



**STATE OF WISCONSIN**

Department of Safety and Professional Services

1400 E Washington Ave.

Madison WI 53703

**Governor Scott Walker**

**Secretary Dave Ross**

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**PROFESSIONAL COUNSELOR SECTION,**  
**OF THE**  
**MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING**  
**AND SOCIAL WORK EXAMINING BOARD**  
**Contact: Dan Williams (608) 266-2112**  
**Room 121A, 1400 E. Washington Avenue, Madison**  
**MAY 22, 2013**

*Notice: The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Section.*

**9:00 A.M.**

**OPEN SESSION - CALL TO ORDER – ROLL CALL**

- A. **Approval of Agenda (1-2)**
- B. **Approval of Meeting Minutes of April 8, 2013 (3-6)**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.)**

- C. **Deliberation of Proposed Final Decision and Orders**
  - 1) Ann Thompson (13 CPC 002) **(7-14)**
- D. Monitoring Matters
- E. Review of Applications
- F. Division of Legal Services and Compliance
  - 1) Case Status Report
  - 2) Case Closings
- G. Consulting with Legal Counsel
- H. Deliberation of Items Received **After Preparation** of the Agenda:
  - 1) Deliberation on Class 1 Hearings
  - 2) Application Issues and/or Reviews
  - 3) Professional Assistance Procedure (PAP)
  - 4) Monitoring Matters

- 5) Proposed Stipulations, Final Decisions and Orders
- 6) Administrative Warnings
- 7) Review of Administrative Warning
- 8) Orders Fixing Costs/Matters Related to Costs
- 9) Proposed Final Decisions and Orders
- 10) Petitions for Summary Suspension
- 11) Petitions for Re-hearings
- 12) Education and Examination Matters
- 13) Credential Issues
- 14) Supervisor Approvals
- 15) Appearances from Requests Received or Renewed
- 16) Motions

**12:00 P.M. (OR IMMEDIATELY FOLLOWING CLOSED SESSION)**

**RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**Voting on Items Considered or Deliberated on in Closed Session, if Voting is Appropriate**

**I. Administrative Matters – Discussion and Consideration**

- 1) Paperless Update
- 2) Staff Update

**J. Legislation/Administrative Rule Matters Update – Discussion and Consideration**

- 1) Executive Order 61
- 2) Drafting Amendments to Admin Rule MPSW 10, 11, 12, and 14 Relating to License Education, Examination, and Supervised Practice **(15-26)**

**K. Items Received After Preparation of the Agenda:**

- 1) Introductions, Announcements and Recognition
- 2) Presentations of Petition(s) for Summary Suspension
- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 4) Presentation of Proposed Final Decision and Order(s)
- 5) Informational Item(s)
- 6) Division of Legal Services and Compliance (DLSC) Matters
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Approvals for Psychometric Testing
- 10) Class 1 Hearings
- 11) Practice Questions/Issues
- 12) Legislation/Administrative Rule Matters
- 13) Liaison Report(s) (Coalition Report/WAMFT Report)
- 14) Speaking Engagement(s), Travel, or Public Relation Request(s)

**L. Public Comments**

**ADJOURNMENT**

**PROFESSIONAL COUNSELOR SECTION  
APPLICATION REVIEW MINUTES  
APRIL 8, 2013**

**PRESENT:** Charles Lindsey, Leslie Mirkin, Allison Gordon

**STAFF:** Matthew C. Niehaus, Bureau Assistant

**CALL TO ORDER**

Charles Lindsey called the meeting to order at 9:10 a.m. A quorum of three (3) members was present.

**ADOPTION OF AGENDA**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to approve the agenda as published. Motion carried unanimously.

**CONVENE TO CLOSED SESSION**

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to adjourn to closed session pursuant to Wisconsin Statutes 19.85(1)(a)(b)(f) and (g), to review applications, deliberate on proposed stipulations, deliberate on administrative warnings; deliberate on hearings or appearances for denial of applications; review monitoring cases; review DSPS cases, and consult with legal counsel. Roll Call Vote: Charles Lindsey-yes; Allison Gordon-yes; and Leslie Mirkin-yes. Motion carried unanimously.

The Section convened into Closed Session at 9:11 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to reconvene into open session. Motion carried unanimously.

The Section reconvened into Open Session at 10:36 a.m.

**ADJOURNMENT**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to adjourn the meeting. Motion carried unanimously,

The meeting adjourned at 10:37 a.m.

**PROFESSIONAL COUNSELORS SECTION  
MEETING MINUTES  
APRIL 8, 2013**

**PRESENT:** Charles Lindsey, Leslie Mirkin, Allison Gordon

**ABSENT:** Nancy Clark

**STAFF:** Dan Williams, Executive Director; Matthew C. Niehaus, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Charles Lindsey, Chair, called the meeting to order at 10:53 p.m. A quorum of three (3) members was present.

**APPROVAL OF AGENDA**

- Item H (Open Session) – **ADD** Item “H-8: Credentialing Matters – Appointment of Liaisons”
- Item H (Open Session) – **ADD** Item “H-12: Right the Rules”
- Item H (Open Session) – **ADD** Item “H-14: NBCC Annual Meeting”
- Item L (Closed Session) – **ADD** Item “L-1: 12 CPC 088 – Kristin E. Marchese”

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MEETING MINUTES OF FEBRUARY 26, 2013**

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to approve the minutes of February 26, 2013 as published. Motion carried unanimously.

