

State of Wisconsin


LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 06/30/2005 (Per: CMH)



Appendix – Part 03 of 06

 The 2005 drafting file for

LRB 05b0667

LRB 05b0668

LRB 05b0763


LRB 05b0743

LRB 05b0739

LREB 05b0769

has been copied/added to the 2005 drafting file for

LRB 05b0788

 The attached 2005 draft was incorporated into the new 2005 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2005 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2005 DRAFTING REQUEST

Senate Amendment (SA-AB100)

Received: 06/29/2005

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Dale Schultz (608) 266-0703

By/Representing: Jonathan (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Mental Health - AODA

Extra Copies:

Submit via email: YES

Requester's email: Sen.Schultz@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

AODA counselor certification

Instructions:

Same as AA50 to ASA 1 to AB 100

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>
/?	dkennedy 06/29/2005	lkunkel 06/29/2005		_____			
/1			pgreensl 06/29/2005	_____	mbarman 06/29/2005	mbarman 06/29/2005	
/2	dkennedy 06/30/2005	lkunkel 06/30/2005	chaugen 06/30/2005	_____	sbasford 06/30/2005	sbasford 06/30/2005	
/3	dkennedy	lkunkel	jfrantze	_____	mbarman	lrb_docadmin	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	06/30/2005	06/30/2005	06/30/2005	_____	06/30/2005	06/30/2005	
				_____		mbarman	
				_____		06/30/2005	
/4	dkennedy 06/30/2005	lkunkel 06/30/2005	jfrantze 06/30/2005	_____	lemery 06/30/2005	lemery 06/30/2005	

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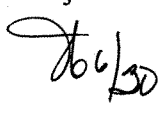
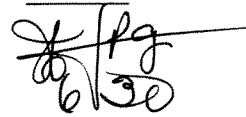
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/3	dkennedy	lkunkel	jfrantze	_____	mbarman	lrb_dcedmin	

LRBb0763

06/30/2005 02:53:43 PM

Page 2

<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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				_____		mbarman	
				_____		06/30/2005	

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13/mk 6/30 To
6/30 J/ch
6/30

LRB0763

06/30/2005 01:19:19 PM

Page 2

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FE Sent For:

fixed
2005 DRAFTING REQUEST

Senate Amendment (SA-AB150)

Received: 06/29/2005

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Dale Schultz (608) 266-0703

By/Representing: Jonathan (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Mental Health - AODA

Extra Copies:

Submit via email: YES

Requester's email: Sen.Schultz@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

AODA counselor certification

Instructions:

Same as AA50 to ASA 1 to AB 100

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/1			pgreensl 06/29/2005	_____	mbarman 06/29/2005	mbarman 06/29/2005	

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<END>

2005 DRAFTING REQUEST

Senate Amendment (SA-AB150)

Received: 06/29/2005

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Dale Schultz (608) 266-0703**

By/Representing: **Jonathan (aide)**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Mental Health - AODA**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Schultz@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

AODA counselor certification ✓

Instructions:

Same as AA50 to ASA 1 to AB 100

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1/?	dkennedy	1/1mk 6/29	6/29	6/29			
			PS	PS	cl		

FE Sent For:

<END>

Kennedy, Debora

From: Hanaman, Cathlene
Sent: Wednesday, June 29, 2005 11:06 AM
To: Kennedy, Debora

Jonathan in Schultz's office called. He will be asking for a 5-part technical amendment. One part is AA50 from the assembly (b0583). Could you draft it to the engrossed bill for him. That way it will be ready for the compile later. He knows that he will get this piece separately at first.

Thanks,
Cathlene

2005

Date (time) needed

NOW

LRB b 0763 / 1

BUDGET AMENDMENT

D-NOTE

DAK: MC:

[Not for compile]

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**SENATE AMENDMENT
TO 2005 AB 100**

At the locations indicated, amend the engrossed bill as follows:

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

next pag

**ASSEMBLY AMENDMENT 50,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 100**

June 21, 2005 - Offered by Representative KREUSER.

At the locations indicated, amend the substitute amendment as follows:

1. Page 865, line 20: delete lines 20 to 21 and substitute:

"SECTION 2284mg. 440.03 (13) (b) 5m. of the statutes is created to read:

440.03 (13) (b) 5m. Substance abuse counselor, clinical supervisor, or prevention specialist."

2. Page 867, line 1: delete "Alcohol and other drug abuse counselor" and substitute "Substance abuse counselor, clinical supervisor, or prevention specialist".

3. Page 872, line 24: delete the material beginning with that line and ending with page 874, line 4 and substitute:

"SUBSTANCE ABUSE COUNSELORS,

CLINICAL SUPERVISORS,

AND PREVENTION SPECIALISTS

1 **440.75 Substance abuse counselors, clinical supervisors, and**
2 **prevention specialists. (1) DEFINITIONS.** In this subchapter:

3 (a) “Clinical supervisor” means a basic clinical supervisor, an intermediate
4 clinical supervisor, or an independent clinical supervisor.

