

STATE OF WISCONSIN
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : MARRIAGE AND FAMILY THERAPY,
MARRIAGE AND FAMILY THERAPY, : PROFESSIONAL COUNSELING AND
PROFESSIONAL COUNSELING AND : SOCIAL WORK EXAMINING BOARD
SOCIAL WORK EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 05-098)

ORDER

An order of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board to amend MPSW 3.13 (3) (a), relating to human services internship requirements for a social worker training certificate.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes interpreted:

Sections 457.08 and 457.09 (4) (b) 1. and (4m), Stats.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) and 457.03 (1) and (3), Stats.

Explanation of agency authority:

Section MPSW 3.13 (3) requires that individuals who hold a social worker training certificate complete either an internship or a year's employment before being eligible to receive their social worker certification. There is no specific requirement for the number of hours that must be completed for the internship; however, the rule does set forth certain criteria that must be met. In addition to those criteria, this proposal will ensure greater uniformity among internship programs by requiring a minimum number of hours within each one.

Related statute or rule:

There are no other related statutes or rules other than those listed above

Plain language analysis:

SECTION 1. Section MPSW 3.13. (3) (a) is amended to include an explicit hourly requirement for the completion of an internship which is undertaken while holding a social worker training certificate. Presently, there are two ways in which to obtain a social worker certificate. The first option requires an applicant to have obtained a bachelor's or master's degree in social work. The second way permits an applicant who does not hold a degree in social work to complete certain "equivalency" requirements while holding a social worker training certificate. Included among those requirements is the completion of either a human services internship or one year of social work employment. The human services internship must involve direct practice with clients and must be supervised by a social worker. However, the existing rule does not specify an exact number of hours necessary to successfully complete the internship. Nevertheless, a review of 13 accredited baccalaureate social degree programs in Wisconsin all require internships of at least 400 hours or more. Because those programs include that hourly requirement and because the underlying purpose of the training certificate is to ensure that those individuals without bachelor's degrees in social work obtain training to ensure they are minimally competent to practice as social workers, this addition is being proposed. Furthermore, this addition makes the rule consistent with the 400 hours that are required for applicants who opt to pursue social work employment under a training certificate as opposed to an internship.

Summary of, and comparison with, existing or proposed federal regulation:

There is no existing or pending federal regulation relating to internship requirements for social worker training certificate applicants.

Comparison with rules in adjacent states:**Illinois:**

Illinois does not appear to have a social worker training certification provision.

Iowa:

Iowa does not appear to have a social worker training certificate provision.

Michigan:

As of July 1, 2005, Michigan requires applicants to obtain either a bachelor's or master's degree in social work, and therefore does not appear to have a "training certificate" provision.

Minnesota:

Minnesota does not appear to have a social worker training certificate provision.

Summary of factual data and analytical methodologies:

The Social Worker Section has taken into consideration the accreditation standard of the Council on Social Work Education (CWSE) set for the length of field education. The CWSE standard for accredited field programs for a baccalaureate Social Work program is 400 hours. It is the Section's determination that 400 hours is the minimum length of internship required to gain a minimal competency of skills required under the field internship.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:

The Department of Regulation and Licensing has created a small business review advisory committee. The committee consists of representatives of a variety of small business and geographic locations. This proposed rule was reviewed by the advisory committee. The committee found that the rule would not have a significant economic impact on small business.

This conclusion is supported by an analysis by department staff. A social work training certificate is a temporary certificate that allows limited practice ability and requires supervision of that practice by a more experienced, licensed professional. It is inconceivable that holders of training certificates would be self-employed in a small business setting.

In 2005, approximately 300 training certificates were active. Approximately 160 were issued in 2005. Holders of training certificates may then follow one of two paths to full certification. The first option is one year of social work employment. Training certificate holders that follow this career path are not affected by this rule change. The second option is the human services internship. It is only those training certificate holders that follow this career path that would be affected. Department credentialing staff estimates that less than 25% of all training certificate holders pursue the internship pathway.

Section 227.137, Stats., requires an "agency" to prepare an economic impact report before submitting the proposed rule-making order to the Wisconsin Legislative Council. The Department of Regulation and Licensing is not included as an "agency" in this section.

Fiscal estimate:

The proposed rule will have no impact on the department's funds.

Anticipated costs incurred by private sector:

The department finds that this rule has no significant fiscal effect on the private sector.

Effect on small business:

These proposed rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at larry.martin@drl.state.wi.us, or by calling (608) 266-8608.

Agency contact person:

Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, Room 171, P.O. Box 8935, Madison, Wisconsin 53708-8935. Telephone: (608) 266-0495. Email: pamela.haack@drl.state.wi.us.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935; email pamela.haack@drl.state.wi.us. Comments must be received on or before November 4, 2005 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. MPSW 3.13 (3) (a) is amended to read:

MPSW 3.13 (3) (a) A human services internship of at least 400 hours that was part of the program leading to the degree the certificate holder specified to satisfy the requirement in s. 457.09 (1) (c) and (4m) (b), Stats., or completed while holding the training certificate, and involved direct practice with clients and that was supervised by a social worker certified under s. 457.08, Stats., and who has a bachelor's or master's degree in social work and provides direct, on-site supervision of the intern.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Wis. Stats.

Dated _____

Agency _____

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

MPSW 3.13(3)(a) CR05- (Internship-400 hours) Final Draft for Adoption 7-11-06