



**STATE OF WISCONSIN**  
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**Governor Scott Walker      Secretary Dave Ross**

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**SOCIAL WORKER SECTION**  
**OF THE**  
**MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING**  
**AND SOCIAL WORK JOINT EXAMINING BOARD**

**Contact: Dan Williams (608) 266-2112**  
**Room 121C, 1400 E. Washington Avenue, Madison WI**  
**January 10, 2012**

**11:00 AM**

**AGENDA**

**ADJOURN TO CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTES**  
**19.85(1)(a)(b)(f) and (g)**

Review of applications

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**AND SOCIAL WORK JOINT EXAMINING BOARD**  
**Contact: Dan Williams (608) 266-2112**  
**Room 121A, 1400 E. Washington Avenue, Madison WI**

**JANUARY 11, 2012**

*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.*

**AGENDA**

**8:30 AM**

**SOCIAL WORKER SECTION SCREENING PANEL**

1. Call Open Session to Order.
2. Convene to Closed Session to consider discipline (s. 19.85(1)(b), Stats., and to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.
  - i. Screen complaints received from the public against credential holders.  
The panel consists of 2 Section members and Department staff.
3. Reconvene to Open Session.
4. Vote on items considered or deliberated upon in Closed Session.
5. Adjournment

**9:00 AM**

**MEETING OF THE SOCIAL WORKER SECTION**

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

- A. **Approval of Agenda (1-6)**
- B. **Approval of Minutes of December 12, 2011 (7-18)**
- C. Secretary Matters
- D. **Administrative Matters (19-20)**
  - 1) Section Appointments for 2012

- E. **Presentation of Proposed Stipulations, Final Decisions and Orders – Upon Section Request:**
  - 1) James E. Bestul, Jr., C.S.W. (10 SOC 040)
  - 2) Dan G. Feaster, L.C.S.W. (11 SOC 014)
  - 3) Jackie M. Morter, L.C.S.W. (09 SOC 074)
  - 4) Erica R. Stebane, A.P.S.W. (10 SOC 075)
  
- F. **9:20 A.M. APPEARANCE: Amanda Barbian, Office of Education and Examinations – 2009-2011 Social Worker Continuing Education Audit Compliance Report (21-24)**
  
- G. **Section Creation and Prioritization of Goals for 2012 (25-26)**
  
- H. **Section Discussion of Supervisory Standards**
  - 1) Review and Consideration of Supervisory Forms (27-32)
  
- I. **Section Discussion as to the Potential Loss of Institutional Knowledge Upon Section Member Departures (33-34)**
  - 1) Review of Document Outlining Procedures Relating to the Work of the Section  
Prepared by George Kamps
  
- J. **Section Review and Discussion of Possible Updates to the “Social Work Section File Review” Materials Folder (35-36)**
  
- K. **Discussion and Clarification of Licensed Clinical Social Work (LCSW) Licensing Procedures (37-38)**
  - 1) Review of Draft Flowchart Outlining Application Review Criteria for LCSW Reciprocal Candidates Prepared by George Kamps
  
- L. **Review of Proposal for Development of a White Paper on Clinical Practice Relating to the Licensed Clinical Social Worker (LCSW) (39-40)**
  - 1) Review of Draft White Paper on Clinical Practice by LCSW’s Prepared by George Kamps
  
- M. **Review of Proposed Revisions to the Application Forms for Obtaining a Social Work Training Certificate (SWTC) and Consideration of Additional Modifications (41-42)**
  
- N. **Legislation/Administrative Rule Matters: (43-52)**
  - 1) 2011 Senate Bill 280
  
- O. **Discussion on Possible Website Improvements and Review of Frequently Asked Questions Relating to the Scope of Practice of Social Work**
  
- P. **Screening Panel Report**
  
- Q. **Items Received After Printing of the Agenda**
  - 1) Class 1 Hearings on Denial of Applications for Licensure
  - 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) Review for Approval: Psychometric Testing
  - 6) Informational Item(s)

- 7) DOE Matters
- 8) Education and Examination Matters
- 9) Credentialing Matters
- 10) Practice Questions/Issues
- 11) Legislation/Administrative Rule Matters
- 12) Liaison Report(s)
- 13) Speaking Engagement(s), Travel, or Public Relation Request(s)

R. New Business

**S. Public Comments**

**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.)**

**T. Application Reviews:**

- 1) Todd Pyka – Application for Licensed Clinical Social Worker (LCSW) (*Red Folder*)

**U. Deliberation on Monitoring Matters:**

- 1) **1:00 P.M. APPEARANCE:** Robert K. La Fountain (**53-84**)

