

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

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : **REPORT TO THE LEGISLATURE**
MARRIAGE AND FAMILY THERAPY, : **ON CLEARINGHOUSE RULE 06-055**
PROFESSIONAL COUNSELING AND : [s. 227.19 (3), Stats.]
SOCIAL WORK EXAMINING BOARD :

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

The department finds that the proposed rule will have no significant fiscal impact. The department also finds that this rule has no significant fiscal effect on the private sector.

IV. STATEMENT EXPLAINING NEED:

Under s. 457.035, Wis. Stats., the Professional Counselor Section may promulgate rules regarding psychotherapy. The section did so and is now seeking to repeal its previously promulgated rule because it has determined that it is unnecessary. Currently, licensed professional counselors are able to practice independently, without supervision. If the existing provision is implemented, it will require certain practitioners to obtain supervision or will require them to meet additional requirements. Additionally, if implemented, an undue burden will be placed on licensees as they would be required to take an additional examination, and provide evidence of their clinical practice and academic coursework.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on August 1, 2006. Two individuals appeared at the public hearing and spoke in support of the proposed rule. They are:

Deborah Schingen, Wisconsin Mental Health Counselors Association, Milwaukee, WI (also provided written comments)

Charles Lindsey, Sun Prairie, Wisconsin Counseling Association UW-Oshkosh, WI

Written comments, all in support of the proposed rule, were received from:

David I. Dropkin, MA, LPC & Lawrence A. Kane, MED, LPC, Co-Chairs Public Policy Taskforce, Wisconsin Association of Behavioral Health Services

Kay M. Rutherford, Ph.D., LPC, NCC, RN, Viterbo College, La Crosse, WI

Tina Flores, Counselor, Milwaukee Area Technical College, WI

Pamela Curtin, Licensed Professional Counselor, MATC, Distance Learning Support Services

Karen Guskowski, Counselor, Milwaukee Area Technical College, WI

Robert A. Kurth, MA, LPC, CADC, NCRS (National Certified Recovery Specialist), Psychotherapist, MATC, WI

Patricia Jindrich, MS, LPC, CADC-D, Personal Insights Counseling Services, Kenosha, WI

Deborah Lau Schingen, , MS, CCMHC, LCSW, LPC, Wisconsin Mental Health Counseling Association; and Inner Dynamics, Inc., Milwaukee, WI

Antonette Liddy, MS, NCC, LPC, West Allis, WI

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The recommendation suggested in the Clearinghouse Report was accepted in whole.

VIII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1), Stats.