Chapter SPS 160

APPLICABILITY AND DEFINITIONS

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Note: Chapter RL 160 was created as an emergency rule effective 9–10–07. Chapter RL 160 was renumbered chapter SPS 160 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

SPS 160.01 Authority. Chapters SPS 160 to 168 are adopted pursuant to s. 227.11 (2), Stats., and subch. VIII of ch. 440, Stats.

History: CR 07–031: cr. Register November 2007 No. 623, eff. 12–1–07; correction made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671; CR 14–059: am. Register May 2015 No. 713, eff. 6–1–15.

SPS 160.015 Applicability. (1) Except as provided in sub. (2), no person may represent himself or herself to the public as a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist or use in connection with his or her name a title or description that conveys the impression that he or she is a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist unless he or she is so certified under s. 440.88, Stats.

(2) Chapters SPS 160 to 168 do not apply to any of the following:

(a) A physician, as defined in s. 448.01 (5), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

(b) A clinical social worker, as defined in s. 457.01 (1r), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

(c) A licensed psychologist, as defined in s. 990.01 (31m), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

(d) 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 licensure.

(e) The preparation of a patient for substance use disorder treatment by referral, the treatment of a patient for substance use disorder until a referral for substance use disorder treatment is completed, and the continuation of treatment with the nonsubstance use disorder issues of a person, when performed by a mental health provider practicing within the scope of his or her credential.

History: 2017 Wis. Act 262: cr. Register April 2018 No. 748, eff. 5–1–18; **correction in (2) (c) made under s. 13.92 (4) (b) 7., Stats., Register January 2023 No. 805.**

SPS 160.02 Definitions. In chs. SPS 160 to 168:

(1) "Accredited" means accredited by an accrediting agency recognized by the U.S. Department of Education.

(2) "Assessment" means the process and procedures by which a counselor or service identifies and evaluates an individual's strengths, weaknesses, problems and needs in order to develop a treatment plan for the individual.

(2m) "Assessment training" means education on the comprehensive process of collecting pertinent data about patients or patient systems and their environment, and appraising the data as a basis for making decisions regarding substance use disorder diagnosis and treatment or referral. The education shall consist of culturally inclusive studies in understanding addiction, psychopharmacology, recognition and differentiation of co–occurring medical and psychological disorders, clinical evaluation, and treatment planning.

(3) "Behavioral science field" means any of the following:

(a) Health science.

(b) Psychology.

(c) Sociology.

(d) Criminal justice.

(e) Social work.

(f) A field approved by the department.

(g) Marriage and family therapy, as defined in s. 457.01 (5), Stats.

(h) Professional counseling, as defined in s. 457.01 (6), Stats.

(3m) "Case management" means education on culturally appropriate administrative, clinical, and evaluative activities included in the process of coordinating and prioritizing patient treatment goals and working with the patient and significant others, as well as other services, agencies, and resources to achieve those treatment goals. The education shall include studies in implementing treatment plans including continuing assessment, the referral process, service coordination, including for co–occurring medical and psychological disorders, record management and documentation, and utilizing the written client record to guide and monitor services to reach measurable goals and objectives.

(4) "CEH" means continuing education hour.

(5) "Clinical substance abuse counselor" means an individual who holds a clinical substance abuse counselor certificate granted by the department.

(6) "Clinical supervision" means a specific and definitive process of oversight of a counselor's professional development in the didactic, experiential and application of the transdisciplinary foundations, and practice dimensions including core functions. Supervision takes place in intermittent in person contact between a clinical supervisor and a counselor provided on or off the site of a service to ensure that each patient has an individualized treatment plan and is receiving quality care. A primary purpose of "clinical supervision" is to ensure quality patient care.

(7) "Clinical supervisor" means an individual who holds a clinical supervisor–in–training certificate, an intermediate clinical supervisor certificate or an independent clinical supervisor certificate granted by the department.

(8) "Clinical supervisor–in–training" means an individual who holds a clinical supervisor–in–training certificate granted by the department.

(10m) "Counseling training" means education that includes the study of fundamental theories, principles, and techniques of substance use disorder counseling to facilitate the progress of diverse patients toward mutually determined treatment goals and objectives using culturally sensitive modalities. Counseling education shall include studies of understanding addiction, recognized treatment theory and practice, the recovery process, effective strategies for meeting the counseling needs of diverse

patients, crisis management skills, and awareness of co−occurring medical and psychological disorders.

(11) "Credential" means a certificate or license granted by the department.

(12) "Department" means the department of safety and professional services.