**WINONA STATE REQUEST**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, that Charles Lindsey contact Winona State University on the Section’s behalf to clarify the matter of educational requirements for licensure as a Licensed Professional Counselor and a Licensed Professional Counselor in training in the state of Wisconsin. Motion carried unanimously.

**POSITION STATEMENTS**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to approve the revisions made to the Position Statements contained within the meeting agenda packet. Motion carried unanimously.

## **UW-STOUT LETTER OF INQUIRY**

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to request DSPS staff craft a letter for Section signature to respond to the letter of inquiry from UW-Stout and that the letter will be placed upon the Section's next meeting agenda for review by the Section members. Motion carried unanimously.

## **LEGISLATION/ADMINISTRATIVE RULE MATTERS**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to table discussion and consideration of Executive Order 61 until the next Professional Counselors Section meeting. Motion carried unanimously.

## **APPOINTMENT OF LIAISONS**

**MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, to recognize that Charles Lindsey has appointed Allison Gordon as a credentialing liaison. Motion carried unanimously.

## **RIGHT THE RULES**

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to designate Charles Lindsey as the Section's representative to address any issues relating to Right the Rules. Motion carried unanimously.

## **CLOSED SESSION**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g), to consult with legal counsel to deliberate on proposed stipulations, deliberate on administrative warnings, deliberate on monitoring issues, application review, monitoring report and DOE case status reports. Roll Call Vote: Allison Gordon-yes; Charles Lindsey-yes; and Leslie Mirkin-yes. Motion carried unanimously.

The Board convened into Closed Session at 3:14 p.m.

## **RECONVENE TO OPEN SESSION**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:42 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION,  
IF VOTING IS APPROPRIATE**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to affirm all motions made in closed session. Motion carried unanimously.

**MONITORING MATTERS**

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to grant the request of Bradley W. Knapp, L.P.C. for Termination of Suspension and restoration of licensure with limitations upon meeting all other requirements for renewal. The Section designates Leslie Mirkin to work with the Department Monitor to determine limitations for licensure in regard to Bradley W. Knapp, L.P.C. Motion carried unanimously.

**DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Kristin E. Marchese (12 CPC 088). Motion carried unanimously.

**DIVISION OF LEGAL SERVICES AND COMPLIANCE**

**Case Closings**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to close case number 12 CPC 084 for Insufficient Evidence (IE). Motion carried unanimously.

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to close case number 13 CPC 005 for Compliance Gained (P2). Motion carried unanimously.

**REQUEST OF EXTENSION OF TIME TO COMPLETE THE CE REQUIRED FOR  
2013 RENEWAL**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to grant the request of J.B. for extension of time to complete the continuing education required for 2013 renewal until July 1, 2013. The continuing education hours shall not be counted for purposes of the 2013-2015 certification period. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:46 p.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Sharon Henes</b> <b>Paralegal</b>		<b>2) Date When Request Submitted:</b> <i>21 March 2013</i>	
		Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b> Professional Counseling Section			
<b>4) Meeting Date:</b>  <b>8 April 2013</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  <b>Drafting amendments to Admin Rule MPSW 10, 11, 12, 14 relating to license education, examination, and supervised practice</b>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</b>  <input type="checkbox"/> Yes by _____ (name)  <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>			
<b>11) Authorization</b>			
<i>Sharon Henes</i>		<i>20 March 2013</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Bureau Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> <ol style="list-style-type: none"> <li>1. This form should be attached to any documents submitted to the agenda.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.</li> <li>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

## Timeline for Promulgation of MPSW 10, 11, 12, 14

April 8, 2013	Start rule drafting
July 23, 2013	Finalize rule draft
October 21, 2013	Public Hearing

# STATEMENT OF SCOPE

## MARRIAGE & FAMILY THERAPY, PROFESSIONAL COUNSELORS, SOCIAL WORK EXAMINING BOARD

Rule No.: MPSW 10, 11, 12, 14

Relating to: Licensure, education, examination, supervised practice, continuing education

Rule Type: Permanent

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

N/A

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

The proposed rule would update the licensing requirements for the training certificate, temporary license, and reciprocal licensure to correct statutory/rule inconsistencies, create clarification and to update to current standards. The proposed rule would also address supervised practice to reflect the current practices, including the use of new technologies. In addition, the proposed rule would update the continuing education to reflect current continuing education programs, including technological methods of delivery. The proposed rule would update the academic program equivalent to a doctorate in professional counseling which has not been updated since 1999.

**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:**

Currently there is inconsistency between the statute and rule as it relates to temporary license. The proposed rule would bring the rule in line with the statute. The training certificate and reciprocal license rules need clarification and updating.

Currently the supervised practice requirements do not address current practices, including the use of new technologies during supervision.

Updating the continuing education requirements will create clarity and utilize current technological methods of delivery of the continuing education.

The academic program equivalent to a doctorate in professional counseling is not current with education standards in the area of professional counseling. The rule would update the requirements to reflect the minimum education required for a program to be equivalent to a doctoral degree in professional counseling.

The alternative to the proposed changes would be to continue to have statutory/rule inconsistencies, lack of clarity in the rules, continual prohibition regarding the use of current technologies in supervised practice and continuing education and doctoral education standards which are not equivalent to a doctoral degree in professional counseling.