5 (b) “Substance abuse counselor” means a basic substance abuse counselor, an
6 intermediate substance abuse counselor, or an independent substance abuse
7 counselor.

8 **(2) CERTIFICATION.** Except as provided in s. 440.12 or 440.13, the department
9 shall certify as a substance abuse counselor, a clinical supervisor, or a prevention
10 specialist any individual who satisfies the applicable conditions in sub. (3) and who
11 has presented evidence satisfactory to the department that applicable certification
12 standards and qualification of the department, as established by rule, have been
13 met.

14 **(3) CERTIFICATION; STANDARDS AND QUALIFICATIONS.** (a) Subject to pars. (b) and
15 (c), the department shall promulgate rules that establish minimum standards and
16 qualifications for the certification of all of the following, including substance abuse
17 counselors and clinical supervisors described under s. HFS (11) and (84), Wis. Adm.
18 Code:

19 1. Basic substance abuse counselors. Requirements shall include successful
20 completion of an examination on counseling, at the introductory level, for substance
21 use disorders.

22 2. Intermediate substance abuse counselors. Requirements shall include
23 successful completion of an examination of knowledge, skills, and activities for
24 addiction counseling competencies.

25 3. Independent substance abuse counselors.

1 4. Basic clinical supervisors.

2 5. Intermediate clinical supervisors. Requirements shall include successful
3 completion of an examination on clinical supervision practice.

4 6. Independent clinical supervisors. Requirements shall include successful
5 completion of an examination on independent clinical supervision practice.

6 7. Prevention specialists. Requirements shall include an examination on
7 clinical supervision practice related to prevention specialization.

8 (b) Rules promulgated under par. (a) shall include standards based on
9 demonstrated requisite knowledge, skills, and attitudes of professional practice that
10 are culturally competent and evidence-based.

11 (c) Before the department may promulgate rules under par. (a), the department
12 shall appoint a certification review committee under s. 227.13 and shall consult with
13 the certification review committee on the proposed rules. The certification review
14 committee required under this paragraph shall consist of 2 members of the
15 Wisconsin Association on Alcoholism and Other Drug Abuse, Inc., and 4 members of
16 other alcohol and other drug abuse organizations in this state, as recommended by
17 the members of the Wisconsin Association on Alcoholism and Other Drug Abuse, Inc.

18 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification as a
19 substance abuse counselor, clinical supervisor, or prevention specialist under this
20 section shall be made on a form provided by the department and filed with the
21 department and shall be accompanied by the fee specified in s. 440.05 (1). The
22 renewal date and renewal fee for certification as a substance abuse counselor, clinical
23 supervisor, or prevention specialist are specified under s. 440.08 (2) (a).

24 (5) CERTIFICATION REQUIRED. No person may represent himself or herself to the
25 public as a substance abuse counselor, clinical supervisor, or prevention specialist or

1 a certified substance abuse counselor, clinical supervisor, or prevention specialist or
2 use in connection with his or her name a title or description that conveys the
3 impression that he or she is a substance abuse counselor, clinical supervisor, or
4 prevention specialist or a certified substance abuse counselor, clinical supervisor, or
5 prevention specialist unless he or she is certified under sub. (2).

6 (6) REVOCATION, DENIAL, SUSPENSION, OR LIMITATION OF CERTIFICATION. The
7 department may, after a hearing held in conformity with chapter 227, revoke, deny,
8 suspend, or limit under this subchapter the certification of any substance abuse
9 counselor, clinical supervisor, or prevention specialist or reprimand the substance
10 abuse counselor, clinical supervisor, or prevention specialist, for practice of fraud or
11 deceit in obtaining the certification or any unprofessional conduct, incompetence, or
12 professional negligence.

13 (7) RECIPROCAL CERTIFICATION. The department may, upon application and
14 payment of the required fee, issue certification as a substance abuse counselor,
15 clinical supervisor, or prevention specialist to an individual who holds a similar
16 unexpired certification issued to the individual by another state for which the
17 requirements for certification are of a standard that is not lower than that specified
18 in this subchapter.

19 (8) CERTIFICATION OTHER THAN BY DEPARTMENT PROHIBITED. No entity other than
20 the department may certify substance abuse counselors, clinical supervisors, or
21 prevention specialists.”.

22 4. Page 884, line 20: delete that line and substitute: “Code certified substance
23 abuse counselor, clinical supervisor, or prevention specialist under s. 440.75, or
24 unless the”.

1 **5.** Page 884, line 24: delete “alcohol”.

2 **6.** Page 884, line 25: delete “and other drug abuse counselor” and substitute
3 “substance abuse counselor, clinical supervisor, or prevention specialist”.

4 **7.** Page 973, line 24: delete “OTHER DRUG ABUSE” and substitute “DRUG”.

