

State of Wisconsin



2021 Assembly Bill 686

Date of enactment: April 8, 2022
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2021 WISCONSIN ACT 222

AN ACT *to amend* 440.88 (3m), 457.02 (5), 457.02 (5m) and 961.385 (2) (cm) 1. (intro.) of the statutes; **relating to:** advanced practice social workers and independent social workers treating substance use disorder as a specialty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 440.88 (3m) of the statutes, as affected by 2021 Wisconsin Act 22, is amended to read:

440.88 (3m) EXCEPTION. This section does not apply to a physician, as defined in s. 448.01 (5), a clinical social worker, as defined in s. 457.01 (1r), an independent social worker, as defined in s. 457.01 (2g), an advanced practice social worker, as defined in s. 457.01 (1c), a psychologist licensed under s. 455.04 (1) or (2), a marriage and family therapist, as defined in s. 457.01 (3), or a professional counselor, as defined in s. 457.01 (7), who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her ~~license~~ credential.

SECTION 2. 457.02 (5) of the statutes is amended to read:

457.02 (5) Authorize any individual who is certified under s. 457.08 (1), ~~(2), or (3)~~, 457.09 (1), or 457.14 (1) (a) to (c) to use the title "alcohol and drug counselor" or "chemical dependency counselor" unless the individual is certified as an alcohol and drug counselor or as a chemical dependency counselor through a process recognized by the department.

SECTION 3. 457.02 (5m) of the statutes is amended to read:

457.02 (5m) Authorize any individual who is certified under s. 457.08 (1), ~~(2), or (3)~~, 457.09 (1), or 457.14 (1) (a) to (c) to treat substance use disorder as a specialty unless the individual is a certified substance abuse counselor, clinical supervisor, or prevention specialist under s. 440.88, or unless the individual satisfies educational and supervised training requirements established in rules promulgated by the examining board. In promulgating rules under this subsection, the examining board shall consider the requirements for qualifying as a certified substance abuse counselor, clinical supervisor, or prevention specialist under s. 440.88.

SECTION 4. 961.385 (2) (cm) 1. (intro.) of the statutes is amended to read:

961.385 (2) (cm) 1. (intro.) A practitioner, pharmacist, registered nurse licensed under s. 441.06, or substance abuse counselor, as defined in s. 440.88 (1) (b), or an individual ~~licensed~~ holding a credential under s. 457.08 ~~(2), (3), or (4)~~, 457.10, 457.11, 457.12, 457.13, or 457.14 (1) (d) to (f) who treats alcohol or substance dependency or abuse as a specialty, if any of the following is applicable:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."