**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(1) Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, promulgate rules establishing minimum standards for educational programs that must be

Rev. 12/20/2011

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 under this chapter and approve educational programs and supervised clinical training programs in accordance with those standards.

§ 457.22 Continuing education (1) The examining board may do any of the following: (c) Upon the advice of the professional counselor section, promulgate rules establishing requirements and procedures for professional counselors to complete continuing education programs or courses of study in order to qualify for renewal.

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

100 hours

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

Applicants and licenses

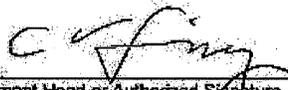
**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None

**8. Anticipated economic impact of implementing the rule:**

Minimal

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

  
\_\_\_\_\_  
Department Head or Authorized Signature

11/8/13  
\_\_\_\_\_  
Date Submitted

## Chapter MPSW 10

### DEFINITIONS FOR PRACTICE OF PROFESSIONAL COUNSELING

#### MPSW 10.01 Definitions.

**Note:** Chapter SFC 10 was created as an emergency rule effective April 26, 1993.

**Note:** Chapter SFC 10 was renumbered ch. MPSW 10 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register October 2002 No. 562.

**MPSW 10.01 Definitions.** In chs. MPSW 10 to 14:

(1) "Client" means the individual, family, group, business, agency, school, organization, or association for whom the license holder provides professional services for which the license holder is usually and customarily compensated. The term "client" includes the term and concept of "patient."

(1m) "DSM" refers to the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders.

(3m) "Psychotherapy" has the meaning given in s. 457.01 (8m), Stats. Specifically, psychotherapy involves diagnosing DSM conditions and treating persons with DSM diagnoses.

(5) "Regionally accredited college or university" means a college or university which is accredited by any of the following bodies: the New England association of schools and colleges, the

middle states association of colleges and schools, the north central association of colleges and schools, the northwest association of schools and colleges, the southern association of colleges and schools, the western association of schools and colleges. Applicants for licensure shall prove that the college or university at which the applicant completed course work on which the applicant relies for licensure eligibility was regionally accredited at the time the applicant completed the course work.

(6) "Supervision" means the direction of professional counseling practice in face-to-face individual or group sessions lasting an average of at least one hour between the person whose practice is being supervised and the person who is providing the supervision of the practice, during each week that the person seeking licensure practices professional counseling.

**History:** Cr. Register, November, 1993, No. 455, eff. 12-1-93; renum. (2) to (6) to be (4) to (8), cr. (2) and (3), Register, January, 1995, No. 469, eff. 2-1-95; CR 02-150: am. (1), (5) and (6), r. (4), (7) and (8), Register October 2002 No. 562, eff. 11-1-02; CR 03-058: cr. (1m) and (3m) Register June 2004 No. 582, eff. 7-1-04; CR 07-048: r. (2) and (3) Register March 2008 No. 627, eff. 4-1-08.

## Chapter MPSW 11

### APPLICATION FOR PROFESSIONAL COUNSELOR LICENSURE

MPSW 11.01 Application for licensure as a professional counselor.  
 MPSW 11.015 Application for a professional counselor training license.  
 MPSW 11.02 Examination required.

MPSW 11.035 Temporary license.  
 MPSW 11.04 Reciprocal license.

**Note:** Chapter SFC 11 was created as an emergency rule effective April 26, 1993.  
**Note:** Chapter SFC 11 was renumbered ch. MPSW 11 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register October 2002 No. 562.

**MPSW 11.01 Application for licensure as a professional counselor. (1)** In addition to paying the fee under s. 440.05 (1), Stats., an applicant for licensure as a professional counselor shall submit the completed, signed application form and:

(a) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with an approved degree. An applicant who does not have a master's or doctoral degree in professional counseling shall be considered for licensure as a professional counselor upon the professional counselors section's receipt of a complete description of the academic program which the applicant proposes as the equivalent of a master's or doctoral degree in professional counseling. The professional counselors section may request additional information as necessary to complete the evaluation of the applicant's academic program for compliance with s. MPSW 14.01 or 14.02.

(b) Verification that the institution which awarded the degree was a regionally accredited college or university, or accredited by the commission for accreditation of counseling and related educational programs (CACREP), or the council on rehabilitation education (CORE) at the time the applicant graduated from the school, or that a degree awarded by a foreign institution of higher learning has been determined by the National Board for Certified Counselors (NBCC) or by another organization approved by the section to be equivalent to a degree from a program accredited by CACREP. If the applicant's education was not received in English, the applicant must demonstrate proficiency in English by achieving a score of 550 (or 213 on the computer-based exam) or above on the Test Of English as a Foreign Language (TOEFL) or an equivalent score on an equivalent examination.

(c) An affidavit from the applicant that the applicant has, after receiving a master's or doctoral degree, completed the required period of supervised practice under the supervision of a person qualified to supervise the applicant's practice.

(d) Verification of successful completion of the examination required.

(e) Verification of the applicant's credential in all jurisdictions in which the applicant has ever been credentialed.

(f) If the applicant has been convicted of a crime, or of a traffic offense which did or could result in the suspension or revocation of his or her driver's license, or the applicant has such charges pending against him or her, the applicant has disclosed all information necessary for the section to determine whether the circumstances of the pending charge or conviction are substantially related to the duties of the practice under the license.

