

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

**IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
MARRIAGE & FAMILY THERAPY, : CR 13-009
PROFESSIONAL COUNSELING, :
AND SOCIAL WORK :
EXAMINING BOARD :**

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS:

None

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

Professional Counseling is not the typical name for academic programs and the statutes allow a person to qualify for a professional counseling credential if their master's degree is determined to be equivalent to a master's degree in professional counseling. The purpose for the proposed rule is to bring clarity to determining whether an academic program is equivalent to a master's degree in professional counseling. The proposed requirements are in line with the standards of the Council for Accreditation of counseling and Related Educational Programs (CACREP) and the Council on Rehabilitation Education (CORE). In addition, the proposed rule increases the number of credit hours required in a degree which is comparable to our neighboring states.

V. SUMMARY OF PUBLIC COMMENTS AND THE SECTION'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Professional Counselor Section held a public hearing on February 26, 2013. The following people either testified at the hearing, or submitted written comments:

Tammy Scheidegger, Ph.D., NCC representing Mount Mary College
Rhoda Miller, Ph.D. representing Ottawa University

The Professional Counselor Section summarizes the comments received either by hearing testimony or by written submission as follows:

Both speakers spoke in favor of the rules indicating that in their opinion they provided clarity. One speaker believed the rules would strengthen the requirements.

The Professional Counselor Section explains modifications to its rule-making proposal prompted by public comments as follows:

There were no changes prompted by public comments.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 2.d.: The board’s definition of “Supervision” is unclear when read together with other relevant code chapters using the terms “supervision,” “supervised,” and “supervisory”. For instance, how will the new definition impact interpretation of s. MPSW 12.01(1), requiring an average of one hour of supervision per week? How does it affect s. MPSW 12.04, limiting group supervision session time credited? Consider replacing imprecise verbs “describe, allow for, and provide” with “include, may be, or shall” depending on intent.

Response: The board accepted in part by modifying the definition to address the imprecise verbs. The board rejected the concern regarding the impact on the interpretation of the other sections of the rules as the board is currently promulgating rules addressing those other sections which will negate that impact.

Comment 5.f.: The final sentence of s. MPSW 10.01 (6) could be clarified to read: “The supervisory relationship further shall provide a structure for monitoring and clinical oversight of the professional services rendered by the counselor-in-training to ensure ethical delivery of services and protection of public health and welfare.”

Response: The board accepted in part. The beginning of the sentence was changed as part of the revisions the Board made in response to Comment 2.d.

All of the remaining recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

There is no economic or fiscal impact requiring submission to the SBRRB.

The proposed rule does not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats.