Clearinghouse Rule 09-109

PROPOSED ORDER OF DEPARTMENT OF HEALTH SERVICES TO ADOPT RULES

The Wisconsin Department of Health Services proposes **to repeal** DHS 75.02 (6), (10), (11) (d) to (f), and (94); **to amend** DHS 75.02 (5) Note, (7), (11) (a), (15), (68), (81), (97) Note, 75.03 (2) (a), (b) Note and (h), 75.03 (4) (e), 75.04 (3) (a) and (b), 75.10 (5), 75.11 (5), 75.12 (5), 75.13 (4), 75.14 (5), and 75.15 (4) (d) and (e) and (20) (c) 3. Note; **to repeal and recreate** DHS 75.02 (84) and Chapter DHS 75 Appendix C; and **to create** DHS 75.02 (9m) (21m), (70g), (70r), and (78m), 75.03 (4) (d) Note, 75.10 (5) (a) Note and (b) Note, 75.11 (5) (a) Note and (b) Note, 75.12 (5) (a) Note and (b) Note, 75.13 (4) (a) Note and (b) Note, 75.14 (5) (a) Note and (b) Note, and 75.15 (4) (dm) and Note and (e) Note, relating to substance abuse counselors, clinical supervisors, and prevention specialists, and affecting small businesses.

SUMMARY OF PROPOSED RULE

Statute interpreted
2005 Wisconsin Act 25, s. 9121(12s).

Statutory authority:
Sections 46.973(2)(c), 51.42(7)(b), 51.45(8) and (9) and 227.11, Stats., and 2005 Wisconsin Act 25, s. 9121.

Explanation of agency authority:
Section 46.973(2)(c), Stats., authorizes the Department to develop standards and provide consultation for local drug dependence and drug abuse programs, and s. 51.42(7)(b), Stats., authorizes the Department to promulgate rules governing a variety of services, including alcoholism and drug abuse services. Section 51.45(8), Stats., authorizes the Department to establish minimum standards for approved treatment facilities that must be met in order for a treatment facility to be approved. Section 51.45(9), Stats., authorize the Department to promulgate rules for acceptance of persons into the treatment program for the purpose of early and effective treatment of alcoholics and intoxicated persons. All of the standards are referenced in ch. DHS 75.

Section 227.11 establishes requirements and parameters for agencies to promulgate rules, policies, and documents supporting rules for programs that are administered by it.

Related statute or rule:
Chapters DRL 160 to 168.

Plain language analysis:
The Department proposes to amend ch. DHS 75, relating to substance abuse counselors, clinical supervisors, and prevention specialists to reflect the transfer of credentialing authority for these professions from the Department to the Department of Regulation and Licensing (DRL) as required

under 2005 Wisconsin Act 25, s. 9121(12s) and conform the definitions in ch. DHS 75 with those in chs. RL 160 to 168.

Chapter DHS 75 has not been updated to reflect these changes since the changes were created in 2005. The passage of Act 25 divided oversight for substance abuse programs and providers resulting in the Department maintaining responsibility for certification of substance abuse services and assigning DRL responsibility for certification of individuals providing substance abuse treatment.

The proposed changes to ch. DHS 75 include the following:

1) Updating definitions in s. DHS 75.02 to reflect changes to those terms in chs. RL 160 to 168, including clinical supervisor, counseling, prevention, prevention specialist, prevention specialist-in training, and substance abuse counselor, substance abuse counselor-in training, and clinical substance abuse counselor.

2) Updating the names of bureaus and divisions.

3) Incorporating any additional changes related to the definitions referenced above.

These policy changes cannot be implemented in an alternative manner or policy due to the scope of ch. DHS 75, which establishes policies for certification of community substance abuse services. Definitions of substance abuse professionals are currently included in ch. DHS 75 and need to be updated due to their direct relationship with substance abuse services.

The expected outcome of these revisions is to have ch. DHS 75 to be congruent with chs. RL 160 to 168, and reflect current statutory requirements. There will not be an effect on businesses and public agencies since these changes are already implemented within DRL.

Summary of, and comparison with, existing or proposed federal regulations:
There appears to be no existing or proposed federal regulations that address the activities to be regulated by the proposed rule.

