

CERTIFICATE

**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Kimberly Nania, Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, do hereby certify that the annexed rules were duly approved and adopted by the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors on the 8th day of April, 1999.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 8th day of April, 1999.



Kimberly Nania, Director, Bureau of Health Service Professions, Department of Regulation and Licensing

98-053

6-1-99

STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND FAMILY
WORKERS, MARRIAGE AND FAMILY : THERAPISTS AND PROFESSIONAL
THERAPISTS AND PROFESSIONAL : COUNSELORS ADOPTING RULES
COUNSELORS : (CLEARINGHOUSE RULE 98-053)

ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to *amend* SFC 1.02 (intro.); and to *create* chapter SFC 8 relating to continuing education requirements for renewal of social worker certificates.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2), 457.03 (3) and 457.22, Stats.

Statutes interpreted: ss. 457.03 (3) and 457.22, Stats.

Wisconsin law authorizes the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to promulgate rules establishing requirements and procedures for social work certificate holders to complete continuing education programs or courses of study in order to qualify for renewal. Under s. 457.22, Stats., the rules may not require an individual to complete more than 30 hours of continuing education programs or courses of study in order to qualify for certification renewal.

The environment in which social workers' practice is rapidly changing, especially in areas related to welfare reform. The Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has concluded that protection of the public health, safety and welfare mandates that the board's authority to require continuing education of social workers be implemented.

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors creates Chapter SFC 8 relating to continuing education requirements for renewal of social worker certificates. Under ch. SFC 8, social workers, advanced practice social workers, independent social workers and independent clinical social workers are required to complete continuing education in order to renew their certificates on July 1 of every odd-numbered year. Certificate holders are required to complete at least 30 hours of continuing education in each 2-year certification period with at least 2 hours in social

work ethics and 2 hours in issues concerning professional boundaries. The Social Worker Section may also require that another 2 hours out of the minimum 30 hours required of continuing education be acquired within other specified topic areas.

The rule describes the subject matter and other criteria for continuing education programs that count towards the continuing education renewal requirement. The rule does not provide for approval of courses, instructors or course sponsors by the Board or Social Worker Section.

If the continuing education requirements are not met, certificate holders must cease and desist from using a social worker title protected under ch. 457, Stats., unless the Social Worker Section grants a postponement or waiver for prolonged illness or disability, or other extreme hardship.

Certificate holders must retain documentary evidence of continuing education hours completed for a minimum period of 4 years.

The rule provides an exemption to the continuing education renewal requirement for certificate holders who received initial social worker certification within the 2-year certification period immediately preceding their first certification renewal date. Persons who have held a similar certificate as social workers in another state and who are applying for social worker certification in Wisconsin are required to have completed 30 hours of continuing education within the 2 years immediately prior to application.

The first renewal date on which certificate holders are required to submit proof of meeting these continuing education requirements is July 1, 2001.

TEXT OF RULE

SECTION 1. SFC 1.02 (intro.) is amended to read:

SFC 1.02 **Definitions.** (intro.) In chs. SFC 1 to ~~7~~ 8, 10 to 18 and 20:

SECTION 2. Chapter SFC 8 is created to read:

Chapter SFC 8

CONTINUING EDUCATION

SFC 8.01 Continuing education required for certification renewal. On or before July 1 of every odd-numbered year every social worker, advanced practice social worker, independent social worker, and independent clinical social worker certificate holder shall, as part of his or her application for renewal, submit proof of having met the continuing education requirements specified in this chapter on forms provided by the department.

SFC 8.02 Continuing education requirements for certificate holders. (1) Unless

granted a postponement or waiver under sub. (7), every social worker, advanced practice social worker, independent social worker, and independent clinical social worker certificate holder shall complete at least 30 hours of continuing education in each 2-year certification period which begins on July 1 of each odd-numbered year as specified in s. 457.20 (2), Stats.

(a) The 30 hours of continuing education shall be in courses and programs specified in this chapter.

(b) Of the 30 required hours, at least 4 hours shall be in the subject area of social work ethics. At least 2 of the 4 hours shall be in issues concerning professional boundaries. The section may require that up to 2 continuing education hours in each 2-year certification period be acquired within other specified topic areas.