**(2)** An applicant may submit, but is not required to submit, evidence of certification by a professional organization.

**History:** Cr. Register, November, 1993, No. 455, eff. 12-1-93; CR 02-105: am. (1) (intro.), (a), (e) and (f) Register October 2002 No. 562, eff. 11-1-02; CR 03-090: am. (1) (b) Register June 2004 No. 582, eff. 7-1-04; CR 08-088: am. (1) (b) Register June 2009 No. 642, eff. 7-1-09.

**MPSW 11.015 Application for a professional counselor training license. (1)** The professional counselor section shall grant a professional counselor training license to any individual who does all of the following:

(a) Submits a completed, signed application form.

(b) Pays the fee specified in s. 440.05 (6), Stats.

(c) Satisfies the requirements in s. 457.12 (2), Stats.

(d) Submits evidence satisfactory to the professional counselor section of one of the following:

1. The applicant is in a position or has an offer for a position as a professional counselor in a supervised clinical professional counseling practice.

2. The applicant is in a position or has an offer for a position in which the applicant will, in the opinion of the professional counselor section, receive training and supervision equivalent to the training and supervision received in a supervised clinical professional counseling practice.

**(2)** A professional counselor training license is valid for 48 months and may be renewed at the discretion of the professional counselor section.

**History:** Cr. Register, January, 1995, No. 469, eff. 2-1-95; CR 01-027: m. to be (1), cr. (2), Register December 2001 No. 552, eff. 1-1-02; CR 07-048: r. and recr. Register March 2008 No. 627, eff. 4-1-08.

**MPSW 11.02 Examination required.** An applicant for licensure as a professional counselor shall take and pass the Wisconsin statutes and rules examination, and one of the following: the National Counselor Examination, the National Counselor Mental Health Certification Examination, the Certified Rehabilitation Counselor examination, or another examination approved by the section. Both parts of the examination may be taken prior to the completion of the required period of supervised practice.

**History:** Cr. Register, November, 1993, No. 455, eff. 12-1-93; CR 02-105: am. Register October 2002 No. 562, eff. 11-1-02; CR 06-054: am. Register December 2006 No. 612, eff. 1-1-07.

**MPSW 11.035 Temporary license.** The professional counselor section may issue a temporary license permitting an individual who pays the fee under s. 440.05 (6), Stats., and who meets all the qualifications for the license except for passing the required examination to use the title "professional counselor" and to practice professional counseling. The temporary license expires 9 months after its issuance or upon notification of failure of passing the required examination under s. 457.12 (4), Stats., whichever occurs earlier. The temporary license may not be renewed.

**History:** Cr. Register, October, 1998, No. 514, eff. 11-1-98; CR 02-105: am. Register October 2002 No. 562, eff. 11-1-02.

**MPSW 11.04 Reciprocal license.** The professional counselor section shall grant a license as a professional counselor under s. 457.12, Stats., to an applicant who pays the fee required by s. 440.05 (2), Stats., and provides evidence of all of the following to the section:

**(1)** The applicant has a current credential as a professional counselor or the substantial equivalent in good standing in another state or territory of the United States.

(2) The requirements for the grant of the credential in the other state or territory of the United States are substantially equivalent to the requirements for the grant of a license under s. 457.12, Stats.

(3) The applicant has disclosed all discipline ever taken or currently pending against the applicant or any professional credential held by the applicant by any credentialing authority of any state or territory of the United States.

(4) If the applicant has been convicted of a crime, or of a traffic offense which did or could result in the suspension or revocation of his or her driver's license, or the applicant has such charges

pending against him or her, the applicant has disclosed all information necessary for the section to determine whether the circumstances of the pending charge or conviction are substantially related to the duties of practice under a professional counselor license.

(5) The applicant passes an examination approved by the professional counselor section that tests knowledge of state law relating to professional counseling.

**History:** Cr. Register, November, 1994, No. 467, eff. 12-1-94; CR 02-105: am. (intro.), (2) and (4), cr. (5), Register October 2002 No. 562, eff. 11-1-02.

## Chapter MPSW 11

### APPLICATION FOR PROFESSIONAL COUNSELOR LICENSURE

MPSW 11.01 Application for licensure as a professional counselor.  
 MPSW 11.015 Application for a professional counselor training license.  
 MPSW 11.02 Examination required.

MPSW 11.035 Temporary license.  
 MPSW 11.04 Reciprocal license.

**Note:** Chapter SFC 11 was created as an emergency rule effective April 26, 1993.  
**Note:** Chapter SFC 11 was renumbered ch. MPSW 11 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register October 2002 No. 562.

**MPSW 11.01 Application for licensure as a professional counselor. (1)** In addition to paying the fee under s. 440.05 (1), Stats., an applicant for licensure as a professional counselor shall submit the completed, signed application form and:

(a) A certificate of professional education, signed and sealed by the chancellor, dean or registrar of the school from which the applicant has graduated with an approved degree. An applicant who does not have a master's or doctoral degree in professional counseling shall be considered for licensure as a professional counselor upon the professional counselors section's receipt of a complete description of the academic program which the applicant proposes as the equivalent of a master's or doctoral degree in professional counseling. The professional counselors section may request additional information as necessary to complete the evaluation of the applicant's academic program for compliance with s. MPSW 14.01 or 14.02.

