

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

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IN THE MATTER OF RULE-MAKING : 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 05-120)

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ORDER

An order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board to repeal MPSW 8.03 (2) (f); to amend MPSW 8.02 (1) and 8.03 (2) (e); and to create MPSW 8.03 (1m) (d) to (f), relating to continuing education credits for social workers.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

**Statutes interpreted:**

Section 457.08, Stats.

**Statutory authority:**

Sections 15.08 (5) (b), 227.11 (2), 457.03 (1) and 457.22 (1) (a), Stats.

**Explanation of agency authority:**

Chapter MPSW 8 sets forth the requirements for obtaining continuing education for social workers. Each biennium social workers are required to obtain a minimum of 30 continuing education credits, which may be taken in different subject areas, provided the coursework is sponsored by acceptable organizations or entities. Additionally, credit limitations exist, depending on the particular type of continuing education program or presentation. This amendment is intended to expand the scope of acceptable continuing education organizations, including, for instance, the American Medical Association, the American Psychological Association, and the American Osteopathic Organization. It also permits credit for continuing education programs that are recognized by the Professional Counselors Section and by the Marriage and Family Therapist Section. This amendment also modifies the credits one can obtain for interactive internet courses and self-study courses, limiting the combined total to 21 credits, with maximums of 10 credits for self-study courses and 16 credits for internet courses. However, self-study courses are not permitted to be used for satisfying the social work ethics requirement.

**Related statute or rule:**

There are no other statutes or rules other than those listed above.

**Plain language analysis:**

Under existing rules for continuing education programs, there is a lack of uniformity among the Marriage and Family Therapists, Professional Counselors and Social Worker Sections with respect to continuing education, including the criteria and acceptance of various programs. Current rules do not allow credential holders access to continuing education courses offered to marriage and family therapists or professional counselors. Additionally, credential holders may not receive continuing education credit for teaching, publishing or presenting. Finally, under current rules, credential holders are not able to take courses approved or sponsored by the American Psychological Association.

The modification to this rule will permit continuing education credits to be granted for additional items, including, but not limited to, teaching academic courses, publishing professional books, and presenting at national conferences, all of which may require substantial preparation and/or research related to the knowledge and practice of social work. Additionally, this modification will permit continuing education credit to be granted to those credential holders who take courses approved by the Marriage and Family Therapists Section or by the Professional Counselors Section. Finally, the proposed rule will allow credential holders to take courses approved or sponsored by the American Psychological Association. Access to these courses will provide a substantial benefit to the practice of social work.

SECTION 1 amends s. MPSW 8.02 (1) by changing the credentialing period date from July 1 to March 1 pursuant to s. 457.20 (2), Stats.

SECTION 2 creates s. MPSW 8.03 (1m) (d) to (f) and provides that any continuing education program approved, sponsored or co-sponsored by a presenter approved by the committee for the approval of continuing education sponsors of the American Psychological Association is acceptable. It further provides that any educational programs recognized as approved at the time of attendance as "Category I" continuing education programs by the Council on Medical Education of the American Medical Association or the American Osteopathic Association are acceptable. Finally, it provides that any educational programs recognized by the Marriage and Family Therapist Section and the Professional Counselor Section are acceptable.

SECTION 3 amends s. MPSW 8.03 (2) (e) by providing interactive internet learning courses offered by an accredited university or preapproved by the ASWB: 1 CEH per .1 CEU of instruction, or self-study courses approved by accredited college or university schools of social work, local or national professional social work organizations, or the association of social work boards, 1 CEH per credit completed, but no more than 21 total CEHs for interactive internet courses and self-study courses will be accepted in any 2 year credentialing period with a maximum of 10 CEHs for self-study courses and a maximum of 16 CEHs for internet courses. Self-study courses shall not be used to satisfy the social work ethics requirement.

SECTION 4 repeals s. MPSW 8.03 (2) (f) and adds it to s. MPSW 8.03 (2) (e) so that both interactive internet learning and self-study coursework can be addressed in one section.

**Summary of, and comparison with, existing or proposed federal regulation:**

There is no existing or pending federal regulation relating to continuing education requirements for social workers.

**Comparison with rules in adjacent states:**

**Illinois:**

Illinois offers continuing education credit for teaching, publishing and presentation. There is no mention of courses that were approved or sponsored by the American Psychological Association were permitted.