Comparison with rules in adjacent states:

Illinois:
Title 77 Part 2060 of Illinois Administrative Code sets forth the requirements for certification of substance abuse treatment and intervention services. Substance abuse counselors are licensed by the Illinois Alcohol and Other Drug Abuse Professional Certification Association according to the Illinois Model for the Certification of Alcohol and other Drug Abuse Counselors.

Iowa:
Alcohol and drug counselors are certified by the Iowa Board of Certification according to their rules and regulations published in the Alcohol and Drug Counselor Handbook. Substance abuse treatment programs in Iowa are licensed according to Ch. 125.13, Stats., and Adm. Code 641, Ch. 155.

Michigan:
In Michigan, substance abuse counselors must meet Michigan Certification Board for Addiction Professionals certification requirements which are taken from the International Certification and Reciprocity Consortium (ICRC). Substance use disorder programs must be licensed according to Act 360, s. 6231(1), Stats., and ss. 325.14101-325.14928, Adm. Code.

Minnesota:
Alcohol and Drug Counselors in the State of Minnesota are certified according to s. 148C., Stats., and ss. 4747.0010 – 4747.1500, Adm. Rule, established by the Minnesota Board of Behavioral Health and Therapy. Substance abuse treatment programs must be licensed according to treatment licensing rules ss. 9530.6405 – 9530.6505 (Rule 31).

Summary of factual data and analytical methodologies:
The proposed rules will not directly affect small businesses. The rules under this order are to conform to the transfer of authority under 2005 Wisconsin Act 25 from the department to DRL.

Analysis and supporting documents used to determine effect on small business:
The proposed rules will not directly affect small businesses. Any fiscal impact upon small business occurred when the changes from 2005 Wisconsin Act 25 were implemented by DRL in 2005 and 2006.

Effect on small business:
The proposed rules will not directly affect small businesses. The rules under this order are to conform to the transfer of authority under 2005 Wisconsin Act 25 from the department to DRL. Any fiscal impact upon small business occurred when the changes from 2005 Wisconsin Act 25 were implemented by DRL in 2005 and 2006.

Agency contact person:
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Bureau of Prevention, Treatment and Recovery
DMHSAS/DHS
1 West Wilson Street, Room 850
Madison, WI 53704
SarahKate.Johnson@wisconsin.gov
(608) 267-7707

Place where comments are to be submitted and deadline for submission:
A public hearing will be held on January 22, 2010, 10:00 a.m. - 12:00 p.m. at the Wilson Street State Office Building, 1 West Wilson Street, Room 751. Comments may be submitted to the agency contact person listed above or to the Wisconsin Administrative Rules Website at www.adminrules.wisconsin.gov until January 22, 2010, 4:30 p.m.

TEXT OF PROPOSED RULE

SECTION 1. DHS 75.02 (5) Note is amended to read:

DHS 75.02 (5) Note: The publication, *Patient Placement Criteria for the Treatment of Substance-Related Disorders*, published by the American Society of Addiction Medicine (ASAM), may be consulted at the department's ~~Bureau of Substance Abuse Services~~ bureau of prevention, treatment and recovery or at the Secretary of State's office or the Legislative Reference Bureau. Send inquires about the ASAM placement criteria to American Society of Addiction Medicine, 4601 N. Park Ave., Suite 101 Upper Arcade, Chevy Chase, MD 20815, or check ASAM's internet site at www.asam.org.

SECTION 2. DHS 75.02 (6) is repealed.

SECTION 3. DHS 75.02 (7) is amended to read:

DHS 75.02 (7) "Case management" means an organized process for bringing services, agencies, resources and people together within a planned framework for ~~the purpose of developing,~~ linking, advocating for and monitoring the provision of appropriate educational, intervention, treatment, or support services to a client with alcohol or other drug abuse problems in a coordinated, efficient and effective manner.

SECTION 4. DHS 75.02 (9m) is created to read:

DHS 75.02 (9m) "Clinical supervision" has the meaning given in s. RL 160.02(6).

SECTION 5. DHS 75.02 (10) is repealed.

SECTION 6. DHS 75.02 (11) (a) is amended to read:

DHS 75.02 11 "Clinical Supervisor" (a) ~~A person certified by, and in good standing with, the Wisconsin certification board, inc., as a certified clinical supervisor~~ An individual who meets the qualifications established in s. RL 160.02(7).

SECTION 7. DHS 75.02 (11) (d) to (f) are repealed.

SECTION 8. DHS 75.02 (15) is amended to read:

DHS 75.02 (15) "Counseling" means the application of ~~special knowledges and skills in performing the core functions utilized in support of the treatment plan and exercised under clinical supervision to assist individuals, families or groups in achieving objectives through exploration of each problem and its ramifications, examination of attitudes and feelings, consideration of alternative solutions and making decisions that support a process of recovery~~ recognized theories, principles, techniques and strategies to manage and facilitate the progress of diverse patients toward mutually determined treatment goals and objectives using culturally sensitive modalities as described in ss. RL 166.01(3) or MPSW 2.01(10).

SECTION 9. DHS 75.02 (21m) is created to read:

DHS 75.02 (21m) "DRL" means the Wisconsin department of regulation and licensing.

SECTION 10. DHS 75.02 (68) is amended to read:

DHS 75.02 (68) "Prevention" ~~means a process that provides people with the resources necessary to confront stressful life conditions and avoid behaviors that could result in negative physical, psychological or social outcomes~~has the meaning given in s. RL 160.02 (21).

SECTION 11. DHS 75.02 (70g), (70r), and (78m) are created to read:

DHS 75.02 (70g) "Prevention specialist" means an individual who meets the qualifications established in s. RL 160.02(23).

(70r) "Prevention specialist-in-training" means an individual who meets the qualifications established in s. RL 160.02(24).

(78m) "Social worker" has the meaning established in s. MPSW 2.01(16).

SECTION 12. DHS 75.02 (81) is amended to read:

DHS 75.02 (81) "State methadone authority" means the department's bureau of ~~substance abuse services~~ prevention, treatment and recovery which is the state agency designated by the governor pursuant to ~~21 CFR 291.505 (9)~~42 CFR 8.2 to exercise the responsibility and authority within Wisconsin for governing the treatment of narcotic addiction with a narcotic drug.

SECTION 13. DHS 75.02 (84) is repealed and recreated to read:

DHS 75.02 (84) "Substance abuse counselor" or "counselor" means any of the following:

(a) A "clinical substance abuse counselor" as defined in s. RL 160.02(5).

(b) A "substance abuse counselor" as defined in s. RL 160.02(26).

(c) A "substance abuse counselor-in-training" as defined in s. RL 160.02(27).

(d) A MPSW 1.09 specialty under ch. 457, Stats., granted by DRL.

SECTION 14. DHS 75.02 (94) is repealed.

SECTION 15. DHS 75.02 (97) Note is amended to read:

DHS 75.02 (97) Note: The publication, *Wisconsin Uniform Placement Criteria*, may be consulted at the ~~Department's Bureau of~~ ~~Substance Abuse Services~~ department's bureau of prevention, treatment and recovery, Room 437, 1 W. Wilson Street, Madison, Wisconsin. To request a copy, write Bureau of ~~Substance Abuse Services~~ Prevention, Treatment and Recovery, P.O. Box 7851, Madison, WI 53707-7851.

SECTION 16. DHS 75.03 (2) (a), (b) Note and (h) are amended to read:

DHS 75.03 (2) CERTIFICATION. (a) *Approval.* Each service that receives funds under ch. 51, Stats., is approved by the state methadone authority, is funded through the department's bureau of ~~substance abuse services~~ prevention, treatment, and recovery, or receives other substance abuse prevention and treatment funding or other funding specifically designated to be used for providing services described under ss. DHS 75.04 to 75.16, shall be certified by the department under this chapter.

(b) Note: For a copy of the application for certification, write to Program Certification Unit, P.O. Box 2969, Madison, WI 53707-2969 or access the form on the DHS web site at dhs.wisconsin.gov/forms1/OQA/oqa2504.pdf

(h) *Responsibility for interpretation*. The department's bureau of ~~substance abuse services~~ prevention, treatment and recovery is responsible for the interpretation of the meaning and intent of the provisions of this chapter.

SECTION 17. DHS 75.03 (4) (d) Note is created to read:

DHS 75.03(4) (d) Note: According to s. RL 160.03, a person may use the title "addiction counselor," "substance abuse counselor," "alcohol and drug counselor," "substance use disorder counselor" or "chemical dependency counselor" only if he or she is certified as a substance abuse counselor, a clinical substance abuse counselor under s. 440.88, Stats., or as allowed under the provisions of s. 457.02(5m), Stats.