(b) Verification that the institution which awarded the degree was a regionally accredited college or university, or accredited by the commission for accreditation of counseling and related educational programs (CACREP), or the council on rehabilitation education (CORE) at the time the applicant graduated from the school, or that a degree awarded by a foreign institution of higher learning has been determined by the National Board for Certified Counselors (NBCC) or by another organization approved by the section to be equivalent to a degree from a program accredited by CACREP. If the applicant's education was not received in English, the applicant must demonstrate proficiency in English by achieving a score of 550 (or 213 on the computer-based exam) or above on the Test Of English as a Foreign Language (TOEFL) or an equivalent score on an equivalent examination.

(c) An affidavit from the applicant that the applicant has, after receiving a master's or doctoral degree, completed the required period of supervised practice under the supervision of a person qualified to supervise the applicant's practice.

(d) Verification of successful completion of the examination required.

(e) Verification of the applicant's credential in all jurisdictions in which the applicant has ever been credentialed.

(f) If the applicant has been convicted of a crime, or of a traffic offense which did or could result in the suspension or revocation of his or her driver's license, or the applicant has such charges pending against him or her, the applicant has disclosed all information necessary for the section to determine whether the circumstances of the pending charge or conviction are substantially related to the duties of the practice under the license.

**(2)** An applicant may submit, but is not required to submit, evidence of certification by a professional organization.

**History:** Cr. Register, November, 1993, No. 455, eff. 12-1-93; CR 02-105: am. (1) (intro.), (a), (e) and (f) Register October 2002 No. 562, eff. 11-1-02; CR 03-090: am. (1) (b) Register June 2004 No. 582, eff. 7-1-04; CR 08-088: am. (1) (b) Register June 2009 No. 642, eff. 7-1-09.

**MPSW 11.015 Application for a professional counselor training license. (1)** The professional counselor section shall grant a professional counselor training license to any individual who does all of the following:

(a) Submits a completed, signed application form.

(b) Pays the fee specified in s. 440.05 (6), Stats.

(c) Satisfies the requirements in s. 457.12 (2), Stats.

(d) Submits evidence satisfactory to the professional counselor section of one of the following:

1. The applicant is in a position or has an offer for a position as a professional counselor in a supervised clinical professional counseling practice.

2. The applicant is in a position or has an offer for a position in which the applicant will, in the opinion of the professional counselor section, receive training and supervision equivalent to the training and supervision received in a supervised clinical professional counseling practice.

**(2)** A professional counselor training license is valid for 48 months and may be renewed at the discretion of the professional counselor section.

**History:** Cr. Register, January, 1995, No. 469, eff. 2-1-95; CR 01-027: m. to be (1), cr. (2), Register December 2001 No. 552, eff. 1-1-02; CR 07-048: r. and recr. Register March 2008 No. 627, eff. 4-1-08.

**MPSW 11.02 Examination required.** An applicant for licensure as a professional counselor shall take and pass the Wisconsin statutes and rules examination, and one of the following: the National Counselor Examination, the National Counselor Mental Health Certification Examination, the Certified Rehabilitation Counselor examination, or another examination approved by the section. Both parts of the examination may be taken prior to the completion of the required period of supervised practice.

**History:** Cr. Register, November, 1993, No. 455, eff. 12-1-93; CR 02-105: am. Register October 2002 No. 562, eff. 11-1-02; CR 06-054: am. Register December 2006 No. 612, eff. 1-1-07.

**MPSW 11.035 Temporary license.** The professional counselor section may issue a temporary license permitting an individual who pays the fee under s. 440.05 (6), Stats., and who meets all the qualifications for the license except for passing the required examination to use the title "professional counselor" and to practice professional counseling. The temporary license expires 9 months after its issuance or upon notification of failure of passing the required examination under s. 457.12 (4), Stats., whichever occurs earlier. The temporary license may not be renewed.

**History:** Cr. Register, October, 1998, No. 514, eff. 11-1-98; CR 02-105: am. Register October 2002 No. 562, eff. 11-1-02.

**MPSW 11.04 Reciprocal license.** The professional counselor section shall grant a license as a professional counselor under s. 457.12, Stats., to an applicant who pays the fee required by s. 440.05 (2), Stats., and provides evidence of all of the following to the section:

**(1)** The applicant has a current credential as a professional counselor or the substantial equivalent in good standing in another state or territory of the United States.

(2) The requirements for the grant of the credential in the other state or territory of the United States are substantially equivalent to the requirements for the grant of a license under s. 457.12, Stats.

(3) The applicant has disclosed all discipline ever taken or currently pending against the applicant or any professional credential held by the applicant by any credentialing authority of any state or territory of the United States.

(4) If the applicant has been convicted of a crime, or of a traffic offense which did or could result in the suspension or revocation of his or her driver's license, or the applicant has such charges

pending against him or her, the applicant has disclosed all information necessary for the section to determine whether the circumstances of the pending charge or conviction are substantially related to the duties of practice under a professional counselor license.

(5) The applicant passes an examination approved by the professional counselor section that tests knowledge of state law relating to professional counseling.