(13) "DSM" means the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

(15) "Hour" for purposes of the educational requirement means a period of education consisting of no less than 50 minutes.

(17) "Independent clinical supervisor" means an individual who holds an independent clinical supervisor certificate granted by the department.

(18) "Intermediate clinical supervisor" means an individual who holds an intermediate clinical supervisor certificate granted by the department.

(19) "Patient" means an individual who has completed the screening, placement and intake process and is receiving substance use disorder treatment services.

(19m) "Patient education" means education about the process of providing patients, groups, families, couples, significant others, and communities with information on risks related to substance use, the processes of dependence including signs, symptoms, and behavior patterns, and available resources for prevention, treatment, and recovery in culturally relevant ways. The education shall include studies in understanding addiction including addiction to nicotine, the classification and basic pharmacology of drugs, basic physiology and the effects of drug use on the human body and patient, learning styles and teaching methods, delivery of educational programs, health and behavior problems related to substance use including transmission of HIV/AIDS, tuberculosis, sexually transmitted infections, and other infectious diseases, and basic life skills such as stress management, communication, and assertiveness.

(20) "Practice dimensions" means the 8 counselor practice dimensions used to effectively treat substance use disorders. They are:

(a) Clinical evaluation.

(b) Treatment planning.

(c) Referral.

(d) Service coordination.

(e) Counseling.

(f) Patient, family and community education.

(g) Documentation.

(h) Professional and ethical responsibilities.

(21) "Prevention" means a pro−active process of promoting supportive institutions, neighborhoods and communities that foster an environment conducive to the health and well being of individuals and families. Prevention may be targeted to specific populations or the larger community by any of the following:

(a) Promoting knowledge, attitudes, skills, values and relationships conducive to the health and well being of individuals and families.

(b) Promoting personal competence, significance and empowerment.

(c) Promoting responsibility, judgment, communication and conflict resolution.

(d) Promoting cultural competency and sensitivity to differences.

(e) Promoting community−wide asset building initiatives.

(f) Promoting healthy support systems in families, schools, workplaces and communities.

(g) Promoting healthy lifestyles and resistance to physical and psychological illness or psychological injury.

(h) Involving citizens in creating cultural changes related to health and wellness.

(i) Counteracting harmful circumstances such as substance use, health and safety hazards, isolation, violence, economic hardship and inadequate housing, childcare, transportation, education or social services.

(23) "Prevention specialist" means an individual who holds a prevention specialist certificate granted by the department.

(24) "Prevention specialist−in training" means an individual who holds a prevention specialist−in−training certificate granted by the department.

(24m) "Professional responsibility" means education that addresses standards of conduct or professional behavior expectations for counselors, supervisors, and prevention workers. Professional behavior areas to be studied shall include, at a minimum, legal issues specific to substance use disorder professional practice, patient welfare as a primary concern, responsibility for professional competence and professional development, participation in ongoing supervision and consultation, counselor values and self−care, relationships with other professionals and institutions, and the establishment of limits and boundaries in the patient relationship. This education shall also address the impact of specific cultural, ethnic, and racial influences and expectations.

(25) "Substance" means a psychoactive agent or chemical which principally affects the central nervous system and alters mood or behavior.

(26) "Substance abuse counselor" means an individual who holds a substance abuse counselor certificate granted by the department.

(27) "Substance abuse counselor−in−training" means an individual who holds a substance abuse counselor−in−training certificate granted by the department.

(28) "Substance use disorder" means the existence of a diagnosis of "substance use disorder" listed in the most current edition of DSM.

History: CR 07−031: cr. Register November 2007 No. 623, eff. 12−1−07; correction in (intro.), (9), (12) made under s. 13.92 (4) (b) 6., 7., Stats., Register November 2011 No. 671; 2017 Wis. Act 262: cr. (2m), (3) (g), (h), (3m), am. (6), r. (9), (10), cr. (10m), r. (14), (16), cr. (19m), r. (22), cr. (24m), am. (28), r. (29) Register April 2018 No. 748, eff. 5−1−18.

SPS 160.03 Use of title. Except as consistent with s. SPS 160.015 (2), a person may use the title "addiction counselor," "substance abuse counselor," "alcohol and drug counselor," "substance use disorder counselor" or "chemical dependency counselor" only if he or she is certified as a substance abuse counselor, or as a clinical substance abuse counselor under s. 440.88, Stats.

History: CR 07−031: cr. Register November 2007 No. 623, eff. 12−1−07; 2017 Wis. Act 262: am. Register April 2018 No. 748, eff. 5−1−18.