

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date April 28, 2025								
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) MPSW 1 to 20									
4. Subject Counseling Compact									
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected s.20.165(1)(g)								
7. Fiscal Effect of Implementing the Rule <table style="width: 100%;"><tr><td><input type="checkbox"/> No Fiscal Effect</td><td><input type="checkbox"/> Increase Existing Revenues</td><td><input checked="" type="checkbox"/> Increase Costs</td><td><input type="checkbox"/> Decrease Costs</td></tr><tr><td><input type="checkbox"/> Indeterminate</td><td><input type="checkbox"/> Decrease Existing Revenues</td><td colspan="2"><input type="checkbox"/> Could Absorb Within Agency's Budget</td></tr></table>		<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs	<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget	
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8. The Rule Will Impact the Following (Check All That Apply) <table style="width: 100%;"><tr><td><input type="checkbox"/> State's Economy</td><td><input type="checkbox"/> Specific Businesses/Sectors</td></tr><tr><td><input checked="" type="checkbox"/> Local Government Units</td><td><input type="checkbox"/> Public Utility Rate Payers</td></tr><tr><td colspan="2"><input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</td></tr></table>		<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors	<input checked="" type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers	<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)			
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<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)									
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$N/A									
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
11. Policy Problem Addressed by the Rule The Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board conducted a comprehensive evaluation of its rules to implement the Counseling Compact established by 2023 Wisconsin Act 55 to ensure clarity and consistency with applicable Wisconsin statutes. The following updates were made: <ul style="list-style-type: none">• Created definitions of "counseling compact", "privilege to practice" and "single state license".• Identify the requirements for obtaining a license based upon the privilege to practice and also the requirements to obtain a privilege to practice.• Amended the unprofessional conduct requirements in MPSW 20 to also apply to those practicing in Wisconsin under a privilege to practice.									
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The rule draft was posted on the department's website for 14 days to solicit economic impact comments from local governments and small businesses. No comments were received.									
13. Identify the Local Governmental Units that Participated in the Development of this EIA. None									
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) DSPS estimates a total of \$29,255.00 in one-time and \$72,200.00 in ongoing staffing costs to implement the rule. The estimated need for 0.7 limited term employee (LTE) is for rule promulgation, legal review, internal review and consultation, training and updating systems and forms. The estimated annual staffing need for a 0.9 full time employee (FTE) is for reviewing and processing compact applications and background checks, answering inquiries or escalations. The one-time and annual estimated costs cannot be absorbed in the currently appropriated agency budget.									

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing the rule is to implement the statutory changes from 2023 Wisconsin Act 55, which establishes Wisconsin as a member of the Counseling Compact. An alternative would be to not revise the code to reflect these new requirements, which would create confusion and a lack of clarity for stakeholders as to what is required of professional counselors and the board as it relates to the new statutory requirements.

16. Long Range Implications of Implementing the Rule

The long range implications of implementing this rule is clear requirements for practicing professional counseling in Wisconsin under the Counseling Compact.

17. Compare With Approaches Being Used by Federal Government

N/A

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois

Illinois is not a member state of the Counseling Compact yet, though in 2024 they introduced legislation to become part of the Compact.

Iowa

Iowa is a member of the Counseling Compact and has incorporated the rules of the Counseling Compact Commission by reference in their Administrative Code. [481 IAC 891.4 (147)] The full extent of the provisions for privilege to practice and license based on a privilege to practice are contained in section 147H.1 of the Iowa Statutes.

Michigan

Michigan is not a member state of the Counseling Compact.

Minnesota

Minnesota is a member state of the Counseling Compact. The provisions regarding privilege to practice and licensed based on privilege to practice are stated in chapter 148B section 148B.75 of the Minnesota Statutes.

19. Contact Name

Sofia Anderson

20. Contact Phone Number

608-261-4463

This document can be made available in alternate formats to individuals with disabilities upon request.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes ☐ No