**History:** Cr. Register, November, 1994, No. 467, eff. 12-1-94; CR 02-105: am. (intro.), (2) and (4), cr. (5), Register October 2002 No. 562, eff. 11-1-02.

## Chapter MPSW 12

### PROFESSIONAL COUNSELOR SUPERVISED PRACTICE

MPSW 12.01 Supervised practice requirement.  
MPSW 12.02 Qualifications of practice supervisor.

MPSW 12.03 Pre-licensure supervised practice outcome requirement.  
MPSW 12.04 Limitations on group supervision.

Note: Chapter SFC 12 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 12 was renumbered ch. MPSW 12 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register October 2002 No. 562.

#### MPSW 12.01 Supervised practice requirement.

(1) Except as provided in sub. (4), an applicant for licensure as a professional counselor under s. 457.12, Stats., shall complete a period of supervised practice while holding a training license before being eligible for licensure. Supervision of the practice of professional counseling undertaken to meet the pre-licensure requirement may be exercised by a person other than an employment supervisor. The supervisor may exercise discretion as to the frequency, duration, and intensity of the supervision sessions to meet an average of one hour of supervision per week during the supervised practice period.

(2) An applicant who has received a master's degree shall complete at least 3,000 hours of professional counseling practice in no less than 2 years, including at least 1,000 hours of face-to-face client contact, under the supervision of a person specified in s. MPSW 12.02 (2) before the applicant is eligible for a license as a professional counselor.

(3) An applicant who has received a doctoral degree shall complete, either during or after completion of the doctoral degree program, at least 1,000 hours of professional counseling practice, under the supervision of a person specified in s. MPSW 12.02 (2) before the applicant is eligible for a license as a professional counselor.

(4) An applicant who has received a master's degree in professional counseling or its equivalent and has completed any portion of his or her 3,000 hours of supervised professional counseling practice in another state shall be given credit for those hours provided they included at least 1,000 hours of face-to-face client contact, or a proportionate number thereof, and are completed under the supervision of a supervisor acceptable to the professional counselor section.

(5) An applicant who has received a doctoral degree in professional counseling or its equivalent and has completed any portion of his or her 1,000 hours of supervised professional counseling practice in another state shall be given credit for those hours provided they are completed under the supervision of a supervisor acceptable to the professional counselor section.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93, am. (1) (intro.), Register, November, 1994, No. 467, eff. 12-1-94; CR 02-105: r. and recr. Register October 2002 No. 562, eff. 11-1-02; CR 08-088: renum. (intro.), (1) and (2) to be (1), (2) and (3) and am. (1), cr. (4) and (5) Register June 2009 No. 642, eff. 7-1-09.

#### MPSW 12.02 Qualifications of practice supervisor.

(1) A person who supervises the practice of professional counseling shall have adequate training, knowledge and skill to competently render any professional counseling service that a supervisee undertakes. The supervisor may not permit a supervisee to engage in any professional counseling practice that the supervisor cannot competently perform. All supervisors shall be legally and ethically responsible for the supervised activities of the professional counselor supervisee. Supervisors shall be available or make appropriate provision for emergency consultation and intervention. Supervisors shall be able to interrupt or stop the supervisee

from practicing in given cases, or recommend to the supervisee's employer that the employer interrupt or stop the supervisee from practicing in given cases, and to terminate the supervised relationship if necessary.

(2) Supervision of a period of supervised practice of professional counseling may be exercised by any of the following:

(a) An individual licensed as a professional counselor who has received a doctorate degree in professional counseling.

(b) An individual licensed as a professional counselor who has engaged in the equivalent of 5 years of full-time professional counseling.

(c) A psychiatrist or a psychologist licensed under ch. 455, Stats.

(d) A person employed by the division of vocational rehabilitation as a civil service vocational rehabilitation supervisor, level 3, who is licensed as a professional counselor or who has engaged in the equivalent of 5 years of full-time professional counseling.

(e) An individual, other than an individual specified in pars. (a) to (d), who is approved in advance by the professional counselor section.

(3) It is the applicant's responsibility to satisfy the professional counselors section that the applicant's supervisor met all qualifications.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93; CR 01-026: am. (2), r. (2) (b) and (d), Register December 2001 No. 552, eff. 1-1-02; CR 02-105: r. and recr. (2) Register October 2002 No. 562, eff. 11-1-02.

#### MPSW 12.03 Pre-licensure supervised practice outcome requirement.

As a condition of successful completion of a period of supervised practice, the candidate for licensure shall demonstrate competence to his or her practice supervisor in each of the following areas: counseling principles and techniques; case management; client assessment; ethics; and professional and community interaction. The candidate for certification shall also demonstrate competence to his or her practice supervisor in at least 3 of the following 7 areas: coordination and supervision of services; individual and group and family, or individual and group or family counseling techniques; assessment planning, administration and interpretation; service delivery systems and referral; counseling plan development; legal testimony; and consultation.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93; CR 02-105: am. Register October 2002 No. 562, eff. 11-1-02.

#### MPSW 12.04 Limitations on group supervision.

(1) If supervision is provided in group sessions, the group shall consist of no more than 6 persons receiving supervision for every one person providing supervision.

(2) If supervision is provided in group sessions, each person receiving supervision as part of the group session receives one hour credit for each hour that the group meets for supervision, but may not credit any time which is primarily social activity with the group or supervisor as part of a supervision session.

