriage and family therapist practice or in a position in which the applicant will, in the opinion of the marriage and family therapist section, receive training and supervision equivalent to the training and supervision received in a supervised clinical marriage and family therapist practice.

(2) A marriage and family therapist training certificate is valid for 24 months or until the date on which the holder of the certificate ceases to be employed in a position specified in sub. (1)(d), whichever occurs first, and may not be renewed by the marriage and family therapist section.

(3) (a) A marriage and family therapist training certificate authorizes the holder to use any title specified in s. 457.04 (5) during the period in which the certificate is valid.

(b) A marriage and family therapist training certificate holder is a marriage and family therapist certified under this chapter for purposes of any law governing marriage and family therapists under this chapter. [1133 and 2633]

457.14 Temporary certificates.

(1) (intro.) Upon application and payment of the fee specified in s. 440.05 (6), the appropriate section of the examining board may grant a temporary social worker, advanced practice social worker, marriage and family therapist or professional counselor certificate to any individual who ~~satisfies~~ does one of the following:

(a) Satisfies the requirements under s. 457.08 (1) (a) and (b), ~~457.10 (1) to (3) or 457.12 (1) to (3)~~ and has submitted an application to take the next available examination for certification under s. 457.08 (1) (c), ~~457.10 (4) or 457.12 (4)~~.

(b) (a) Satisfies the requirements under s. 457.08 (2) (a) and (b) and has submitted an application to take the next available examination for certification under s. 457.08 (2) (c).

(c) (a) Satisfies the requirements under s. 457.10 (1) to (3) and has submitted an application to take the next available examination for certification under s. 457.10 (4).

(d) (a) Satisfies the requirements under s. 457.12 (1) to (3) and has submitted an application to take the next available examination for certification under s. 457.12 (4).

(2) A temporary certificate granted under ~~this section~~ sub. (1) is valid for a period designated by the appropriate section of the examining board, not to exceed 9 months, and may be renewed once by that section of the examining board. [3388]

457.15 Reciprocal certificates.

(1) (intro.) Upon application and payment of the fee specified in s. 440.05 (2), the social worker section ~~shall~~ may do ~~all~~ any of the following:

(a) (intro.) Grant a social worker certificate to any individual who holds a similar certificate in another state or territory of the United States ~~if the~~ and who passes an examination approved by the social worker section that tests knowledge of state law relating to social work if any of the following are satisfied:

1. The social worker section determines that the requirements for obtaining the certificate in the other state or territory are substantially equivalent to the requirements under s. 457.08 (1).

2. The individual submits the evidence specified in s. 457.08(1)(b).

(b) (intro.) Grant an advanced practice social worker certificate to any individual who is certified under par. (a) or under s. 457.08 (1) ~~and~~, who holds a similar certificate in another state or territory of the United States ~~if the~~ and who passes an examination approved by the social worker section that tests knowledge of state law relating to advanced practice social work if any of the following are satisfied:

1. The social worker section determines that the requirements for obtaining the certificate in the other state or territory are substantially equivalent to the requirements under s. 457.08 (2).

2. The individual submits the evidence specified in s. 457.08(2)(b).

(c) (intro.) Grant an independent social worker certificate to any individual who is certified under par. (a) or under s. 457.08 (1) and , who holds a similar certificate in another state or territory of the United States if the and who passes an examination approved by the social worker section that tests knowledge of state law relating to independent social work if any of the following are satisfied:

1. The social worker section determines that the requirements for obtaining the certificate in the other state or territory are substantially equivalent to the requirements under s. 457.08 (3).

2. The individual submits the evidence specified in s. 457.08(3)(b) and (c).

(d) (intro.) Grant an independent clinical social worker certificate to any individual who is certified under par. (a) or under s. 457.08 (1) and , who holds a similar certificate in another state or territory of the United States if the and who passes an examination approved by the social worker section that tests knowledge of state law relating to independent clinical social work if any of the following are satisfied:

1. The social worker section determines that the requirements for obtaining the certificate in the other state or territory are substantially equivalent to the requirements under s. 457.08 (4).

2. The individual submits the evidence specified in s. 457.08(4)(b) and (c).

(2) Upon application and payment of the fee specified in s. 440.05 (2), the marriage and family therapist section shall grant a marriage and family therapist certificate to any individual who holds a similar certificate in another state or territory of the United States and who passes an examination approved by the marriage and family therapist section that tests knowledge of state law relating to marriage and family therapy if the marriage and family therapist section determines that the requirements for obtaining the certificate in the other state or territory are substantially equivalent to the requirements under s. 457.10.

(3) Upon application and payment of the fee specified in s. 440.05 (2), the professional counselor section shall grant a professional counselor certificate to any individual who holds a similar certificate in another state or territory of the United States and who passes an examination approved by the professional counselor section that tests knowledge of state law relating to professional counseling if the professional counselor section determines that the requirements for obtaining the certificate in the other state or territory are substantially equivalent to the requirements under s. 457.12. [1538]

457.16 Examinations.

(1) The appropriate section of the examining board shall arrange for examinations for social worker, advanced practice social worker, independent social worker, independent clinical social worker, marriage and family therapist and professional counselor certification to be conducted at least semiannually and at times and places determined by that section of the examining board, and shall provide public notice of each examination at least 90 days before the date of the examination.

(2) Examinations shall consist of written or oral tests, or both, requiring applicants to demonstrate minimum competency in subjects substantially related to the

practice of social work, marriage and family therapy or professional counseling, as appropriate.

(3) An individual is not eligible for examination unless he or she satisfies the requirements for certification under s. 457.08 (1) (a) ~~and (b)~~, (2) (intro.), and (a) ~~and (b)~~, (3) (intro.) and (a) to (c) or (4) (intro.) and (a) to (c), 457.10 (1) ~~to (3)~~ and (2) or 457.12 (1) ~~to (3)~~ and (2) and, at least 30 days before the date of the examination, submits an application for examination to the department on a form provided by the department and pays the fee specified in s. 440.05 (1). [1133 and 2633; 3388]

457.20 Issuance of certificate; expiration and renewal.

(1) The department shall issue a certificate of certification to each individual who is certified under this chapter.

(2) The renewal dates for certificates granted under this chapter, other than certificates granted under ss. 457.09, 457.11, 457.13 and 457.14 (1), are specified under s. 440.08 (2) (a).

... [1133 and 2633; 3388]