5 **8.** Page 974, line 1: delete lines 1 to 5 and substitute:

6 “(a) *Certified alcohol and drug counselors.* All of the following individuals who
7 are certified under the following titles under the requirements of section HFS 75.02
8 (84) (a) of the Wisconsin Administrative Code immediately before the effective date
9 of this paragraph are certified as follows under section 440.75 of the statutes, as
10 created by this act:

11 1. If certified as a registered alcohol and drug counselor I, certified as a basic
12 substance abuse counselor.

13 2. If certified as a certified alcohol and drug counselor II, certified as an
14 intermediate substance abuse counselor.

15 3. If certified as a certified alcohol and drug counselor III or as a certified alcohol
16 and drug counselor–D, certified as an independent substance abuse counselor.

17 4. If certified as a registered clinical supervisor, certified as a basic clinical
18 supervisor.

19 5. If certified as a certified clinical supervisor I, certified as an intermediate
20 clinical supervisor.

21 6. If certified as a certified clinical supervisor II or certified clinical
22 supervisor–G, certified as an independent clinical supervisor.

23 7. If certified as a certified prevention professional, certified as a prevention
24 specialist.”.

D-NOTE
(date)

¶ This amendment concerns AODA counselor
certification. (1)

DAK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0763/1dn
DAK:lmk:pg

June 29, 2005

This amendment concerns AODA counselor certification.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

Barman, Mike

From: Hanaman, Cathlene
Sent: Wednesday, June 29, 2005 1:25 PM
To: Barman, Mike

Mike:

b0763 should be an amendment to AB100, not AB150. I cannot change it because it has been jacketed. Ultimately it will become part of a compile so it does not matter, but do you have the permissions to change it?

-C

Kennedy, Debora

From: Klein, Jonathan
Sent: Thursday, June 30, 2005 10:32 AM
To: Kennedy, Debora
Subject: RE: AODA counselor certification

Thanks - The stripes are on the way.

From: Kennedy, Debora
Sent: Thursday, June 30, 2005 10:26 AM
To: Klein, Jonathan
Subject: RE: AODA counselor certification

Thanks, Jonathan. There were, in fact, two errors--the titling of the amendment and also a citation to the Wis. Admin Code--not my most stellar performance. If you send the stripes back, I will redraft so that the underlying draft for the compile is correct. Thanks again.

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

From: Klein, Jonathan
Sent: Thursday, June 30, 2005 10:20 AM
To: Kennedy, Debora
Subject: RE: AODA counselor certification

I noticed that it was titled as an amendment to AB 150. My plan was to have the language of this amendment added to a larger amendment that is being put together by Cathlene Hanaman. I will send the stripes back to you, but what I really need is to make sure the language is available to Cathlene, so it is included in the larger amendment. Thanks.

Jonathan

From: Kennedy, Debora
Sent: Thursday, June 30, 2005 10:16 AM
To: Klein, Jonathan
Subject: AODA counselor certification

Jonathan--

I've tried to contact you by phone, but have been unsuccessful so far. There is an error in 05b0763, the AODA counselor certification amendment to the budget bill. Would you like for me to redraft it (in which case, you need to send back the stripes to this office), or would you like a whole new LRB number? I apologize for the error.

Debora

Debora A. Kennedy
Managing Attorney
Legislative Reference Bureau
(608) 266-0137
debora.kennedy@legis.state.wi.us

6/30 From Jonathan: Sen Roessler's office has changes to this audit, wh/ he will want incorporated in the redraft.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

6/30/05 From Jennifer Stegall: changes to 60763/2
(Sen Raessle's aide)

✓ p. 2, l. 19 - remove all qualifying language
from l. 2, 5, 6, 7.

✓ p. 3, l. 9 - after " requisite " insert " competency "

✓ p. 3, l. 13 - membership of committee
to be determined by ~~rule~~ ^{rule}. Majority
of members wd represent AODA orgs.,
as recommended by WAAODA, Inc.





Now
State of Wisconsin
2005 - 2006 LEGISLATURE

D-NOTE

LRBb0763/2
DAK:lmk:18

↑
keep

SENATE AMENDMENT,
TO 2005 ASSEMBLY BILL ~~150~~ 100

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8 (2) CERTIFICATION. Except as provided in s. 440.12 or 440.13, the department
9 shall certify as a substance abuse counselor, a clinical supervisor, or a prevention
10 specialist any individual who satisfies the applicable conditions in sub. (3) and who
11 has presented evidence satisfactory to the department that applicable certification
12 standards and qualification of the department, as established by rule, have been
13 met.

7502

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11 (c) Before the department may promulgate rules under par. (a), the department
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13 the certification review committee on the proposed rules. *A majority of the members*
14 committee required under this paragraph shall consist of ~~2 members of the~~
15 ~~Wisconsin Association on Alcoholism and Other Drug Abuse, Inc., and 4 members of~~
16 ~~other~~ *represent* alcohol and other drug abuse organizations in this state, as recommended by
17 ~~the members of~~ the Wisconsin Association on Alcoholism and Other Drug Abuse, Inc.

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6 (6) REVOCATION, DENIAL, SUSPENSION, OR LIMITATION OF CERTIFICATION. The
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16 and drug counselor–D, certified as an independent substance abuse counselor.