Social Work: Section 1470.95

b) Approved Continuing Education (CE)

4) Continuing education credit may be earned for verified teaching in a college, university or graduate school of social work approved in accordance with Section 1470.30 and/or as an instructor of continuing education programs given by approved sponsors. Credit will be applied at the rate of 1.5 hours for every hour taught and only for the first presentation of the program (i.e., credit shall not be allowed for repetitious presentations of the same program).

5) Continuing education credit may be earned for authoring papers, publications or books and for preparing presentations and exhibits. The preparation of each published paper, book chapter or presentation dealing with social work or clinical social work may be claimed as 5 hours of credit. A presentation must be before a professional audience. Five credit hours may be claimed for only the first time the information is published or presented.

c) Approved Continuing Education Sponsors and Programs

1) Approved sponsor, as used in this Section, shall mean:

A) The National Association of Social Workers (NASW) and its affiliates;

B) The Association of Social Work Boards (ASWB) and its affiliates; or

C) Any other person, firm, association, corporation or other group that has been approved and authorized by the Division pursuant to subsection (c)(2) of this Section upon recommendation of the Board to coordinate and present continuing education courses or programs.

**Michigan:**

Social workers will be licensed starting in July, so any rule-making with regards to continuing education has not been developed yet.

**Minnesota:**

Allows continuing education for teaching, publishing and presenting – only for well-documented time spent researching. The board doesn't make allowances for courses open to marriage and family therapists or professional counselors. Continuing education may be allowed for the American Psychological Association courses because the section does not allow any courses approved or sponsored by various associations. It is up to the credential holder to register for courses that appear to meet Minnesota's requirement and then submit them.

Kate Zachar, Assistant Director of the Minnesota Board of Social Work – Minnesota allows 10 out of the 30 required hours of the biennium to be obtained through individual activities such as teaching, publishing and presenting. The time is allocated only through time spent for research time necessary for the preparation of these activities. Licensees, if claiming time for individual activities, must document their research sources, and if audited, they would have to present their proof of research. As for approval of sponsor specific continuing education, as in the case of continuing education course sponsored by the American Psychological Association, Minnesota currently has no sponsor approved continuing education credits, they approve on a program only basis. They are currently presenting legislation that will allow them to approve continuing education credits based on sponsorship.

The board does not automatically accept an Association of Social Work Board's (ASWB) Approved Continuing Education (ACE) program or a National Association of Social Workers (NASW) CEU approval program, or any other organization's approval of a program or sponsor. However, licensees may register for courses that appear to meet Minnesota's continuing education requirements and submit them for consideration at renewal.

### **Iowa:**

Iowa allows continuing education for presenting, publishing, and teaching continuing education courses. Also, there are no rules permitting courses sponsored or approved by the American Psychological Association. There are no rules permitting courses sponsored or approved by the APA.

**281.3(2) Specific criteria.** Continuing education hours of credit can be obtained by completing:

*i.* Instruction of a course at an approved college, university or graduate school of social work. A licensee may receive credit on a one-time basis not to exceed three hours of continuing education credit per biennium.

*j.* Instruction/presentation/moderation of continuing education programs. A licensee may receive credit on a one-time basis, not to exceed three hours of continuing education credit per biennium, for programs at which the licensee is actually in attendance for the complete program provided the licensee receives a certificate of attendance in compliance with this rule.

*k.* Authorship of papers, publications or books and preparation of presentations and exhibits. A presentation must be made before a professional audience. Presentations may receive credit on a one time basis for the article, publication, book or the preparation of a presentation or exhibit, not to exceed three hours of continuing education credit per biennium.

### **Summary of factual data and analytical methodologies:**

The Social Worker Section , in accordance with the Marriage and Family Therapist Section as well as the Professional Counselor Section are amending their rules based on the sections' collective experience and understanding that continuing education available to one section may be of professional benefit to the other sections.

