



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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 01-151

AN ORDER to amend SFC 16.03, relating to supervised clinical practice.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

12-17-01 RECEIVED BY LEGISLATIVE COUNCIL.

01-11-02 REPORT SENT TO AGENCY.

RS:LR:tlu;jal

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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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.]

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

Section 457.10 (3), Stats., requires, for the supervised clinical practice requirement, that a person must submit proof of having engaged in the equivalent of at least two years of full-time supervised clinical marriage and family practice. Section SFC 16.03 appears to allow individuals working part-time to fulfill that requirement over a longer period of time. If so, it may be useful to clarify in the rule any limit on the length of the time period over which the person may fulfill the supervised clinical practice requirement while working part-time.

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**

Scott McCallum
Governor
Oscar Herrera
Secretary



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December 17, 2001

TO: Ron Sklansky, Director
Rules Clearinghouse
Wisconsin Legislative Council
1 East Main Street, Suite 401

FROM: Pamela A. Haack, Paralegal
Office of Administrative Rules
Department of Regulation and Licensing
Room 171, 1400 East Washington Avenue
(608) 266-0495

RE: Proposed Rule-Making Order of the Examining Board of Social Workers
Marriage and Family Therapists and Professional Counselors

Attached please find a proposed rule-making order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors submitted under s. 227.15, Wis. Stats. These proposed rules relate to supervised clinical practice. The proposed order contains citations to the statutory authority under which the board intends to adopt the proposed rules and a description of the effect of the proposal.

Please stamp or sign a copy of this letter to acknowledge receipt. Please call me at 266-0495 if I can be of any assistance to the Clearinghouse in reviewing this rule.

Thank you.

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 SOCIAL	:	WORKERS, MARRIAGE AND
WORKERS, MARRIAGE AND	:	FAMILY THERAPISTS AND
FAMILY THERAPISTS AND	:	PROFESSIONAL COUNSELORS
PROFESSIONAL COUNSELORS	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 01-)

PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to amend SFC 16.03, relating to supervised clinical practice.

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), Wis. Stats.

Statutes interpreted: 457.10 (3), Wis. Stats.

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors amends the supervision requirement for persons obtaining supervised clinical practice prior to applying for certification as a marriage and family therapist. Current rules require a minimum annual number of hours of supervision during a period of pre-certification supervised practice. The minimum number of hours may be excessive if a person is working part-time. This rule change will eliminate a logical inconsistency in the supervision requirement.

TEXT OF RULE

SECTION 1. SFC 16.03 is amended to read:

SFC 16.03 Supervised clinical practice. For purposes of meeting the postgraduate supervised practice requirement, 2 years of clinical practice of marriage and family therapy consists of 1,000 hours of client contact over a period of not less than 24 months. The person whose practice is being supervised shall receive a minimum of ~~50 hours~~ one hour of face-to-face supervision ~~within each 12-month period~~ for each 10 hours of supervised practice. Practice of marriage and family therapy which occurs as part of the requirements for obtaining a master's or doctoral degree in marriage and family therapy or a substantially related field shall not be considered to fulfill any part of the postgraduate supervised practice requirement.

(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.), Wis. 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), Wis. Stats.

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12/14/01

**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
EXAMINING BOARD OF,	:	SOCIAL WORKERS, MARRIAGE
SOCIAL WORKERS, MARRIAGE	:	AND FAMILY THERAPISTS AND
AND FAMILY THERAPISTS AND	:	PROFESSIONAL COUNSELORS
PROFESSIONAL COUNSELORS	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 01-151)

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 supervised clinical practice.

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.

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

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE :
EXAMINING BOARD OF SOCIAL : **REPORT TO THE LEGISLATURE**
WORKERS, MARRIAGE AND : **ON CLEARINGHOUSE RULE 01-151**
FAMILY THERAPISTS AND : **(s. 227.19 (3), Stats.)**
PROFESSIONAL COUNSELORS :

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 amends the supervision requirement for persons obtaining supervised clinical practice prior to applying for certification as a marriage and family therapist. Current rules require a minimum annual number of hours of supervision during a period of pre-certification supervised practice. The minimum number of hours may be excessive if a person is working part-time. This rule change will eliminate a logical inconsistency in the supervision requirement.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on January 17, 2002. There were no appearances at the public hearing nor were any written comments received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The section did not want to make any change to the rule relating to time limits.

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.

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

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PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND
WORKERS, MARRIAGE AND : FAMILY THERAPISTS AND
FAMILY THERAPISTS AND : PROFESSIONAL COUNSELORS
PROFESSIONAL COUNSELORS : ADOPTING RULES
: (CLEARINGHOUSE RULE 01-151)

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Dated _____ Agency _____
Chairperson
Examining Board of Social Workers
Marriage and Family Therapists
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FINAL REGULATORY FLEXIBILITY ANALYSIS

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2/27/02