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STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

D-NOTE
(date)

DAK:Imk:

corrected version

This is the corrected version of the
counselor certification
AODA counselor certification amendment

The amendment contains additional changes,
provided by Senator Raessler's office.

DAK

to so 440.75(3)



**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0763/2dn
DAK:lmk:ch

June 30, 2005

This is the corrected version of the AODA counselor certification amendment. The amendment contains additional changes to s. 440.75 (3) provided by Senator Roessler's office.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

After consulting w/ Darrin Renner (LFB)

Make sure ref to current Wis Adm Code
in 440.75(3) clarifies "2005" so does not
invalidate statute when that rule is
voided under the nonstats

Clarify that person cannot hold self
out unless so certified in 440.75(5)

Jennifer Stegall (Ressler's office): agrees

Jonathan Klein (Schultz's office): agrees





NOW
State of Wisconsin
2005 - 2006 LEGISLATURE

D-NOTE

LRBb0763/3

DAK:lmk:ca

↑
Keep

SENATE AMENDMENT ,
TO 2005 ASSEMBLY BILL 100

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 865, line 20: delete lines 20 to 21 and substitute:

3 **"SECTION 2284mg.** 440.03 (13) (b) 5m. of the statutes is created to read:

4 440.03 (13) (b) 5m. Substance abuse counselor, clinical supervisor, or
5 prevention specialist."

6 **2.** Page 867, line 1: delete "Alcohol and other drug abuse counselor" and
7 substitute "Substance abuse counselor, clinical supervisor, or prevention specialist".

8 **3.** Page 872, line 24: delete the material beginning with that line and ending
9 with page 874, line 4 and substitute:

10 "SUBSTANCE ABUSE COUNSELORS,

11 CLINICAL SUPERVISORS,

12 AND PREVENTION SPECIALISTS

1 **440.75 Substance abuse counselors, clinical supervisors, and**
2 **prevention specialists. (1) DEFINITIONS.** In this subchapter:

3 (a) "Clinical supervisor" means a basic clinical supervisor, an intermediate
4 clinical supervisor, or an independent clinical supervisor.

5 (b) "Substance abuse counselor" means a basic substance abuse counselor, an
6 intermediate substance abuse counselor, or an independent substance abuse
7 counselor.

8 **(2) CERTIFICATION.** Except as provided in s. 440.12 or 440.13, the department
9 shall certify as a substance abuse counselor, a clinical supervisor, or a prevention
10 specialist any individual who satisfies the applicable conditions in sub. (3) and who
11 has presented evidence satisfactory to the department that applicable certification
12 standards and qualification of the department, as established by rule, have been
13 met.

14 **(3) CERTIFICATION; STANDARDS AND QUALIFICATIONS.** (a) Subject to pars. (b) and
15 (c), the department shall promulgate rules that establish minimum standards and
16 qualifications for the certification of all of the following, including substance abuse
17 counselors and clinical supervisors described under s. HFS 75.02 (11) and (84), ^{Wis.}

18 Adm. Code:

- 19 1. Basic substance abuse counselors.
- 20 2. Intermediate substance abuse counselors.
- 21 3. Independent substance abuse counselors.
- 22 4. Basic clinical supervisors.
- 23 5. Intermediate clinical supervisors.
- 24 6. Independent clinical supervisors.
- 25 7. Prevention specialists.

2005 ✓

1 (b) Rules promulgated under par. (a) shall include standards based on
2 demonstrated requisite competency, knowledge, skills, and attitudes of professional
3 practice that are culturally competent and evidence-based.

4 (c) Before the department may promulgate rules under par. (a), the department
5 shall appoint a certification review committee under s. 227.13 and shall consult with
6 the certification review committee on the proposed rules. A majority of the members
7 of the certification review committee required under this paragraph shall represent
8 alcohol and other drug abuse organizations in this state, as recommended by the
9 Wisconsin Association on Alcoholism and Other Drug Abuse, Inc.

10 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification as a
11 substance abuse counselor, clinical supervisor, or prevention specialist under this
12 section shall be made on a form provided by the department and filed with the
13 department and shall be accompanied by the fee specified in s. 440.05 (1). The
14 renewal date and renewal fee for certification as a substance abuse counselor, clinical
15 supervisor, or prevention specialist are specified under s. 440.08 (2) (a).

16 (5) CERTIFICATION REQUIRED. No person may represent himself or herself to the
17 public as a substance abuse counselor, clinical supervisor, or prevention specialist or
18 a certified substance abuse counselor, clinical supervisor, or prevention specialist or
19 use in connection with his or her name a title or description that conveys the
20 impression that he or she is a substance abuse counselor, clinical supervisor, or
21 prevention specialist or a certified substance abuse counselor, clinical supervisor, or
22 prevention specialist unless he or she is certified under sub. (2).