(c) In this chapter one hour of continuing education is a period of continuing education consisting of not less than 50 minutes.

(2) Continuing education hours shall apply only to the certification period in which the hours are acquired. A certificate holder who applies for renewal after the renewal date specified in s. 457.20 (2), Stats., shall submit proof to the section that he or she completed at least 30 hours of continuing education during the 2 years immediately preceding the date of application for renewal and meet the requirements for late renewal specified in s. 440.08 (3), Stats. Continuing education hours submitted to satisfy this requirement for late renewal shall not be used to satisfy continuing education requirements for a subsequent renewal.

(3) Every certificate holder shall retain original documents showing attendance at programs and completion of self-developed programs for at least 4 years from the time that credit is claimed for the continuing education program under s. SFC 8.01. At the request of the section, certificate holders shall deliver their original documents to the section.

(4) Unless granted a postponement or waiver under sub. (7), a certificate holder who fails to meet continuing education requirements by the renewal deadline shall cease and desist from using a social worker title protected under ch. 457, Stats.

(5) During the time between initial certification and commencement of a full 2-year certification period, a new certificate holder shall not be required to meet continuing education requirements for the first renewal of his or her certification.

(6) Applicants from other states applying under s. 457.15 (1), Stats., shall submit proof of completion of at least 30 hours of continuing education substantially meeting the requirements of this chapter within the 2-year certification period prior to application.

(7) A certificate holder may apply to the section for a postponement or waiver of the requirements of this chapter on grounds of prolonged illness or disability, or on other grounds constituting extreme hardship. The section shall consider each application individually on its merits, and the section may grant a postponement, partial waiver or total waiver as deemed

appropriate in the circumstances.

(8) The section may grant an exemption from the requirements of this chapter to a certificate holder who certifies to the section that he or she has permanently retired and no longer uses a social worker title protected under ch. 457, Stats. in any professional practice.

(9) A certificate holder who has been granted an exemption from the requirements of this chapter based on retirement from the active practice of social work may not return to the active practice of social work without submitting evidence satisfactory to the section that the holder completed at least 30 hours of continuing education during the 2 years immediately preceding the date of application to return to active practice and meets the requirements for late renewal specified in s. 440.08, Stats..

SFC 8.03 Continuing education programs. A continuing education program may be used to satisfy the requirements of this chapter if the subject matter of the continuing education program is one or more of the following:

- (1) Social work practice, knowledge and skills.
- (2) A field or subject area allied with and relevant to the practice of social work.
- (3) Theories and concepts of human behavior and the social environment.
- (4) Social work research, social policy and program evaluation, or social work practice evaluation.
- (5) Social policy and program administration or management.
- (6) Social work ethics.
- (7) Professional boundaries.
- (8) A subject of current importance as designated by the section.

Note: The following are examples of acceptable programs if the program covers subject matter described in this section: programs provided by public and private agencies as ongoing in-house training and development programs which meet agency mission requirements; programs by accredited college and university schools of social work; and, programs sponsored or provided by local or national professional social work associations.

SFC 8.04 Compliance. The section may conduct audits or investigations to monitor or determine compliance by certificate holders with this chapter.

(END OF TEXT OF RULE)

Effective date: This chapter first applies to the 2-year certification period commencing July 1, 1999, and the July 1, 2001 certification renewal date.

Dated 4. 8. 99.

Agency

Doug Knight

Chairperson

Examining Board of Social Workers,
Marriage and Family Therapists and
Professional Counselors

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4/7/99



State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE/MEMORANDUM

DATE: April 8, 1999
TO: Gary Poulson
Assistant Revisor of Statutes
FROM: Pamela A. Haack, Administrative Rules Coordinator
Department of Regulation and Licensing
Office of Administrative Rules
SUBJECT: Final Order Adopting Rules



**Agency: Examining Board of Social Workers, Marriage and Family Therapists
and Professional Counselors**

Clearinghouse Rule 98-053

Attached is a copy and a certified copy of a final order adopting rules relating to continuing education requirements for renewal of social worker certificates.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.