

Clearinghouse Rule 16-008

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

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : MARRIAGE AND FAMILY THERAPY,
MARRIAGE AND FAMILY THERAPY, : PROFESSIONAL COUNSELING AND
PROFESSIONAL COUNSELING AND : SOCIAL WORK EXAMINING BOARD
SOCIAL WORK EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board to repeal MPSW 16.03, 16.05, 16.06 and ch. MPSW 18; to renumber MPSW 17.03; to amend ch. MPSW 17 (title); to repeal and recreate MPSW 16.01 and 16.02; and to create MPSW 16.015 (3) and 16.04, relating to marriage and family therapy applications, education, exams and licensure.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: ss. 457.10, 457.11, and 457.16, Stats.

Statutory authority: ss. 15.08 (5) (b) and 457.03 (1), Stats.

Explanation of agency authority:

Each examining board shall promulgate rules for its own guidance and for the guidance of the profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession. [s. 15.08 (5) (b), Stats.]

The examining board shall upon the advice of the...marriage and family therapist section...promulgate rules establishing minimum standards for educational programs that must be completed for certification or licensure under this chapter and for supervised clinical training that must be completed for licensure as ...marriage and family therapist under this chapter and approve educational programs and supervised clinical training programs in accordance with those standards. [457.03 (1), Stats.]

Related statute or rule: n/a

Plain language analysis:

Section 1 repeals and recreates the license application requirements. An applicant shall file an application, pay a fee, pass an examination to determine competency, after receiving education engage in at least 3,000 hours of marriage and family therapy practice, including 1,000 of face-to-face client contact, not have an arrest or conviction record substantially related to the practice and provide proof of following: master's or doctorate degree in a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) or a master's or doctorate degree in an equivalent education or a degree awarded by a foreign institution of higher learning that is equivalent to a degree from a program accredited by COAMFTE.

Section 2 moves the marriage and family therapist training license to the application chapter to create clarity.

Section 3 creates a provision to make clear a marriage and family therapist training license authorizes the holder to use the title and to practice marriage and family therapy within the scope of his or her supervisor while holding a training license.

Section 4 repeals and recreates the education requirements necessary to be equivalent to a COAMFTE accredited program. The program shall minimally contain the following: 6 credits in the area of foundations or relational or systemic practice, theories and models; 6 credits in the area of clinical treatment with individuals, couples and families; 3 credits in the area of diverse, multicultural or underserved communities; 3 credits in the area of research and evaluation; 3 credits in the area of professional identity, federal and state law, ethics and social responsibility; 3 credits in the area of biopsychosocial health and development across the life span; 3 credits in the area of systemic assessment and mental health diagnosis and treatment; 3 credits in the area of contemporary developments which interface marriage and family therapy knowledge and practice with the broader multidisciplinary context and a clinical internship.

Section 5, 6 and 7 create a new section on supervised practice and repeals the sections where the materials are incorporated in the new section. An applicant completes 3,000 hours of supervised marriage and family therapy practice while holding a valid training license prior to being eligible for licensure. An applicant is supervised by one of the following: a licensed marriage and family therapist who has received a doctorate degree in marriage and family therapy, a licensed marriage and family therapist who has 5 years of marriage and family therapy practice, a psychiatrist, a psychologist, an American Association for Marriage and Family Therapy approved supervisor or supervisor candidate or a person approved in advance based upon evidence of experience in marriage and family therapy systems. Supervisor responsibilities include providing 1 hour of face-to-face supervision for each 10 hours of client contact, allow the person being supervised to only engage in services the supervisor can competently do, be available or make arrangements for emergency consultation and intervention, the supervisor is legally and ethically responsible for the activities, be able to interrupt or recommend that the employer interrupt services in gen cases and to be able to terminate the supervised relationship. If the supervision is being done in group sessions, the group can consist of no more than 8 persons for every 1 person providing supervision and each person receives one hour of credit for each hour that the group meets.

Section 8 amends the chapter title to reflect training licenses is no longer part of this chapter.

Section 9 repeals chapter 18 due to redundancy.

The rule will have a delayed initial applicability of October 1, 2019 as it relates to education equivalent requirements to allow students and schools to adjust programs accordingly.

Summary of, and comparison with, existing or proposed federal regulation: None

Comparison with rules in adjacent states:

Illinois: Illinois applicants are required to hold one of the following degrees: a master's or doctoral degree in marriage and family therapy from a regionally accredited educational institution; a master's or doctoral degree from a regionally accredited educational institution in marriage and family therapy or in a related field with an equivalent course of study; or a master's or doctoral degree in marriage and family therapy from a program accredited by either COAMFTE or the Commission on Accreditation for Counseling Related Educational Programs. Equivalent education is a minimum of 48 semester hours in the following designated content: individual development and family relations; theoretical foundations and clinical practice; professional studies and ethics; research and clinical practicum or internship. Applicants are required to complete 3000 hours, which includes 1000 hours of face-to-face client contact and 200 hours of clinical supervision. Supervision is to be a face-to-face conversation with a supervisor, usually in periods of approximately one hour each scheduled on a regular basis. Group supervision is a maximum of 6 supervisees meeting with one supervisor. Applicants are required to take the national examination. In lieu of education and experience, an applicant may submit certification of clinical membership from the American Association for Marriage and Family Therapy.

