

Chapter SFC 1

AUTHORITY AND PRACTICE

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Note: Chapter SFC 1 was created as an emergency rule effective April 26, 1993.

SFC 1.01 Authority. This chapter is adopted pursuant to ss. 15.08 (5) (b), 15.405 (7c) (d) and 227.11 (2), Stats.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.

SFC 1.02 Definitions. In chs. SFC 1 to 7, 10 to 18 and 20:

(1) "Board" means the examining board of social workers, marriage and family therapists and professional counselors.

(2) "Department" means the department of regulation and licensing.

(3) "Section" means either the social worker section, the marriage and family therapists section, or the professional counselor section of the examining board of social workers, marriage and family therapists and professional counselors.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.

SFC 1.03 Rule-making. (1) **PROCEDURE.** The board may approve and adopt rules proposed by any section of the board.

(2) **RULES COMMITTEE.** (a) *Composition.* The rules committee of the board is composed of one professional member from each section, and 2 public members. The board chair shall appoint the public members from any of the sections of the board.

(b) *Authority and responsibility.* The rules committee shall act for the board in rule-making proceedings except for final approval under sub. (1).

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.

SFC 1.04 Application procedures for all sections of the board. (1) An application for certification is incomplete until all materials requested are received by the board office, in English or accompanied by a certified English translation.

(2) An applicant for any certificate under ch. 457, Stats., shall make application on forms prescribed by both the examination provider for the examination for the certificate for which the applicant is applying and the board. The applicant may not sit for an examination unless the applicant meets the requirements of both the examination provider and the interested section of the board.

(a) The forms prescribed by the examination provider shall be supplied to the applicant by the department, but must be returned to the examination provider at least 60 days prior to the examination date for which the applicant is applying.

(b) The forms prescribed by the board shall be provided to the applicant by the department, and must be returned to the board office at least 60 days prior to the examination date for which the applicant is applying.

Note: The board's mailing address is Department of Regulation and Licensing, P.O. Box 8935, Madison, Wisconsin 53708-8935.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.

SFC 1.05 Examination provisions for all sections.

(1) The board or its designee shall administer the examinations required of applicants for certification as a social worker, advanced practice social worker, independent social worker, independent clinical social worker, marriage and family therapist or professional counselor at least once a year.

(3) The examination process consists of a 2 part examination. Part I is an examination pertaining to the profession; part II is an examination on provisions of the Wisconsin Statutes and Administrative Code that pertain to the profession. Parts I and II of the examination administered under this chapter test entry level competency in the practice area for which the credential is sought. Parts I and II of the examination seek to determine that an applicant's knowledge is sufficient to protect public health, safety and welfare.

(5) The board may deny release of grades or issuance of a certificate if the board determines that the applicant violated rules of conduct or otherwise acted dishonestly.

(6) Applicants shall pass each part of the examination. An applicant who fails either part I or part II of the examination shall retake that part of the examination. The passing grade on each part of the examination is determined by the board to represent competence sufficient to protect the public health, safety and welfare. The board may adopt the recommended passing score of the examination provider for part I of the examination.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93; r. (2) and (4), Register, October, 1998, No. 514, eff. 11-1-98.

SFC 1.06 Examination review procedure for all sections of the board. An applicant who fails an examination may request a review of the examination, as permitted by the examination provider. If a review is permitted, the following conditions apply:

(1) The applicant shall file a written request to the board within 30 days of the date on which examination results were mailed and pay the fee under s. RL 4.05.

(2) Examination reviews are by appointment only, and shall be limited to the time permitted by the examination provider for part I of the examination and 1 hour for part II of the examination.

(3) Reviews shall be conducted prior to the application deadline date for the next examination for the particular certificate category.

(4) An applicant may review part I of the examination only once.

(5) Part II of the examination may be reviewed by telephone. During a telephone review an applicant shall be provided with the statute or administrative code reference number and the topic of the test questions the applicant failed.

(6) An applicant may not be accompanied during the review by any person other than the proctors.

(7) Bound reference books shall be permitted. Applicants may not remove any notes from the area. Notes shall be retained by the proctor and made available to the applicant for use at a hearing, if desired. The proctor shall not defend the examination nor attempt to refute claims of error during the review.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.

SFC 1.07 Claims of examination error. An applicant for any certificate issued by the board who claims an error in the examination may file a written request for board review in the board office within 30 days of the date the examination was reviewed. The board shall review the claim and notify the applicant in writing of the board's decision and any resulting grade

changes. Claims of examination error which are not filed within 30 days of an examination review shall be denied. The request shall include:

- (1) The applicant's name and address.
- (2) The type of certificate applied for.
- (3) A description of the perceived error, including specific questions or procedures claimed to be in error.
- (4) The facts which the applicant intends to prove, including reference text citations or other supporting evidence for the applicant's claim.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.

SFC 1.08 Certificate renewal procedures for all sections of the board. (1) Each person granted a certificate under ch. 457, Stats., is certified for the current certification period only. To renew certification a certificate holder shall by July 1 of the odd-numbered year following initial certification and every 2 years thereafter file with the board an application for renewal on a form prescribed by the board, and submit the fee under s. 440.08 (2), Stats.

(2) A certificate holder who fails to renew certification shall cease and desist from using the title. Within 5 years following the renewal date, a certificate holder may renew the expired certifi-

cate without examination by filing with the required renewal application, the renewal fee, and the late renewal fee under s. 440.08 (3), Stats. A certificate holder who fails to renew certification within 5 years of the renewal date may be reinstated by complying with the requirements for obtaining initial certification, including educational and examination requirements which apply at the time application is made.

(3) An applicant for reinstatement of certification following disciplinary action shall meet requirements in sub. (1) and may be required to successfully complete an examination as the board prescribes. An applicant who applies for reinstatement more than 5 years after the date of the order imposing discipline against the applicant may be reinstated by complying with the requirements for obtaining initial certification, including educational and examination requirements which apply at the time the application for reinstatement is made.

(4) The certificate and certificate of biennial certification shall be displayed in a prominent place by each person while certified by the board.

(5) Every certificate holder shall notify the department, in writing, of a change of name or address within 30 days of the change.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.