(3) A supervision session for a group or individual which is provided by more than one supervisor may not be credited for more than the actual time elapsed during the supervision session, not including social activities.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93.

## Chapter MPSW 14

### CONTINUING EDUCATION FOR PROFESSIONAL COUNSELORS AND EQUIVALENCY OF PROFESSIONAL COUNSELOR ACADEMIC PROGRAMS

MPSW 14.01 Academic program equivalent to a master's degree in professional counseling.

MPSW 14.02 Academic program equivalent to a doctorate in professional counseling.

MPSW 14.03 Continuing education requirements for license renewal.

MPSW 14.04 Approved continuing education programs.

Note: Chapter SFC 14 was created as an emergency rule effective April 26, 1993.

Note: Chapter SFC 14 was renumbered ch. MPSW 14 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register October 2002 No. 562.

**MPSW 14.01 Academic program equivalent to a master's degree in professional counseling.** An academic program is the equivalent of a master's degree in professional counseling from an approved institution if the completed program meets the following criteria:

(1) The course work was completed at an institution which was accredited by its regional accrediting association at the time the applicant graduated from the program, and was part of a program of studies leading to a master's degree or doctoral degree in a field closely related to professional counseling.

(2) The course work included successful completion of at least 3 semester hours or 4 quarter hours academic credit in a supervised counseling practicum; at least 3 semester hours or 4 quarter hours academic credit in a single counseling theory course; and at least 3 semester hours or 4 quarter hours academic credit in at least 6 of the following 8 topic areas; and the course work included a total of at least 42 semester hours or 63 quarter hours of academic credit in counseling related courses distributed among at least 6 of the following 8 topic areas:

(a) Human growth and development — studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, normal and abnormal human behavior, personality theory, and learning theory within appropriate cultural contexts.

(b) Social and cultural foundations — studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

(c) The helping relationship — studies that provide a broad understanding of philosophic bases of helping processes, counseling theories and their applications, basic and advanced helping skills, consultation theories and their applications, client and helper self-understanding and self-development, and facilitation of client or consultee changes.

(d) Group dynamics processing and counseling — studies that provide a broad understanding of group development, dynamics, and counseling theories, group leadership styles, basic and advanced group counseling methods and skills, and other group approaches.

(e) Lifestyle and career development — studies that provide a broad understanding of career development theories; occupational and educational information sources and systems; career and leisure counseling, guidance and education; lifestyle and career decision making; career development program planning and resources; and effectiveness evaluation.

(f) Appraisal of individuals — studies that provide a broad understanding of group and individual educational and psychometric theories and approaches to appraisal, data and information gathering methods, validity and reliability, psychometric statis-

tics, factors influencing appraisals, and use of appraisals results in helping processes.

(g) Research and evaluation — studies that provide a broad understanding of types of research, basic statistics, research report development, research implementation, program evaluation, needs assessment, publication of research information, and ethical and legal considerations.

(h) Professional counseling orientation — studies that provide a broad understanding of professional roles and functions, professional goals and objectives, professional organizations and associations, professional history and trends, ethical and legal standards, professional preparation standards, and professional credentialing.

(3) For purposes of this section, one academic quarter credit is equivalent to two-thirds of one academic semester credit.

(4) To reach course equivalency, an applicant may take up to 12 credit hours of courses, which may include a supervised counseling practicum, outside of his or her master's program.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93; am. (2) (intro.), Register, October, 1998, No. 514, eff. 11-1-98; am. (2) (intro.), Register, November, 1999, No. 527, eff. 12-1-99; CR 01-026: cr. (4), Register December 2001 No. 552, eff. 1-1-02; CR 08-088: am. (2) (intro.) Register June 2009 No. 642, eff. 7-1-09.

**MPSW 14.02 Academic program equivalent to a doctorate in professional counseling.** An academic program is the equivalent of a doctoral degree in professional counseling from an approved institution if the completed program meets the following criteria:

(1) The course work was completed at an institution which was accredited by its regional accrediting association at the time the applicant graduated from the program, and was part of a program of studies leading to a doctoral degree in a field closely related to professional counseling.

(2) The course work included successful completion of at least 3 semester hours or 4 quarter hours academic credit in a supervised counseling practicum; at least 3 semester hours or 4 quarter hours academic credit in a counseling theory course; and at least one course of at least 3 semester hours or 4 quarter hours academic credit in each of the 8 topic areas defined in s. MPSW 14.01 (2); and the course work included at least 48 semester hours or 72 quarter hours of academic credit distributed among those 8 counseling related topic areas.

(3) For purposes of this section, one academic quarter credit is equivalent to two-thirds of one academic semester credit.

History: Cr. Register, November, 1993, No. 455, eff. 12-1-93; am. (2), Register, October, 1998, No. 514, eff. 11-1-98; am. (2), Register, November, 1999, No. 527, eff. 12-1-99.

**MPSW 14.03 Continuing education requirements for license renewal.** (1) Unless granted a postponement or waiver of the continuing education requirement, every licensed professional counselor is required to complete at least 30 continuing education credit hours in approved continuing education programs during each 2 year licensure period. This requirement will apply for the first time to the 2 year period beginning July 1, 2003.