Iowa: Iowa applicants are required to complete a master's degree from a program accredited by COAMFTE or equivalent content in a master's degree of 60 semester hours or a doctoral degree in a mental health, behavioral science or a counseling related field. Equivalent content includes: theoretical foundations of marital and family therapy systems; assessment and treatment in family and marital therapy; human development; ethics and professional studies; and research. An applicant is required to complete a minimum of two years or the equivalent of full-time, postgraduate supervised professional work experience in marital and family therapy including at least 3,000 hours that includes at least 1,500 hours of direct client contact and 200 hours of clinical supervision. A minimum of 25% of all clinical supervision in person and up to 75% of all supervision may be completed by electronic means with no more than 50% completed by telephone. At least 100 hours of clinical supervision is to be individual supervision. Group supervision may be completed with up to 10 supervisees and 1 supervisor. The supervisor shall be a licensed marital and family therapist with a minimum of 3 years of clinical experience or a supervisor or supervisor candidate approved by the American Association for Marriage and Family Therapy Commission on Supervision. The supervisor is to meet a minimum of 4 hours per month with the supervisee, provide training appropriate to the functions to be performed, ensure that therapeutic work is completed under the professional supervision of a supervisor and

not supervise any marital and family therapy or permit the supervisee to engage in any therapy which the supervisor cannot perform competently. Applicants are required to pass the Association of Marital and Family Therapy Regulatory Board examination in marital and family therapy.

Michigan: Michigan applicants are required to possess a master's degree or higher graduate degree in marriage and family therapy or equivalent. Equivalent degrees include courses in the following areas: family studies; family therapy methodology; human development, personality theory or psychopathology; ethics, law and standards of professional practice; and research. Applicants shall complete 1,000 of direct client contact hours in supervised marriage and family therapy experience and at least half being completed with families, couples or subsystems of families physically present in the therapy room. There shall be at least 1 hour of supervision for each 5 hours of direct client contact. Group supervision shall involve no more than 6 supervisees with 1 supervisor. The supervision shall be given in face-to-face contact. Applicants are required to pass the national exam.

Minnesota: Minnesota applicants are required to have a master's or doctoral in marriage and family therapy or a related subject containing the following course areas: human development; marital and family studies; marital and family therapy; research; professional studies and a clinical practicum of at least 300 hours. Applicants are required to complete 2 years of supervised postgraduate experience in marriage and family therapy with 1,000 hours of clinical client contact and 200 hours of supervision. Clinical client contact must include at least 500 hours in the following categories of cases: unmarried couples; married couples; separating and divorcing couples; and family groups including children. Individual supervision shall occur with a supervisor and not more than 2 supervisees and group supervision shall occur with a supervisor and not more than 6 supervisees. Applicants are required to pass the national exam.

Summary of factual data and analytical methodologies:

In determining the requirements for education equivalent to a COAMTTE accredited degree, the COAMFTE standards were reviewed. The Board also reviewed statutory requirements for licensure.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

This rule was posted for economic impact comments and none were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Eric.Esser@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-2377; email at Sharon.Henes@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8366, or by email to Sharon.Henes@wisconsin.gov. Comments must be received at or before the public hearing at 9:00 a.m. on February 15, 2016 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Repeal and recreate MPSW 16.01

MPSW 16.01 Application for licensure as a marriage and family therapist. An applicant for a marriage and family therapist license shall submit all of the following:

- (1) An application and pays the fee under 440.05.
- (2) Evidence of one of the following:
 - (a) A master's or doctorate degree in marriage and family therapy from a program accredited by COAMFTE.
 - (b) A master's or doctorate degree in marriage and family therapy, psychology, sociology, social work, professional counseling or other mental health field that included the course work under MPSW 16.02.
 - (c) A degree awarded by a foreign institution of higher learning that has been determined by an organization approved by the section to be equivalent to a degree from a master's or doctoral program accredited by COAMFTE. If the education was not received in English, the applicant shall demonstrate proficiency in English by achieving a passing score on a Test of English as a Foreign Language (TOEFL) examination.
- (3) Evidence the applicant, after receiving a master's or doctorate degree required under sub. (2), engaged in the equivalent of at least 3,000 hours of marriage and family therapy practice, including at least 1,000 hours of face-to-face client contact, while holding a valid marriage and family therapy training license and supervised by a person qualified to supervise under MPSW 16.03.
- (4) Verification of passage of an examination approved by the marriage and family therapist section to determine minimum competence to practice marriage and family therapy.

(5) If the applicant has an arrest or conviction record, documentation necessary for the section to determine whether the circumstances substantially relate to the practice of marriage and family therapy, subject to ss. 111.321, 111.322 and 111.335, Stats.

