

STATEMENT OF SCOPE

MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING BOARD

Rule No.: MPSW 1

Relating to: Substance Use Disorder Practice for Advanced Practice Social Workers and Independent Social Workers

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective is to revise chapter MPSW 1 to implement 2021 Wisconsin Act 222.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

2021 Wisconsin Act 222 authorizes individuals certified as independent social workers and advanced practice social workers to treat substance use disorder without having to apply for a specialty and satisfy additional educational and supervised training requirements.

The alternative to promulgating rules would be to not update the rules. This would leave the rules inconsistent with statutory provisions, which could create confusion with stakeholders.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

15.08(5)(b) Each examining board shall promulgate rules for its own guidance and for the guidance of the trade or 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.

457.02 (5m) This chapter does not authorize any individual who is certified under s. 457.08 (1), (2), or (3), 457.09 (1), or 457.14 (1) (a) to (c) to treat substance use disorder as a specialty unless the individual is a certified substance abuse counselor, clinical supervisor, or prevention specialist under s. 440.88, or unless the individual satisfies educational and supervised training requirements established in rules promulgated by the examining board. In promulgating rules under this subsection, the examining board shall consider the requirements for qualifying as a certified substance abuse counselor, clinical supervisor, or prevention specialist under s. 440.88.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

60 hours

6. List with description of all entities that may be affected by the proposed rule:

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Advanced Practice Social Workers and Independent Social Workers.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None. The rule is not likely to have a significant economic impact on small businesses.

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