

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

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IN THE MATTER OF RULE-MAKING : PROPOSED 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 15-017)

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PROPOSED ORDER

An order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board to amend MPSW 16.01(1)(b) and (2)(a) relating to supervised hours for marriage and family therapists.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** s. 457.10, Stats.

**Statutory authority:** ss. 15.08 (5) (b) and 457.03 (1), Stats.

**Explanation of agency authority:**

Each board shall promulgate rules for its own guidance and the guidance of the profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular profession. s. 15.08 (5) (b), Stats.

The examining board shall upon the advice of the...marriage and family therapist section...promulgate rules establishing minimum standards for educational programs that must be completed for certification or licensure under this chapter and for supervised clinical training that must be completed for licensure as ...marriage and family therapist under this chapter and approve educational programs and supervised clinical training programs in accordance with those standards. s. 457.03 (1)

**Related statute or rule:** None

**Plain language analysis:**

Sections 1 and 2 remove a requirement which is not in statute for licensure as a marriage and family therapist. The legislature removed the requirement that the supervised marriage and family therapist practice be completed in no less than 2 years from s. 457.10, Stats. when it

inserted the 3,000 hour requirement. This amendment removes the requirement which remained in the administrative code after the statutory change.

**Summary of, and comparison with, existing or proposed federal regulation:** None

**Comparison with rules in adjacent states:**

**Illinois:** Illinois requires the completion of at least 3,000 hours of professional work experience in not less than a 2 year period and no more than 5 years.

**Iowa:** Iowa does not require the 3,000 hours of supervised practice occur during a specific timeframe.

**Michigan:** Michigan does not require the 1,000 hours of supervised practice occur during a specific timeframe.

**Minnesota:** Minnesota requires 2 years of supervised experience computed as being a minimum of 1,000 of clinical client contact over a period of not less than 24 months.

**Summary of factual data and analytical methodologies:**

The methodology was removing portions of the rule which are inconsistent with statutes.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The board posted the rule for economic comments for 14 days and received none. This rule revision brings the rule in conformity with statute and does not have an economic effect.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis is attached.

**Effect on small business:**

These proposed rules do not have an 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 Eric.Esser@wisconsin.gov, or by calling (608) 266-2435.

**Agency contact person:**

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-2377; email at Sharon.Henes@wisconsin.gov.

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Sharon.Henes@wisconsin.gov. Comments must be received on or before the public hearing to be held at 9:15 a.m. on March 30, 2015 to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. MPSW 16.01 (1) (b) is amended to read:

MPSW 16.01(1)(b) An affidavit that the applicant has completed at least 3,000 hours of marriage and family therapy practice ~~in no less than 2 years~~, including at least 1,000 hours of face-to-face client contact, under the supervision of a supervisor pursuant to s. MPSW 16.05.

SECTION 2. MPSW 16.01 (2) (a) is amended to read:

MPSW 16.01(2)(a) An affidavit that the applicant has completed at least 3,000 hours of marriage and family therapy practice ~~in no less than 2 years~~, including at least 1,000 hours of face-to-face client contact, under the supervision of a supervisor pursuant to s. MPSW 16.05.

SECTION 3. EFFECTIVE DATE. 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.), Stats.

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(END OF TEXT OF RULE)

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This Proposed Order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board is approved for submission to the Governor and Legislature.

Dated \_\_\_\_\_

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Board Chair  
Marriage and Family Therapy, Professional  
Counseling and, Social Work Examining Board