SECTION 18. DHS 75.03(4) (e) is amended to read:

DHS 75.03 (4) (e) All staff who provide clinical supervision shall ~~be knowledgeable in psychopharmacology and addiction treatment~~ fulfill the requirements established in s. RL 160.02(6) and shall hold a certificate from DRL as required in s. RL 160.02(7), except for a physician knowledgeable in addiction treatment, licensed psychologist with a knowledge of psychopharmacology and addiction treatment or professional possessing the MPSW 1.09 subspecialty under ch. 457, Stats.

SECTION 19. DHS 75.04 (3) (a) and (b) are amended to read:

DHS 75.04(3) REQUIRED PERSONNEL. (a) A professional employed by the service shall be knowledgeable and skilled in all areas of substance abuse prevention domains as ~~defined under the certified prevention professional competencies established~~ required by ~~the Wisconsin certification board, inc., or documentation of similar prevention competencies approved by the department~~ DRL.

(b) Paraprofessional personnel shall be knowledgeable and skilled in the areas of substance abuse prevention domains as ~~defined under the registered prevention specialist competencies established~~ required by the ~~Wisconsin certification board, inc., or documentation of similar prevention competencies approved by the department~~ DRL.

SECTION 20. DHS 75.10 (5) amended to read:

DHS 75.10 (5) CLINICAL SUPERVISION. (a) A medically managed inpatient treatment service shall provide for ongoing clinical supervision of the counseling staff. Ongoing clinical supervision shall be provided as ~~follows:~~ required in s. RL 162.01.

~~(a) A clinical supervisor shall provide a certified substance abuse counselor with not less than 30 minutes of clinical supervision for every 40 hours of counseling rendered.~~

~~(b) A clinical supervisor shall provide a non-certified or registered substance abuse counselor who has a certification plan on file with the Wisconsin certification board, inc., and any other treatment staff member, except a physician or licensed clinical psychologist, with not less than one hour of direct service review for every 40 hours of counseling or other treatment rendered.~~

~~(c)~~ (b)A clinical supervisor shall provide supervision to substance abuse counselors in the ~~core functions identified in the certification standards of the Wisconsin certification board, inc., and shall exercise supervisory responsibility over substance abuse counselors in regard to at least the following: counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility~~ areas identified in s. RL 162.01(5).

SECTION 21. DHS 75.10 (5) (a) Note and (b) Note are created to read:

DHS 75.10 (5) (a) Note: Section RL 162.01(1) states that a clinical supervisor shall provide a minimum of:

1. Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.

2. Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.

3. One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.

4. One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor, or clinical substance abuse counselor. This meeting may fulfill a part of the requirements above.

(b) Note: Section RL 162.01(5) states that the goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and care

functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SECTION 22. DHS 75.11 (5) is amended to read:

DHS 75.11 (5) CLINICAL SUPERVISION. (a) A medically monitored treatment service shall provide for ongoing clinical supervision of the counseling staff. Ongoing clinical supervision shall be provided as ~~follows:~~ required in s. RL 162.01.

~~(a) The clinical supervisor shall provide a certified substance abuse counselor with not less than 30 minutes of clinical supervision for every 40 hours of counseling rendered.~~

~~(b) The clinical supervisor shall provide a non-certified or registered substance abuse counselor who has a certification plan on file with the Wisconsin certification board, inc., and any other treatment staff member, except a physician or licensed clinical psychologist, with not less than one hour of direct service review for every 40 hours of counseling or other treatment rendered.~~

~~(c)~~ (b) The clinical supervisor shall provide supervision and performance evaluation of substance abuse counselors in the ~~core functions identified in the certification standards of the Wisconsin certification board, inc., and shall exercise supervisory responsibility over substance abuse counselors in regard to at least the following: counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility~~ areas identified in s. RL 162.01(5).

SECTION 23. DHS 75.11 (5) (a) Note and (b) Note are created to read:

DHS 75.11 (5) (a) Note: Section RL 162.01(1) states that a clinical supervisor shall provide a minimum of:

1. Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.

2. Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.

3. One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.

4. One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor, or clinical substance abuse counselor. This meeting may fulfill a part of the requirements above.

(b) Note: Section RL 162.01(5) states that the goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and care

functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SECTION 24. DHS 75.12 (5) is amended to read:

DHS 75.12 (5) CLINICAL SUPERVISION. (a) A day treatment service shall provide for ongoing clinical supervision of the counseling staff. Ongoing clinical supervision shall be provided as ~~follows:~~ required in s. RL 162.01.

~~1. The clinical supervisor shall provide a certified substance abuse counselor with not less than 30 minutes of clinical supervision for every 40 hours of counseling rendered.~~

~~2. The clinical supervisor shall provide a non-certified or registered substance abuse counselor who has a certification plan on file with the Wisconsin certification board, inc., and any other treatment staff member, except a physician or licensed clinical psychologist, with not less than one hour of clinical supervision for every 40 hours of counseling rendered.~~

(b) The clinical supervisor shall provide supervision and performance evaluation of substance abuse counselors in the ~~core functions identified in the certification standards of the Wisconsin certification board, inc., and shall exercise supervisory responsibility over substance abuse counselors in regard to at least the following: counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility~~ areas identified in s. RL 162.01(5).

SECTION 25. DHS 75.12 (5) (a) Note and (b) Note are created to read:

DHS 75.11 (5) (a) Note: Section RL 162.01(1) states that a clinical supervisor shall provide a minimum of:

1. Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.

2. Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.

3. One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.

4. One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor, or clinical substance abuse counselor. This meeting may fulfill a part of the requirements above.

(b) Note: Section RL 162.01(5) states that the goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and care

functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SECTION 26. DHS 75.13 (4) is amended to read:

DHS 75.13 (4) CLINICAL SUPERVISION. (a) An outpatient treatment service shall provide for ongoing clinical supervision of the counseling staff. Ongoing clinical supervision shall be provided as ~~follows:~~ required in s. RL 162.01.

~~1. A clinical supervisor shall provide a certified substance abuse counselor with not less than 30 minutes of clinical supervision for every 40 hours of counseling rendered.~~

~~2. A clinical supervisor shall provide a non-certified or registered substance abuse counselor who has a certification plan on file with the Wisconsin certification board, inc., and any other treatment staff member, except a physician or a licensed clinical psychologist, with not less than one hour of clinical supervision for every 40 hours of counseling rendered.~~

(b) A clinical supervisor shall provide supervision and performance evaluation of substance abuse counselors in the ~~core functions identified in the certification standards of the Wisconsin certification board, inc., and shall exercise supervisory responsibility over substance abuse counselors in regard to at least the following: counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility.~~ areas identified in s. RL 162.01(5).

SECTION 27. DHS 75.13 (4) (a) Note and (b) Note are created to read:

DHS 75.13 (4) (a) Note: Section RL 162.01(1) states that a clinical supervisor shall provide a minimum of:

1. Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.

2. Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.

3. One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.

4. One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor, or clinical substance abuse counselor. This meeting may fulfill a part of the requirements above.

(b) Note: Section RL 162.01(5) states that the goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and care

functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SECTION 28. DHS 75.14 (5) is amended to read:

DHS 75.14 (5) CLINICAL SUPERVISION. (a) A transitional residential treatment service shall provide for ongoing clinical supervision of the counseling staff. Ongoing clinical supervision shall be provided as ~~follows:~~ required in s. RL 162.01.

~~1. The clinical supervisor shall provide a certified substance abuse counselor with not less than 30 minutes of direct service review for every 40 hours of counseling rendered.~~

~~2. A clinical supervisor shall provide a non-certified or registered substance abuse counselor who has a certification plan on file with the Wisconsin certification board, inc., DRL and any other treatment staff member, except a physician or a licensed clinical psychologist, with not less than one hour of direct service review for every 40 hours of counseling rendered.~~

(b) The clinical supervisor shall provide supervision and performance evaluation of substance abuse counselors in the ~~core functions identified in the certification standards of the Wisconsin certification board, inc, DRL and shall exercise supervisory responsibility over substance abuse counselors in regard to at least the following: counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility.~~ areas identified in s. RL 162.01(5).

