

STATEMENT OF SCOPE

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

Rule No.: MPSW 4, 12, 16, and 20

Relating to: Supervised practice

Rule Type: Permanent

1. Finding/nature of emergency:

N/A.

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

The objective of the proposed rule will be to revise the relevant sections of the MPSW code that refer to supervised practice and approving completion of hours to social workers, professional counselors, and marriage and family therapists who are under supervision.

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:

The Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board will review chapters MPSW 4, 12, 16, and 20 to consider an update of the current requirements for supervised practice and approving completion of hours for social workers, professional counselors, and marriage and family therapists who are under supervision in order to ensure clarity for supervisors, trainees, and employers.

The alternative to this rule would be to not change the MPSW Code sections relating to supervision and supervised practice, which will keep confusion between supervisors, trainees, and employers.

4. Detailed explanation of statutory authority for the rule:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall 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.”

Section 227.11 (2) (a), Stats., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 457.03 (1), Stats., provides that the examining board can “[u]pon the advice of the social worker 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 a clinical social worker, marriage and family therapist, or professional counselor...”

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

Approximately 80 hours.

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

Marriage and family therapist and professional counselors holding training licenses, advanced social workers and independent social workers performing clinical counseling under supervision, all eligible supervisors in charge of trainees, employers who hired trainees and supervisors.

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:

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

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