

Report From Agency

**STATE OF WISCONSIN
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK EXAMINING BOARD**

**IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
MARRIAGE AND FAMILY THERAPY, : ON CLEARINGHOUSE RULE 08-088
PROFESSIONAL COUNSELING AND : (s. 227.19 (3), Stats.)
SOCIAL WORK EXAMINING BOARD :**

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:

The Department of Regulation and Licensing estimates that this rule will require staff time in the Office of Legal Counsel, Office of Exams, and the Division of Professional Credentialing. The total one-time salary and fringe costs are estimated at \$2,533. The department finds that this rule has no significant fiscal effect on the private sector.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

One of the requirements for becoming licensed as a professional counselor is the accrual of 3,000 hours of supervised practice. The addition of s. MPSW 12.01 (4) and (5) is intended to permit applicants who are interested in becoming licensed in Wisconsin as professional counselors to use supervised professional counselor practice hours that were accrued in another state. The existing rules do not allow the professional counselor section to consider supervised practice hours that were obtained out-of-state. These changes are intended to remedy that situation and will likely result in more clinicians being eligible to practice in Wisconsin.

Since approximately 2004, the section has attempted to advise those entering the field that in order to practice and train for full licensure, one needs to accrue hours under a training license. A training license expires after four years, and is renewable at the discretion of the section. The benefit of a training license is that it assures the trainee that their supervisor is approved. The benefit to the public is that they can be assured that the training license holder has met certain standards required for safe practice under

supervision – including that they hold an approved master’s degree in professional counseling and they have passed the State ethics examination – and that they are required to observe their code of conduct, violation of which opens practitioners to disciplinary action.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on October 27, 2008. Charles Lindsey, Wisconsin Counseling Association and Joseph D’Costa, DWD/DVR, Madison, WI, both appeared in support of the proposed rules. No written comments were received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 4. Is it necessary for the board to consider revisions to s. MPSW 12.02 in order to accommodate the recognition of out-of-state supervisors?

Response: No, because the section will determine whether the supervisor is acceptable under s. MPSW 12.01 (3).

All of the other 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), Stats.