23 (6) REVOCATION, DENIAL, SUSPENSION, OR LIMITATION OF CERTIFICATION. The
24 department may, after a hearing held in conformity with chapter 227, revoke, deny,
25 suspend, or limit under this subchapter the certification of any substance abuse

1 counselor, clinical supervisor, or prevention specialist or reprimand the substance
2 abuse counselor, clinical supervisor, or prevention specialist, for practice of fraud or
3 deceit in obtaining the certification or any unprofessional conduct, incompetence, or
4 professional negligence.

5 (7) RECIPROCAL CERTIFICATION. The department may, upon application and
6 payment of the required fee, issue certification as a substance abuse counselor,
7 clinical supervisor, or prevention specialist to an individual who holds a similar
8 unexpired certification issued to the individual by another state for which the
9 requirements for certification are of a standard that is not lower than that specified
10 in this subchapter.

11 (8) CERTIFICATION OTHER THAN BY DEPARTMENT PROHIBITED. No entity other than
12 the department may certify substance abuse counselors, clinical supervisors, or
13 prevention specialists.”

14 4. Page 884, line 20: delete that line and substitute: “Code certified substance
15 abuse counselor, clinical supervisor, or prevention specialist under s. 440.75, or
16 unless the”.

17 5. Page 884, line 24: delete “alcohol”.

18 6. Page 884, line 25: delete “and other drug abuse counselor” and substitute
19 “substance abuse counselor, clinical supervisor, or prevention specialist”.

20 7. Page 973, line 24: delete “OTHER DRUG ABUSE” and substitute “DRUG”.

21 8. Page 974, line 1: delete lines 1 to 5 and substitute:

22 “(a) *Certified alcohol and drug counselors.* All of the following individuals who
23 are certified under the following titles under the requirements of section HFS 75.02
24 (84) (a) of the Wisconsin Administrative Code immediately before the effective date

1 of this paragraph are certified as follows under section 440.75 of the statutes, as
2 created by this act:

3 1. If certified as a registered alcohol and drug counselor I, certified as a basic
4 substance abuse counselor.

5 2. If certified as a certified alcohol and drug counselor II, certified as an
6 intermediate substance abuse counselor.

7 3. If certified as a certified alcohol and drug counselor III or as a certified alcohol
8 and drug counselor-D, certified as an independent substance abuse counselor.

9 4. If certified as a registered clinical supervisor, certified as a basic clinical
10 supervisor.

11 5. If certified as a certified clinical supervisor I, certified as an intermediate
12 clinical supervisor.

13 6. If certified as a certified clinical supervisor II or certified clinical
14 supervisor-G, certified as an independent clinical supervisor.

15 7. If certified as a certified prevention professional, certified as a prevention
16 specialist.”.

17 **9.** Page 988, line 16: delete “ALCOHOL AND OTHER DRUG ABUSE COUNSELORS” and
18 substitute “SUBSTANCE ABUSE COUNSELORS, CLINICAL SUPERVISORS, AND PREVENTION
19 SPECIALISTS”.

20 **10.** Page 989, line 3: delete “ALCOHOL AND OTHER DRUG ABUSE COUNSELOR” and
21 substitute “SUBSTANCE ABUSE COUNSELOR, CLINICAL SUPERVISOR, AND PREVENTION
22 SPECIALIST”.

23 **11.** Page 989, line 5: delete “alcohol and other drug abuse”.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

D-NOTE
(date)

DAK:lmk:

This is the AODA ^{counselor} ^{certification} counselor certification

amendment, technically corrected in 5/14/05

(3) and (5)[↑], as agreed to by Senator

Palslev's office ⊙

DAK



**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0763/3dn
DAK:lmk:jf

June 30, 2005

This is the AODA counselor certification amendment, technically corrected in s. 440.75 (3) and (5), as agreed to by Senator Roessler's office.

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STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

6/30/05 Teleph. conv.:

From "Mark" + Jennifer (Rocaster's aide)

Exceptions must be made for licensed
clinical social workers, psychologists, +
psychiatrists who may be certified ^{or not} but
should be allowed to practice w/in
scope of license w/o DORL certif. as
subst. abuse counselors or supervisors





(NOW)
State of Wisconsin
2005 - 2006 LEGISLATURE

D-NOTE

LRBb0763/34

DAK:lmk:3

↑
keep

SENATE AMENDMENT,
TO 2005 ASSEMBLY BILL 100

1 At the locations indicated, amend the engrossed bill as follows:

2 1. Page 865, line 20: delete lines 20 to 21 and substitute:

3 "SECTION 2284mg. 440.03 (13) (b) 5m. of the statutes is created to read:

4 440.03 (13) (b) 5m. Substance abuse counselor, clinical supervisor, or
5 prevention specialist."

6 2. Page 867, line 1: delete "Alcohol and other drug abuse counselor" and
7 substitute "Substance abuse counselor, clinical supervisor, or prevention specialist".