(2) Unless granted a postponement or waiver of the continuing education requirement, a licensee who fails to meet continuing education requirements by the renewal deadline must discontinue the use of the title "professional counselor" and must cease the practice of professional counseling until he or she completes the continuing education requirement.

(3) During the time between initial licensure and commencement of a full 2 year certification period, a new license holder is not required to meet continuing education requirements for the first renewal of his or her license.

(4) Applicants for licensure by reciprocity shall submit proof of completion of at least 30 continuing education hours substantially meeting the requirements of this chapter within the 2 year period prior to application.

(4m) Licensees shall have a minimum of 15 credits in approved continuing education programs and other educational activities as recognized under s. MPSW 14.04 (1) to (5). Four of the 15 credits shall be in the subject area of professional counseling ethics and boundaries.

(5) Continuing education hours may apply only to the 2 year license period in which the credit hours are acquired, unless either of the following applies:

(a) Continuing education hours required as a consequence of a disciplinary proceeding may not be counted towards the fulfillment of generally applicable continuing education requirements.

(b) If the licensee fails to meet the continuing education require the renewal date to satisfy the requirement of the preceding period will not apply to the period in which they are earned.

(c) In this chapter "continuing education hour" or "CEH" means a period of continuing education consisting of not less than 50 minutes.

(6) To obtain credit for completion of continuing education programs, a professional counselor shall certify on his or her application for renewal of license that he or she has completed all continuing education credits as required in this section for the previous 2 year license period. A licensee shall retain for a minimum period of 4 years, and shall make available to the board or its agent upon request, certificates of attendance issued by the program sponsor for all continuing education programs for which he or she claims credit for purposes of renewal of his or her license.

(7) A licensee may apply to the section for a postponement or waiver of the requirements of this chapter on grounds of prolonged illness, disability, or other grounds constituting extreme hardship. The section shall consider each application individually on its merits, and the section may grant a postponement, partial waiver or total waiver as deemed appropriate in the circumstances.

(8) The section may grant an exemption from the requirements of this chapter to a licensee who certifies to the section that he or she has permanently retired and no longer uses the title "professional counselor" and no longer practices professional counseling. A licensee who has been granted an exemption from the requirements of this chapter based on retirement may not return to the active practice of professional counseling or use the title "professional counselor" without submitting evidence satisfactory to the section that he or she completed at least 30 continuing education hours for each of the biennia during which the licensee was granted an exemption.

(9) The section may conduct audits or investigations, including random audits, to determine compliance by licensees with this chapter.

**History:** CR 02-105: cr. Register October 2002 No. 562, eff. 11-1-02; CR 05-119: cr. (4m) and (5) (c) Register September 2006 No. 609, eff. 10-1-06.

**MPSW 14.04 Approved continuing education programs.** The following continuing education programs and other educational activities are approved as continuing education programs under this chapter:

(1) Any continuing education program approved, sponsored or provided by the national rehabilitation counselor association (NRCA), the American rehabilitation counselor association (ARCA), or the Wisconsin rehabilitation counselor association (WRCA).

(2) Any continuing education program sponsored by the national board for certified counselors (NBCC) or by a provider approved by NBCC.

(3) Any continuing education program approved, sponsored or provided by the American counselor association (ACA) or the Wisconsin counselor association (WCA).

(4) Any continuing education program approved by the commission on rehabilitation counselor certification (CBCC).

(5) Any continuing education program offered by a college or university accredited by the commission for accreditation of counseling and related educational programs (CACREP).

(6) Any continuing education program approved, sponsored or co-sponsored by a presenter approved by the Committee for the Approval of Continuing Education Sponsors of the American Psychological Association.

(7) Any educational programs recognized as approved at the time of attendance as "Category I" continuing medical education programs by the Council on Medical Education of the American Medical Association or the American Osteopathic Association.

(8) Any educational programs recognized under s. MPSW 8.03 (1m) or 19.02.

(9) If approved or recognized by one of the entities in subs. (1) to (8), credit shall also be granted for the following:

(a) Formal presentations of relevant professional material at seminars, workshops, programs or institutes, which may include formal presentation and directed discussion of videotaped material: 2 CEHs per hour of continuing education for presenters, but no additional CEHs will be granted for subsequent presentations of the same material.

(b) University, college or vocational technical adult education courses, which may include formal presentation and directed discussion of videotaped instruction: 20 CEHs per semester hour or 13.2 CEHs per quarter hour for instructors, but no additional CEHs will be granted for subsequent presentations of the same material.

(c) Educational sessions at state and national conferences: 2 CEHs per hour of continuing education for presenters, but no additional CEHs will be granted for subsequent presentations of the same material.

(d) Educational telephone network (ETN) courses: 2 CEHs per hour of continuing education for presenters, but no additional CEHs will be granted for subsequent presentations of the same material.

(e) Interactive internet courses: 2 CEHs per hour of continuing education for instructors, but no additional CEHs will be granted for subsequent presentations of the same material.

(f) Authorship of a published textbook or professional resource book: 20 CEHs.

(g) Authorship of a published chapter in a textbook or professional resource book, or a professional journal article: 8 CEHs.

(h) Development of alternative media, computer software, videotapes, or audiotapes: 8 CEHs.

**History:** CR 02-105: cr. Register October 2002 No. 562, eff. 11-1-02; CR 05-119: cr. (6) to (9) Register September 2006 No. 609, eff. 10-1-06.