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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE REPORT TO AGENCY

[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 01-059

AN ORDER to create SFC 3.13 (6), relating to course descriptions for students applying for social worker training certificates.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

05-22-01 RECEIVED BY LEGISLATIVE COUNCIL.

06-18-01 REPORT SENT TO AGENCY.

RS:AS:jal;rv

**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



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### CLEARINGHOUSE RULE 01-059

#### Comments

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

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

In s. SFC 3.12 (6) (a), "sub. (2) (a) to (d)" should be replaced with "sub. (2) (a) to (c)" as there is no par. (d) in the current rule.

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

a. The analysis states that the rule requires the Social Worker Section to approve courses before they are offered. However, the rule only gives the section the authority to approve courses before they are offered. If the analysis accurately reflects the intent of the rule, the text of the rule must be redrafted.

b. The last sentence of the analysis should read:

This rule requires schools, which offer social work courses to students applying for social worker training certificates, to submit course descriptions of the proposed courses to the Social Worker Section for approval at least six months prior to the commencement of the classes.

c. It would be more helpful to users of this rule to place the proposed language in, or at least near, s. SFC 3.13 (2) so that all of the requirements relating to course work appear together.

d. In s. SFC 3.13 (6) (b), the word "must" should be replaced by the word "shall."

STATE OF INDIANA  
OFFICE OF THE ATTORNEY GENERAL

MEMORANDUM FOR THE ATTORNEY GENERAL  
SUBJECT: [Illegible]

DATE: [Illegible]  
BY: [Illegible]

RE: [Illegible]

OPINION

[Illegible text block]

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

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL  
EXAMINING BOARD OF : WORKERS, MARRIAGE AND FAMILY  
SOCIAL WORKERS, MARRIAGE AND : THERAPISTS AND PROFESSIONAL  
FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES  
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 01- )

PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to create SFC 3.13 (6), relating to course descriptions for students applying for social worker training certificates.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 457.03 (1), 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 creates s. SFC 3.13 (6). Applicants for social worker training certificates must complete certain educational requirements, either before or after being granted the training certificate. Schools offering such courses may seek approval of their educational programs from the Social Worker Section. Currently, requests for such approval occasionally are received too late for the section to act on prior to the program being offered. In the past, courses which are already being taught have been disapproved. This rule will require schools offering social work courses offered to students applying for social worker training certificates to submit course descriptions of the proposed courses to the Social Worker Section for approval well in advance, perhaps six months prior to being taught.

TEXT OF RULE

SECTION 1. SFC 3.13 (6) is created to read:

SFC 3.13 (6) APPROVAL OF COURSES FOR SOCIAL WORKER DEGREE EQUIVALENCY. (a) The section may approve in advance courses offered by an accredited college or university which may be taken by a social worker training certificate holder to satisfy the requirements of sub. (2) (a) to (d).

(b) To obtain advance section approval under par. (a), an accredited college or university must submit course syllabi at least 6 months prior to the commencement of the class. Section approval shall continue for 2 years unless the course content changes. After 2 years, course syllabi must be resubmitted for approval.

(END OF TEXT OF RULE)

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 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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5/14/2001

OCT 30 2001

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

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**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL  
EXAMINING BOARD OF : WORKERS, MARRIAGE AND FAMILY  
SOCIAL WORKERS, MARRIAGE : THERAPISTS AND PROFESSIONAL  
AND FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES  
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 01-059)**

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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 rules relating to course descriptions for students applying for social worker training certificates.

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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**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 :**  
**PROCEEDINGS BEFORE THE :**  
**EXAMINING BOARD OF SOCIAL :** **REPORT TO THE LEGISLATURE**  
**WORKERS, MARRIAGE AND :** **ON CLEARINGHOUSE RULE 01-059**  
**FAMILY THERAPISTS AND :** **(s. 227.19 (3), Stats.)**  
**PROFESSIONAL COUNSELORS :**

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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 by these rules.

**III. FISCAL ESTIMATES:**

These 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 creates s. SFC 3.13 (6). Applicants for social worker training certificates must complete certain educational requirements, either before or after being granted the training certificate. Schools offering such courses may seek approval of their educational programs from the Social Worker Section. Currently, requests for such approval occasionally are received too late for the section to act on prior to the program being offered. In the past, courses which are already being taught have been disapproved. This rule will require schools seeking advance section approval for social work courses offered to social worker training certificate holders to submit course descriptions of the proposed courses to the Social Worker Section for approval well in advance, at least six months prior to being taught.

**V. NOTICE OF PUBLIC HEARING:**

A public hearing was held on July 12, 2001. There were no appearances at the public hearing nor were any written comments received.

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

Comment 5.c. Response: The section does not see any reason to move the proposed language in or near s. SFC 3.13 (2). Only schools, not students, need to be concerned over the new section. The remaining recommendations suggested in the Clearinghouse Report were accepted in whole.

**VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:**

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

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10/25/01

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

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IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL  
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SOCIAL WORKERS, MARRIAGE AND : THERAPISTS AND PROFESSIONAL  
FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES  
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 01-059)

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Dated \_\_\_\_\_ Agency \_\_\_\_\_

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FINAL REGULATORY FLEXIBILITY ANALYSIS

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

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10/25/01