

Report From Agency

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

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
MARRIAGE AND FAMILY THERAPY, : CR 16-008
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:

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:

The rule updates the licensing requirements for marriage and family therapists, including the training certificate, temporary license, and reciprocal licenses, to correct statutory/rule inconsistencies, create clarification and to update to current standards. The rule addresses supervised practice to reflect the current practices, including the use of new technologies. The rule updates the academic program equivalent to a master's or doctorate in marriage and family therapy which has been updated since 1999.

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

The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board held a public hearing on February 15, 2016. No one testified at the hearing or submitted written comments.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 5g: Why does the proposed rule eliminate the requirement, in current s. MPSW 16.01 (1) (a) 1., that a license applicant provide a certificate of professional

education, signed and sealed by the chancellor, dean, or registrar of the school or college to prove they have met the required educational requirements?

Response: The Board recognizes that technological advances allow evidence of a graduate degree in a variety of ways. The requirement to have a certificate of professional education, signed and sealed by the chancellor, dean or registrar is outdated and does not allow for electronic submission by the school to the Board.

Comment 5h: Why does the proposed rule eliminate the requirement, in current s. MPSW 16.01 (1) (b), that the required hours of practice be completed in no less than two years? In addition, the current rule requires an affidavit stating that the required hours of practice have been completed. The proposed rule states that “evidence” must be submitted. Why is this change proposed?

Response: The “no less than two years” requirement referenced was removed in CR 15-017 due to lack of statutory authority. The legislature removed the requirement that the supervised practice be completed in no less than 2 years from s. 457.10, Stats. when it inserted the 3,000 hour requirement and CR 15-017 removed the requirement which remained in the administrative code after the statutory change. The proposed rule removes the requirement that the applicant submits an affidavit stating that the required hours of practice of been completed in order to provide other options, including electronic, to submit the proof to the Board of the completion of the supervised hours.

Comment 5i: Current s. MPSW 16.01 (1) (a) 3. allows an applicant to submit test scores from the Test Of English as a Foreign Language (TOEFL) or an equivalent score on an equivalent examination. The proposed rule allows scores only from TOEFL to be submitted. Why is this change proposed?

Response: The Board does not recognize a test other than TOEFL.

Comment 5j: Why does the proposed rule eliminate the requirement, in current s. MPSW 16.01 (1) (d), for an applicant to submit verification of the applicant’s credential in all jurisdictions in which the applicant has ever been credentialed.

Response: MPSW 16.01 applies to an applicant for an initial credential. As such the requirement for verification of credentials in other jurisdictions is not necessary. An applicant from another state is applying via reciprocity and the requirement for verification of the applicant’s credentials is part of the reciprocity application.

Comment 5l: Current s. MPSW 16.02 (intro.) and (1) specify that in order for education to be considered substantially equivalent to a degree from an accredited institution, the courses or studies making up that education must be provided by an accredited college or university. The proposed rule does not contain this requirement. The rule should set forth minimal standards for the providers of courses that may be considered to be the educational equivalent of a degree granted by an institution accredited by COAMFTE.

Response: The comment refers “a degree granted by an institution accredited by COAMFTE”, however, COAMFTE accredits the program and not the institution.

Section 457.10 (2) (b), Stats. requires the marriage and family therapist section to determine whether the degree included course work which is substantially equivalent to the course work required for a master's or doctorate degree in marriage and family therapy from a program accredited by COAMFTE. The statutory requirement does not require the institution to be an accredited college or university. The Board does not have jurisdiction over the providers of the courses. Therefore, the Board rejects the Clearinghouse recommendation that the rule should set forth minimal standards for the providers of the courses.

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:

The proposed rule does not have an economic impact on small businesses.