SECTION 2. Renumber MPSW 17.03 to MPSW 16.015

SECTION 3. Create MPSW 16.015 (3) to read:

MPSW 16.015 (3) A marriage and family therapist training license authorizes the holder to use any title specified in s. 457.04(5), Stats. and to practice marriage and family therapy within the scope of his or her training or supervision during the period in which the license is valid.

SECTION 4. Repeal and Recreate MPSW 16.02

MPSW 16.02 Education equivalent to a graduate degree in marriage and family therapy from a program accredited by COAMFTE. Course work required for education to be substantially equivalent to the course work required for a master's or doctorate degree in marriage and family therapy course work from a program accredited by COAMFTE shall contain all of the following:

- (1) At least 6 semester credits or 8 quarter credits in the area of foundations of relational or systemic practice, theories and models.
- (2) At least 6 semester credits or 8 quarter credits in the area of clinical treatment with individuals, couples and families. This area shall include a focus on evidence based practice and content on crisis intervention.
- (3) At least 3 semester credits or 4 quarter credits in the area of diverse, multicultural or underserved communities. This area shall include understanding and applying knowledge of diversity, power, privilege or oppression.
- (4) At least 3 semester credits or 4 quarter credits in the area of research and evaluation. This area shall include marriage and family therapy research and evaluation methods and evidence based practice.
- (5) At least 3 semester credits or 4 quarter credits in the area of professional identity, federal and state law, ethics and social responsibility.
- (6) At least 3 semester credits or 4 quarter credits in the area of biopsychosocial health and development across the life span. This area shall include individual and family development, human sexuality or biopsychosocial health across the lifespan.
- (7) At least 3 semester credits or 4 quarter credits in the area of systemic assessment and mental health diagnosis and treatment.
- (8) At least 3 semester credits or 4 quarter credits in the area of contemporary developments which interface marriage and family therapy knowledge and practice with the broader multidisciplinary context.
- (9) A clinical internship as part of an academic program in marriage and family therapy or a substantially equivalent field. The internship shall consist of a minimum of 300 hours in face-to-face contact with individuals, couples and families for the purpose of assessment, diagnosis and treatment under supervision in not less than 8 calendar months.

SECTION 5. Repeal MPSW 16.03

SECTION 6. Create MPSW 16.04

MPSW 16.04 Supervised Practice. (1) GENERAL. An applicant for licensure as a marriage and family therapist under s. 457.10, Stats., shall complete, after receiving the required master's or doctorate degree, 3,000 hours of supervised marriage and family therapy practice, including at least 1,000 hours of face-to-face client contact, while holding a valid marriage and family therapist training license before being eligible for licensure.

(2) SUPERVISOR QUALIFICATIONS. Supervision of the supervised practice of marriage and family therapy may be exercised by any of the following:

- (a) An individual licensed as a marriage and family therapist who has received a doctorate degree in marriage and family therapy.
- (b) An individual licensed as a marriage and family therapist who has engaged in the equivalent of 5 years of full-time marriage and family therapy practice.
- (c) A psychiatrist.
- (d) A psychologist licensed under ch. 455.
- (e) A person who is an American Association for Marriage and Family Therapy approved supervisor or supervisor candidate.
- (f) An individual, other than an individual specified in par. (a) through (e), who the marriage and family therapy section approves in advance based upon evidence of experience in marriage and family therapy systems.

(3) SUPERVISOR RESPONSIBILITIES. The supervisor's responsibilities include all of the following:

- (a) Provide 1 hour of face-to-face supervision for each 10 client contact hours.
- (b) Permit a supervisee to engage in only marriage and family therapy services the supervisor can competently perform.
- (c) Be available or make appropriate provision for emergency consultation and intervention.
- (d) Be legally and ethically responsible for the supervised activities of the supervisee.
- (e) Be able to interrupt or stop the supervisee from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases.
- (f) To terminate the supervised relationship.

(4) GROUP SUPERVISION REQUIREMENTS. Supervision in group sessions, shall meet all of the following:

- (a) The group shall consist of no more than 8 persons for every 1 person providing supervision.
- (b) Each person receiving supervision as part of the group session receives one hour credit for each hour that the group meets for supervision. Time which is not directly case related may not be counted towards the supervision requirement.
- (c) A supervision session for a group or individual which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session.

SECTION 7. Repeal MPSW 16.05 and 16.06

SECTION 8. Amend ch. MPSW 17 (title) to read:

Chapter MPSW 17
MARRIAGE AND FAMILY THERAPY TEMPORARY LICENSE AND RECIPROCAL
~~LICENSE AND TRAINING CERTIFICATE~~ APPLICATIONS

SECTION 9. Repeal ch. MPSW 18.

SECTION 10. INITIAL APPLICABILITY. Section 4 of this rule recreating s. MPSW 16.02 first applies to licensure applications that are received on or after October 1, 2019.

SECTION 11. EFFECTIVE DATE. 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.

(END OF TEXT OF RULE)
