

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original   <input type="checkbox"/> Updated   <input type="checkbox"/> Corrected</p>	<p>2. Date November 19, 2021</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) MPSW 11</p>	
<p>4. Subject Professional Counselor In Training License Renewals</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR   <input type="checkbox"/> FED   <input checked="" type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input type="checkbox"/> SEG   <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected 20.165(1)(g)</p>
<p>7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect   <input type="checkbox"/> Increase Existing Revenues   <input checked="" type="checkbox"/> Increase Costs   <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate   <input type="checkbox"/> Decrease Existing Revenues   <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy   <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units   <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b></p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule The current rules, specifically MPSW 11.015 (2), state that a professional counselor training license is valid for 48 months and may be renewed at the discretion of the professional counselor section. This rule project provides criteria for the Professional Counselor Section to consider when determining whether to grant a renewal of a professional counselor training license.</p>	
<p>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The rule draft was posted on the department's website for 14 days in order to solicit economic impact comments from businesses, associations representing business, local governmental units, and individuals that may be affected by the rule. No comments were received.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. None.</p>	
<p>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) No economic or fiscal impacts are anticipated for specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole. A total of \$1,660 in one time costs are anticipated to be absorbed within the operating budget of the Department of Safety and Professional Services.</p>	
<p>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule A possible benefit of implementing the rule will be to provide greater clarity for professional counselor training license holders as to whether their renewal request will be granted. It would also provide the professional counselor section with more guidance to assist in making such determinations. The alternative of implementing the rule is to not provide this additional guidance, leaving the section with broad discretion to grant or deny renewals of professional counselor training licenses.</p>	
<p>16. Long Range Implications of Implementing the Rule</p>	

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The benefit of implementing the rule will be that the Professional Counselor Section will have more guidance when reviewing training license renewals for individuals licensed in Wisconsin as professional counselors in training.

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17. Compare With Approaches Being Used by Federal Government  
None

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)  
Illinois: An individual seeking a clinical professional counselor license must graduate from a master's level degree program in counseling or similar, and complete at least 2 years of supervised practice after completing the master's program. Alternatively, an individual with a doctorate in professional counseling or similar program is required to complete at least 2 years of professional counseling experience, with at least one year completed subsequent to completing the doctorate program. Illinois does not issue a training license to individuals seeking licensure as a clinical professional counselor. [225 ILCS 107/45 (b)].

Iowa: The Board of Behavioral Science within the Iowa Department of Public Health regulates marital and family therapists and mental health counselors. Iowa law allows for temporary licensure for the purpose of fulfilling a postgraduate supervised clinical experience. The temporary licensee must notify the board immediately in writing of any proposed change in supervisor(s) and obtain approval of any change in supervisor(s). Within 30 days of completion of the supervised clinical experience, the attestation of the completed supervised experience must be submitted to the board office. The temporary licensee remains under supervision until a permanent license is issued. A temporary license for the purpose of fulfilling the postgraduate supervised clinical experience requirement is valid for three years and may be renewed at the discretion of the board. [IAC Rule 645.31.2]

Michigan: The Michigan Department of Licensing and Regulatory Affairs regulates marriage and family therapists, professional counselors, and social workers. The Department may grant a limited professional counselor license to an individual who is at least 18 years old, has received a master's or doctoral degree in counseling from a qualified program and is practicing professional counseling under the supervision of a licensed professional counselor who meets statutory requirements. [MI Admin Code R 338.1772]

A limited license may be renewed annually, but for no more than 10 years. In cases of hardship, the board may consider a request for an extension of this time period. [MI Admin Code R 338.1776 (2)]

Minnesota: The Minnesota Board of Behavioral Health and Therapy regulates licensed professional counselors (LPC) and licensed professional clinical counselor (LPCC). However, an individual does not need to have a LPC in order to apply for the LPCC. The LPCC requires completion of a master's or doctoral degree in counseling or related field determined by the board to be equivalent to a qualified counseling program, and that the individual completes graduate level clinical course as determined by the board. Additionally, an individual must have completed 4,000 hours of professional practice. [MN 148B.5301 Subd. 1, Stats.]

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19. Contact Name  
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20. Contact Phone Number  
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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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