8 3. Page 872, line 24: delete the material beginning with that line and ending
9 with page 874, line 4 and substitute:

10 "SUBSTANCE ABUSE COUNSELORS,
11 CLINICAL SUPERVISORS,
12 AND PREVENTION SPECIALISTS

1 **440.75 Substance abuse counselors, clinical supervisors, and**
2 **prevention specialists. (1) DEFINITIONS.** In this subchapter:

3 (a) "Clinical supervisor" means a basic clinical supervisor, an intermediate
4 clinical supervisor, or an independent clinical supervisor.

5 (b) "Substance abuse counselor" means a basic substance abuse counselor, an
6 intermediate substance abuse counselor, or an independent substance abuse
7 counselor.

8 (2) CERTIFICATION. Except as provided in *sub(3m) and* s. 440.12 or 440.13, the department
9 shall certify as a substance abuse counselor, a clinical supervisor, or a prevention
10 specialist any individual who satisfies the applicable conditions in sub. (3) and who
11 has presented evidence satisfactory to the department that applicable certification
12 standards and qualification of the department, as established by rule, have been
13 met. *and except as provided in sub(3m)*

14 (3) CERTIFICATION; STANDARDS AND QUALIFICATIONS. (a) Subject to pars. (b) and
15 (c), the department shall promulgate rules that establish minimum standards and
16 qualifications for the certification of all of the following, including substance abuse
17 counselors and clinical supervisors described under s. HFS 75.02 (11) and (84), 2005
18 Wis. Adm. Code:

- 19 1. Basic substance abuse counselors.
- 20 2. Intermediate substance abuse counselors.
- 21 3. Independent substance abuse counselors.
- 22 4. Basic clinical supervisors.
- 23 5. Intermediate clinical supervisors.
- 24 6. Independent clinical supervisors.
- 25 7. Prevention specialists.

1 (b) Rules promulgated under par. (a) shall include standards based on
2 demonstrated requisite competency, knowledge, skills, and attitudes of professional
3 practice that are culturally competent and evidence-based.

4 (c) Before the department may promulgate rules under par. (a), the department
5 shall appoint a certification review committee under s. 227.13 and shall consult with
6 the certification review committee on the proposed rules. A majority of the members
7 of the certification review committee required under this paragraph shall represent
8 alcohol and other drug abuse organizations in this state, as recommended by the
9 Wisconsin Association on Alcoholism and Other Drug Abuse, Inc.

INSERT 3.9

10 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification as a
11 substance abuse counselor, clinical supervisor, or prevention specialist under this
12 section shall be made on a form provided by the department and filed with the
13 department and shall be accompanied by the fee specified in s. 440.05 (1). The
14 renewal date and renewal fee for certification as a substance abuse counselor, clinical
15 supervisor, or prevention specialist are specified under s. 440.08 (2) (a).

16 (5) CERTIFICATION REQUIRED. *Except as provided in sub. (3m),*
17 No person may represent himself or herself to the
18 public as a substance abuse counselor, clinical supervisor, or prevention specialist or
19 a certified substance abuse counselor, clinical supervisor, or prevention specialist or
20 use in connection with his or her name a title or description that conveys the
21 impression that he or she is a substance abuse counselor, clinical supervisor, or
22 prevention specialist or a certified substance abuse counselor, clinical supervisor, or
23 prevention specialist unless he or she is so certified under sub. (2).

24 (6) REVOCATION, DENIAL, SUSPENSION, OR LIMITATION OF CERTIFICATION. The
25 department may, after a hearing held in conformity with chapter 227, revoke, deny,
suspend, or limit under this subchapter the certification of any substance abuse

1 counselor, clinical supervisor, or prevention specialist or reprimand the substance
2 abuse counselor, clinical supervisor, or prevention specialist, for practice of fraud or
3 deceit in obtaining the certification or any unprofessional conduct, incompetence, or
4 professional negligence.

5 (7) RECIPROCAL CERTIFICATION. The department may, upon application and
6 payment of the required fee, issue certification as a substance abuse counselor,
7 clinical supervisor, or prevention specialist to an individual who holds a similar
8 unexpired certification issued to the individual by another state for which the
9 requirements for certification are of a standard that is not lower than that specified
10 in this subchapter.

11 (8) CERTIFICATION OTHER THAN BY DEPARTMENT PROHIBITED. No entity other than
12 the department may certify substance abuse counselors, clinical supervisors, or
13 prevention specialists.”.

14 4. Page 884, line 20: delete that line and substitute: “Code certified substance
15 abuse counselor, clinical supervisor, or prevention specialist under s. 440.75, or
16 unless the”.

17 5. Page 884, line 24: delete “alcohol”.

18 6. Page 884, line 25: delete “and other drug abuse counselor” and substitute
19 “substance abuse counselor, clinical supervisor, or prevention specialist”.

20 7. Page 973, line 24: delete “OTHER DRUG ABUSE” and substitute “DRUG”.

