

STATEMENT OF SCOPE

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

Rule No.: MPSW 1, 3, 5

Relating to: Examinations

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only): N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to update the Board's processes and procedures by removing obsolete provisions and clarifying and streamlining examination provisions which impact all the professions credentialed by the Board. In addition, the Board will clarify the examinations required for licensure and certification of social workers.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

There are provisions in the examination procedures which are obsolete or outdated. The Board will update the examination processes and procedures by removing obsolete provisions and clarifying and streamlining examination provisions which impact all the professions credentialed by the Board.

The Board will clarify the examinations required for licensure and certification of social workers. The Joint Committee for Review of Administrative Rules objected to a portion of CR 15-082 which provided for the elimination of the requirement that applicants for an initial credential pass an examination that tests knowledge of state laws relating to the practice. 2017 Act 357 allows the Board to require multiple examinations, including an examination on the state laws relating to the relevant practice. The Board recognizes that due to 2017 Act 357, the requirement currently in rule to pass the state law exam is no longer an unauthorized rule and can remain in the code. However, this proposed rule would update the language to clarify there are two social worker examinations rather than two parts of an examination.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

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

457.03 (1m) Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, and consistent with s. 457.16, promulgate rules establishing examination requirements for certification and licensure under this chapter.

457.03 (3) Upon the advice of the social worker section, promulgate rules establishing levels of social work practice for individuals with master's or doctoral degrees in social work, in addition to the levels of practice for which certificates are granted under s. 457.08 (2) and (3), and establishing appropriate educational, training, experience, examination, and continuing education requirements for certification and renewal of a certificate at each level of practice established in rules promulgated under this subsection.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

50 hours

6. List with description of all entities that may be affected by the proposed rule:

Applicants for marriage and family therapist, professional counselor and social worker credentials.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal. This rule is not likely to have a significant economic impact on small businesses.

Contact Person: Sharon Henes, Administrative Rules Coordinator, (608) 261-2377

Authorized Signature

Date Submitted