SECTION 29. DHS 75.14 (5) (a) Note and (b) Note are created to read:

DHS 75.14 (5) (a) Note: Section RL 162.01(1) states that a clinical supervisor shall provide a minimum of:

1. Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.

2. Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.

3. One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.

4. One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor, or clinical substance abuse counselor. This meeting may fulfill a part of the requirements above.

(b) Note: Section RL 162.01(5) states that the goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and care

functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SECTION 30. DHS 75.15(4) (d) is amended to read:

DHS 75.15(4) (d) The service shall employ ~~certified substance abuse counselors or registered alcohol and drug counselors 1~~ substance abuse counselors, substance abuse counselors-in training, or clinical substance abuse counselors who are under the supervision of a clinical supervisor on a ratio of at least one to 50 patients in the service or fraction thereof.

SECTION 31. DHS 75.15 (4) (dm) and Note are created to read:

DHS 75.15 (4) (dm) A narcotic treatment services for opiate addiction shall provide for ongoing clinical supervision of the counseling staff. Ongoing clinical supervision shall be provided as required as required in s. RL 162.01.

Note: Section RL 162.01(1) states that a clinical supervisor shall provide a minimum of:

1. Two hours of clinical supervision for every 40 hours of work performed by a substance abuse counselor-in-training.

2. Two hours of clinical supervision for every 40 hours of counseling provided by a substance abuse counselor.

3. One hour of clinical supervision for every 40 hours of counseling provided by a clinical substance abuse counselor.

4. One in person meeting each calendar month with a substance abuse counselor-in-training, substance abuse counselor, or clinical substance abuse counselor. This meeting may fulfill a part of the requirements above.

SECTION 32. DHS 75.15(4) (e) is amended to read:

DHS 75.15 (4) (e) ~~The service shall have at least one clinical supervisor on staff to provide ongoing clinical supervision of the counseling staff or a person outside the agency who is certified by the Wisconsin certification board, inc., as a certified clinical supervisor and who by a written agreement will provide ongoing clinical supervision of counseling staff.~~ The clinical supervisor shall provide supervision and performance evaluation of substance abuse counselors in the ~~core functions identified in the certification standards of the Wisconsin certification board, inc., and shall exercise supervisory responsibility over substance abuse counselors in regard to at least the following: counselor development, counselor skill assessment and performance evaluation, staff management and administration, and professional responsibility~~. areas identified in s. RL 162.01(5).

SECTION 33. DHS 75.15 (4) (e) Note is created to read:

DHS 75.15 (4) (e) Note: Section RL 162.01(5) states that the goals of clinical supervision are to provide the opportunity to develop competency in the transdisciplinary foundations, practice dimensions and care functions, provide a context for professional growth and development and ensure a continuance of quality patient care.

SECTION 34. DHS 75.15 (20) (c) 3. Note is amended to read:

DHS 75.15 (20) (c) 3. Note: To apply for approval to operate a medication unit, contact the State Methadone Authority in the Bureau of ~~Substance Abuse Services~~ Prevention, Treatment and Recovery at P.O. Box 7851, Madison, WI 53707-7851. Approvals of the ~~FDA~~ Center for Substance Abuse Treatment and the U.S. Drug Enforcement Administration to operate a medication unit are also required. The State Methadone Authority will facilitate the application consideration by the ~~FDA~~ Center for Substance Abuse Treatment and the U.S. Drug Enforcement Administration.

SECTION 35. Chapter DHS 75 Appendix C is repealed and recreated to read:

APPENDIX C

CONTACT INFORMATION
FOR THE DIVISION OF QUALITY ASSURANCE

The Department of Health Services certifies substance abuse services (programs) through Division of Quality Assurance. For information about the process of becoming certified or the Behavioral Health Certification staff responsible for a specific county or tribe, please contact the Behavioral Health Certification Section in the Division of Quality Assurance at the address or web site below.

Behavioral Health Certification Section
Division of Quality Assurance
Department of Health Services
PO Box 2969
Madison, WI 53701-2969
Phone: (608) 261-0658
Fax: (608) 261-0655

Web site: http://dhs.wisconsin.gov/rl_DSL/MentalHealth/BQApcuStaff.htm

SECTION 36. EFFECTIVE DATE: This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22 (2), Stats.

Wisconsin Department of Health Services

Dated:

Karen E Timberlake, Department Secretary

SEAL: