

**Report From Agency**

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

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**IN THE MATTER OF RULEMAKING :  
PROCEEDINGS BEFORE THE :  
MARRIAGE AND FAMILY THERAPY, : REPORT TO THE LEGISLATURE  
PROFESSIONAL COUNSELING, AND : CR 19-116  
SOCIAL WORK EXAMINING BOARD :**

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**I. THE PROPOSED RULE:**

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

**II. REFERENCE TO APPLICABLE FORMS:**

N/A

**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:**

2017 Wisconsin Act 278 enacted statutory changes to ch. 111, Stats., prohibiting a licensing agency from refusing to license an individual, or suspending a license, on the basis of a substantially related pending criminal charge, unless the charge is for one of certain specified crimes against a child or life and bodily security, or a violent crime against a child.

This rule project revises the MPSW code pertaining to applications in order to clarify that applicants are required to submit documentation of their conviction record, and are only required to submit documentation of a pending charge if it is necessary for the board to determine whether the pending charge substantially related and it involves a crime against a child or life and bodily security, or a violent crime against a child, as defined in s. 111.335, Stats.

**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 October 15, 2019. No comments were received.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

Clearinghouse did not submit any comments.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A**