21 8. Page 974, line 1: delete lines 1 to 5 and substitute:

22 (22) (a) *Certified alcohol and drug counselors.* *Except as provided in paragraph (am)*
23 All of the following individuals who
24 are certified under the following titles under the requirements of section HFS 75.02
(84) (a) of the Wisconsin Administrative Code immediately before the effective date

1 of this paragraph are certified as follows under section 440.75 of the statutes, as
2 created by this act:

3 1. If certified as a registered alcohol and drug counselor I, certified as a basic
4 substance abuse counselor.

5 2. If certified as a certified alcohol and drug counselor II, certified as an
6 intermediate substance abuse counselor.

7 3. If certified as a certified alcohol and drug counselor III or as a certified alcohol
8 and drug counselor-D, certified as an independent substance abuse counselor.

9 4. If certified as a registered clinical supervisor, certified as a basic clinical
10 supervisor.

11 5. If certified as a certified clinical supervisor I, certified as an intermediate
12 clinical supervisor.

13 6. If certified as a certified clinical supervisor II or certified clinical
14 supervisor-G, certified as an independent clinical supervisor.

15 7. If certified as a certified prevention professional, certified as a prevention
16 specialist.

16 specialist.
INSERT 5-16

17 **9.** Page 988, line 16: delete "ALCOHOL AND OTHER DRUG ABUSE COUNSELORS" and
18 substitute "SUBSTANCE ABUSE COUNSELORS, CLINICAL SUPERVISORS, AND PREVENTION
19 SPECIALISTS".

20 **10.** Page 989, line 3: delete "ALCOHOL AND OTHER DRUG ABUSE COUNSELOR" and
21 substitute "SUBSTANCE ABUSE COUNSELOR, CLINICAL SUPERVISOR, AND PREVENTION
22 SPECIALIST".

23 **11.** Page 989, line 5: delete "alcohol and other drug abuse".

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0763/3ins
DAK:lmk:jf

1
2
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INSERT 3-9

(3m) EXCEPTION. This section does not apply to a physician, as defined in s. 448.01 (5), who specializes in psychiatry, a clinical social worker, as defined in s. 457.01 (1r), or a licensed psychologist, as defined in s. 455.01 (4), who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure. ✓

INSERT 5-16

^{am} (8) ~~3~~ Exception. This subsection does not apply to a physician, as defined in ^{section} ~~s.~~ 448.01 (5) of the statutes, who specializes in psychiatry, a clinical social worker, as defined in ^{section} ~~s.~~ 457.01 (1r) of the statutes, or a licensed psychologist, as defined in section 455.01 (4) of the statutes, who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure." ✓

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

D - NOTE
(date)

DAK: lmk:

This is another revision to the amendment concerning AODA counselor certification. Senator Rossler's office approved the changes.

DAK



**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0763/4dn
DAK:lmk:jf

June 30, 2005

This is another revision to the amendment concerning AODA counselor certification. Senator Roessler's office has approved the changes.

Debra A. Kennedy
Managing Attorney
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E-mail: debra.kennedy@legis.state.wi.us



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBb0763/4
DAK:lmk:jf

SENATE AMENDMENT,
TO 2005 ASSEMBLY BILL 100

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 865, line 20: delete lines 20 to 21 and substitute:

3 "SECTION 2284mg. 440.03 (13) (b) 5m. of the statutes is created to read:

4 440.03 (13) (b) 5m. Substance abuse counselor, clinical supervisor, or
5 prevention specialist."

6 **2.** Page 867, line 1: delete "Alcohol and other drug abuse counselor" and
7 substitute "Substance abuse counselor, clinical supervisor, or prevention specialist".

8 **3.** Page 872, line 24: delete the material beginning with that line and ending
9 with page 874, line 4 and substitute:

10 "SUBSTANCE ABUSE COUNSELORS,
11 CLINICAL SUPERVISORS,
12 AND PREVENTION SPECIALISTS

1 **440.75 Substance abuse counselors, clinical supervisors, and**
2 **prevention specialists. (1) DEFINITIONS.** In this subchapter:

3 (a) “Clinical supervisor” means a basic clinical supervisor, an intermediate
4 clinical supervisor, or an independent clinical supervisor.

5 (b) “Substance abuse counselor” means a basic substance abuse counselor, an
6 intermediate substance abuse counselor, or an independent substance abuse
7 counselor.

8 **(2) CERTIFICATION.** Except as provided in sub. (3m) and s. 440.12 or 440.13, the
9 department shall certify as a substance abuse counselor, a clinical supervisor, or a
10 prevention specialist any individual who satisfies the applicable conditions in sub.
11 (3) and who has presented evidence satisfactory to the department that applicable
12 certification standards and qualification of the department, as established by rule,
13 have been met.

14 **(3) CERTIFICATION; STANDARDS AND QUALIFICATIONS.** (a) Subject to pars. (b) and
15 (c) and except as provided in sub. (3m), the department shall promulgate rules that
16 establish minimum standards and qualifications for the certification of all of the
17 following, including substance abuse counselors and clinical supervisors described
18 under s. HFS 75.02 (11) and (84), 2005 Wis. Adm. Code:

- 19 1. Basic substance abuse counselors.
- 20 2. Intermediate substance abuse counselors.
- 21 3. Independent substance abuse counselors.
- 22 4. Basic clinical supervisors.
- 23 5. Intermediate clinical supervisors.
- 24 6. Independent clinical supervisors.
- 25 7. Prevention specialists.

1 (b) Rules promulgated under par. (a) shall include standards based on
2 demonstrated requisite competency, knowledge, skills, and attitudes of professional
3 practice that are culturally competent and evidence-based.

4 (c) Before the department may promulgate rules under par. (a), the department
5 shall appoint a certification review committee under s. 227.13 and shall consult with
6 the certification review committee on the proposed rules. A majority of the members
7 of the certification review committee required under this paragraph shall represent
8 alcohol and other drug abuse organizations in this state, as recommended by the
9 Wisconsin Association on Alcoholism and Other Drug Abuse, Inc.

10 **(3m) EXCEPTION.** This section does not apply to a physician, as defined in s.
11 448.01 (5), who specializes in psychiatry, a clinical social worker, as defined in s.
12 457.01 (1r), or a licensed psychologist, as defined in s. 455.01 (4), who practices as
13 a substance abuse clinical supervisor or provides substance abuse counseling,
14 treatment, or prevention services within the scope of his or her licensure.

15 **(4) APPLICATIONS; CERTIFICATION PERIOD.** An application for certification as a
16 substance abuse counselor, clinical supervisor, or prevention specialist under this
17 section shall be made on a form provided by the department and filed with the
18 department and shall be accompanied by the fee specified in s. 440.05 (1). The
19 renewal date and renewal fee for certification as a substance abuse counselor, clinical
20 supervisor, or prevention specialist are specified under s. 440.08 (2) (a).

21 **(5) CERTIFICATION REQUIRED.** Except as provided in sub. (3m), no person may
22 represent himself or herself to the public as a substance abuse counselor, clinical
23 supervisor, or prevention specialist or a certified substance abuse counselor, clinical
24 supervisor, or prevention specialist or use in connection with his or her name a title
25 or description that conveys the impression that he or she is a substance abuse

1 counselor, clinical supervisor, or prevention specialist or a certified substance abuse
2 counselor, clinical supervisor, or prevention specialist unless he or she is so certified
3 under sub. (2).

4 (6) REVOCATION, DENIAL, SUSPENSION, OR LIMITATION OF CERTIFICATION. The
5 department may, after a hearing held in conformity with chapter 227, revoke, deny,
6 suspend, or limit under this subchapter the certification of any substance abuse
7 counselor, clinical supervisor, or prevention specialist or reprimand the substance
8 abuse counselor, clinical supervisor, or prevention specialist, for practice of fraud or
9 deceit in obtaining the certification or any unprofessional conduct, incompetence, or
10 professional negligence.

11 (7) RECIPROCAL CERTIFICATION. The department may, upon application and
12 payment of the required fee, issue certification as a substance abuse counselor,
13 clinical supervisor, or prevention specialist to an individual who holds a similar
14 unexpired certification issued to the individual by another state for which the
15 requirements for certification are of a standard that is not lower than that specified
16 in this subchapter.

17 (8) CERTIFICATION OTHER THAN BY DEPARTMENT PROHIBITED. No entity other than
18 the department may certify substance abuse counselors, clinical supervisors, or
19 prevention specialists.”.

20 4. Page 884, line 20: delete that line and substitute: “Code certified substance
21 abuse counselor, clinical supervisor, or prevention specialist under s. 440.75, or
22 unless the”.

23 5. Page 884, line 24: delete “alcohol”.

1 **6.** Page 884, line 25: delete “and other drug abuse counselor” and substitute
2 “substance abuse counselor, clinical supervisor, or prevention specialist”.

3 **7.** Page 973, line 24: delete “OTHER DRUG ABUSE” and substitute “DRUG”.

4 **8.** Page 974, line 1: delete lines 1 to 5 and substitute:

5 “(a) *Certified alcohol and drug counselors.* Except as provided in paragraph
6 (am), all of the following individuals who are certified under the following titles
7 under the requirements of section HFS 75.02 (84) (a) of the Wisconsin
8 Administrative Code immediately before the effective date of this paragraph are
9 certified as follows under section 440.75 of the statutes, as created by this act:

10 1. If certified as a registered alcohol and drug counselor I, certified as a basic
11 substance abuse counselor.

12 2. If certified as a certified alcohol and drug counselor II, certified as an
13 intermediate substance abuse counselor.

14 3. If certified as a certified alcohol and drug counselor III or as a certified alcohol
15 and drug counselor–D, certified as an independent substance abuse counselor.

16 4. If certified as a registered clinical supervisor, certified as a basic clinical
17 supervisor.

18 5. If certified as a certified clinical supervisor I, certified as an intermediate
19 clinical supervisor.

20 6. If certified as a certified clinical supervisor II or certified clinical
21 supervisor–G, certified as an independent clinical supervisor.

22 7. If certified as a certified prevention professional, certified as a prevention
23 specialist.