Additionally, the Social Worker Section is amending their rules limiting allowable self-study hours and allowing an increase of up to 10 hours (from 5) of continuing education to be available in the biennium. The section reviewed a study provided by the Wisconsin Chapter of the National Association of Social Workers. The study was a poll of the amount of self-study continuing education in the various state board jurisdictions. Out of the fifty states, 41 responded. Wisconsin was the third least allowable hours in the biennium. Please find the following survey responses from the NASW:

**Comparison of the number of self study hours allowed for social workers as part of their continuing education requirements in 41 states and the District of Columbia\***

Alabama 20/30	Alaska 45/45	Arizona 10/40
Arkansas 10/48	California 36/36	District of Columbia 8/24
Florida 30/30	Georgia 5/35	Idaho 20/40
Illinois 30/30	Indiana 20/40	Iowa 12/27
Kansas 25/60	Louisiana 40/40	Maine 10/25
Maryland 10/40	Massachusetts 30/30	Minnesota 10/30
Mississippi 20/40	Missouri 15/30	Montana 0/20
Nebraska 20/32	Nevada 7.5/30	New Hampshire 20/40
New Jersey 40/40	New Mexico 10/30	North Carolina 20/40
North Dakota 30/30	Ohio 10/30	Oregon 40/40
Pennsylvania 30/30	Rhode Island 30/30	South Carolina 40/40
South Dakota 10/30	Tennessee 18/30	Texas 10/30
Utah 10/40	Vermont 10/20	Virginia 10/30
Washington 26/36	West Virginia 20/50	Wisconsin 5/30

\*Please note that some figures have been converted to represent a biennial renewal period.

**Fiscal estimate:**

The Department of Regulation and Licensing will incur the equivalent of \$1,913 costs in staff time to audit the continuing education requirements.

**Anticipated costs incurred by private sector:**

The department finds that this rule has no significant fiscal effect on the private sector.

**Effect on small business:**

These proposed rules will have no significant 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 [larry.martin@drl.state.wi.us](mailto:larry.martin@drl.state.wi.us), or by calling (608) 266-8608.

**Agency contact person:**

Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708-8935. Telephone: (608) 266-0495. Email: [pamela.haack@drl.state.wi.us](mailto:pamela.haack@drl.state.wi.us).

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

Comments may be submitted to Pamela Haack, Paralegal, Department of Regulation and Licensing, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708-8935. Email [pamela.haack@drl.state.wi.us](mailto:pamela.haack@drl.state.wi.us). Comments must be received on or before February 13, 2006, to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. MPSW 8.02 (1) is amended to read:

**MPSW 8.02 Continuing education requirements for credential holders.** (1) Unless granted a postponement or waiver under sub. (7), every social worker, advanced practice social worker, independent social worker, and clinical social worker shall complete at least 30 education hours in each 2-year credentialing period which begins on ~~July~~ March 1 of each odd-numbered year as specified in s. 457.20 (2), Stats., and shall verify compliance as part of his or her application for credential renewal.

SECTION 2. MPSW 8.03 (1m) (d) to (f) are created to read:

MPSW 8.03 (1m) (d) Any continuing education program approved, sponsored or co-sponsored by a presenter approved by the Committee for the Approval of Continuing Education Sponsors of the American Psychological Association.

(e) Any educational programs recognized as approved at the time of attendance as "Category I" continuing education programs by the Council on Medical Education of the American Medical Association or the American Osteopathic Association.

(f) Any educational programs recognized under s. MPSW 14.04 or 19.02.

SECTION 3. MPSW 8.03 (2) (e) is amended to read:

MPSW 8.03 (2) (e) Interactive internet learning courses offered by an accredited university or preapproved by the ASWB: 1 CEH per .1 CEU (continuing education unit) of instruction, ~~but no more than 16 CEHs for interactive internet courses will be accepted in any 2-year credentialing period~~ or self-study courses approved by accredited college or university schools of social work, local or national professional social work organizations, or the association of social work boards, 1 CEH per credit completed, but no more than 21 total CEHs

for interactive internet courses and self-study courses will be accepted in any 2 year credentialing period with a maximum of 10 CEHs for self-study courses and a maximum of 16 CEHs for internet courses. Self-study courses may not be used to satisfy the social work ethics requirement.

SECTION 4. MPSW 8.03 (2) (f) is repealed.

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(END OF TEXT OF RULE)  
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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.), Wis. Stats.

Dated \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Marriage and Family Therapy,  
Professional Counseling and  
Social Work Examining Board

MPSW 8.02, 8.04 CR05-120 (Continuing education- SOC) Final for adoption 5-16-06