

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

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 05-122)

ORDER

An order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board to amend MPSW 19.02 (4); and to create MPSW 19.01 (4m), (5) (b), and 19.02 (5), (6), (7) and (8), relating to continuing education credits for marriage and family therapists.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes interpreted:

Section 457.14, Stats.

Statutory authority:

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

Explanation of agency authority:

Chapter MPSW 19 sets forth the requirements for obtaining continuing education for marriage and family therapists. Each biennium marriage and family therapists are required to obtain a minimum of 30 continuing education credits, provided the coursework is sponsored by acceptable organizations or entities. However, there is no specific requirement as to what type or category of continuing education they must take. This proposed rule-making would require licensees to have a minimum of 15 credits in certain categories and would further require that at least 4 of those 15 credits be in the subject of marriage and family therapy ethics and boundaries. In addition, this amendment expands 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 Counselor Section and by the Social Worker Section. Furthermore, it increases the type of credits that will be given for continuing education including, for instance, formal presentations at professional seminars, educational

sessions at state and national conferences, interactive internet courses, and authorship in various publications.

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 social workers 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 marriage and family therapy. Additionally, this modification will permit continuing education credit to be granted to those credential holders who take courses approved by the Social Worker 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 marriage and family therapy.

SECTION 1 creates MPSW 19.01 (4m) which requires licensees to take a minimum of 15 credits in approved marriage and family therapy continuing education programs and other educational activities. Four of those 15 credits must be in the subject area of marriage and family therapy ethics and boundaries. Also, a definition of “continuing education hour” is created.

SECTION 2 amends MPSW 19.02 (4) by requiring that any course or continuing education programs offered by an accredited college or university be related to the clinical practice of marriage and family therapy.

SECTION 3 creates MPSW 19.02 (5) to (8) (intro.) and (a) to (g) 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 will be accepted. It also provides that any educational programs recognized as approved at the time of attendance as “Category I” continuing medical education programs by the Council on Medical Education of the American Medical Association or the American Osteopathic Association is acceptable. Additionally, any educational programs recognized by the Social Worker Section and the Professional Counselor Section are acceptable. Finally, if approved or recognized by one of the approved providers, credit will also be granted

for the following: Formal presentations of relevant professional material at seminars, workshops, programs or institutes, which may include formal presentation and directed discussion of videotaped material: 2 CEHs per hour of continuing education for presenters, but no additional CEHs shall be granted for subsequent presentations of the same material; University, college or vocational technical adult education courses, which may include formal presentation and directed discussion of videotaped instruction; 20 CEHs per semester hour or 13.2 CEHs per quarter hour for instructors, but no additional CEHs shall be granted for subsequent presentations of the same material; Educational sessions at state and national conferences: 2 CEHs per hour of continuing education for presenters, but no additional CEHs shall be granted for subsequent presentations of the same material; Educational telephone network (ETN) courses: 2 CEHs per hour of continuing education for presenters, but no additional CEHs shall be granted for subsequent presentations of the same material; interactive internet courses: 2 CEHs per hour of continuing education for instructors, but no additional CEHs shall be granted for subsequent presentations of the same material; Authorship of a published chapter in a textbook or professional resource book, or a professional journal: 8 CEHs; Development of alternative media, computer software, videotapes, or audiotapes: 8 CEHs.

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

There is no existing or proposed federal regulation.

Comparison with rules in adjacent states:

Illinois:

Illinois offers continuing education for teaching, publishing and presenting. Courses taken must foster the enhancement of general or specialized work in the practice of marriage and family therapy.

Michigan:

Marriage and Family Therapists do not have continuing education requirements.

Minnesota:

Minnesota allows continuing education hours for teaching, publishing and presenting. Board approval is required for any continuing education courses. Continuing education may be allowed for APA courses because the section does not disallow any courses approved or sponsored by various associations. The intent of the rules for Minnesota appears to be that it is up to the credential holder to register for courses that appear to meet Minnesota's requirement and then submit them.

Iowa:

Iowa licenses marriage and family therapists. Their rules do allow continuing education for presenting, publishing, and teaching continuing education courses. There are no rules permitting courses sponsored or approved by the APA.

Summary of factual data and analytical methodologies:

The Marriage and Family Therapist Section, in accordance with the Social Worker 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.

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, 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.

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. Comments must be received on or before February 10, 2006 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. MPSW 19.01 (4m) and (5) (b) are created to read:

MPSW 19.01 (4m) Licensees shall have a minimum of 15 credits in approved continuing education programs and other educational activities as recognized under s. MPSW 19.02 (1) to (4) during each two-year licensure period. Four of those 15 credits shall be in the subject area of marriage and family therapy ethics and boundaries.

(5) (b) In this chapter “continuing education hour” or “CEH” means a period of continuing education consisting of not less than 50 minutes.

SECTION 2. MPSW 19.02 (4) is amended to read:

MPSW 19.02 (4) Any course or continuing education program offered by an accredited college or university that is related to the clinical practice of marriage and family therapy.

SECTION 3. MPSW 19.02 (5) to (8) are created to read:

MPSW 19.02 (5) 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.

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

(7) Any educational programs recognized under s. MPSW 8.03 (1m) or 14.04.

(8) If approved or recognized by one of the entities in subs. (1) to (7), credit shall also be granted as follows for the number of CEHs specified:

(a) Formal presentations of relevant professional material at seminars, workshops, programs or institutes, which may include formal presentation and directed discussion of videotaped material: 2 CEHs per hour of continuing education for presenters, but no additional CEHs may be granted for subsequent presentations of the same material.

(b) University, college or vocational technical adult education courses, which may include formal presentation and directed discussion of videotaped instruction: 20 CEHs per semester hour or 13.2 CEHs per quarter hour for instructors, but no additional CEHs may be granted for subsequent presentations of the same material.

(c) Educational sessions at state and national conferences: 2 CEHs per hour of continuing education for presenters, but no additional CEHs may be granted for subsequent presentations of the same material.

(d) Educational telephone network (ETN) courses: 2 CEHs per hour of continuing education for presenters, but no additional CEHs may be granted for subsequent presentations of the same material.

(e) Interactive internet courses: 2 CEHs per hour of continuing education for instructors, but no additional CEHs may be granted for subsequent presentations of the same material.

(f) Authorship of a published chapter in a textbook or professional resource book, or a professional journal article: 8 CEHs.

(g) Development of alternative media, computer software, videotapes, or audiotapes: 8 CEHs.

(END OF TEXT OF RULE)

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 19.01, 19.02 CR05-122 (Continuing education-MFT) Final for adoption 5-16-06