**V. Deliberation on Proposed Stipulations, Final Decisions and Orders:**

- 1) James E. Bestul, Jr., C.S.W. (10 SOC 040) (**85-92**)
- 2) Dan G. Feaster, L.C.S.W. (11 SOC 014) (**93-100**)
- 3) Jackie M. Morter, L.C.S.W. (09 SOC 074) (**101-108**)
- 4) Erica R. Stebane, A.P.S.W. (10 SOC 075) (**109-116**)

**W. Deliberation on Proposed Administrative Warnings:**

- 1) 11 SOC 072 (**117-120**)
- 2) 11 SOC 074 (**121-123**)

**X. Review of the Application Decision Making Process**

**Y. Deliberation of Items Received After Printing of the Agenda:**

- 1) Application Issues and/or Reviews
- 2) Class 1 Hearings
- 3) Professional Assistance Procedure (PAP)
- 4) Monitoring Matters
- 5) Proposed Stipulations, Final Decisions and Orders
- 6) Administrative Warnings
- 7) Orders Fixing Costs/Matters Related to Costs
- 8) Proposed Final Decisions and Orders
- 9) Petitions for Summary Suspension
- 10) Petitions for Re-hearings
- 11) Examination Issues
- 12) Credential Matters
- 13) Appearances from Requests Received or Renewed
- 14) Motions

**Z. Review and Approval of Applications**

**AA. Division of Enforcement:**

- 1) Case Status Report
- 2) Case Closings

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

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

DOE – Signature Collection

II. Other Section Business

**ADJOURNMENT**

**SOCIAL WORK SECTION  
MEETING MINUTES  
DECEMBER 12, 2011**

**PRESENT:** Eric Alvin, George Kamps, Nicholas Smiar, Mary Jo Walsh, Daryl Wood

**STAFF:** Dan Williams, Executive Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; Sharon Henes, Paralegal; and other Department staff

**GUESTS:** Cindy West, Upper Iowa University; Joanne Barndt; Marc Herstand, NASW-WI Chapter

**CALL TO ORDER**

George Kamps, Chair, called the meeting to order at 9:09 a.m. A quorum of five (5) members was present.

**APPROVAL OF AGENDA**

**Amendments to the Agenda:**

- Item “V-11” (open session) Under the auspices of the agenda item titled “Items Received After Printing of the Agenda – 11) Legislation/Administrative Rules Matters” **ADD:** 2011 Senate Bill 280 with deliberation of this item to occur after Item “Q” under the agenda item titled “Legislation/Administrative Rule Matters”
- Item “EE-12” (closed session) Under the agenda item titled “Deliberation of Items Received After Printing of the Agenda – 12) Credentialing Matters” **ADD:**
  - Review of Application Issue for Kathryn Haupt

**MOTION:** Eric Alvin moved, seconded by Mary Jo Walsh, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF SEPTEMBER 21, 2011**

**MOTION:** Eric Alvin moved, seconded by Daryl Wood, to approve the minutes of September 21, 2011 as published. Motion carried unanimously.

## ELECTION OF OFFICERS FOR 2012

### CHAIR

**NOMINATION:** Mary Jo Walsh nominated Nicholas Smiar for the Office of Chair. Nomination failed. Nicholas Smiar declined this nomination.

**NOMINATION:** Mary Jo Walsh nominated Eric Alvin for the Office of Chair. Nomination carried by unanimous vote.

George Kamps called for other nominations three (3) times.

Eric Alvin was elected as Chair.

### VICE CHAIR

**NOMINATION:** Eric Alvin nominated Nicholas Smiar for the Office of Vice Chair. Nomination carried by unanimous vote.

George Kamps called for other nominations three (3) times.

Nicholas Smiar was elected as Vice Chair.

### SECRETARY

**NOMINATION:** Eric Alvin nominated Daryl Wood for the Office of Secretary. Nomination carried by unanimous vote.

George Kamps called for other nominations three (3) times.

Daryl Wood was elected as Secretary.

| <b>2012 ELECTION RESULTS</b> |                |
|------------------------------|----------------|
| Chair                        | Eric Alvin     |
| Vice Chair                   | Nicholas Smiar |
| Secretary                    | Daryl Wood     |

### ADMINISTRATIVE MATTERS

Dan Williams addressed the Section regarding walking quorums and how best to avoid the inadvertent creation of Section quorum without proper public notice.

## **CLASS 1 HEARINGS ON DENIAL OF APPLICATIONS FOR LICENSURE**

### **9:15 A.M. APPEARANCE: Ivaylo Hristov: Class 1 Hearing on the Denial of Application for Licensed Clinical Social Worker**

Ivaylo Hristov appeared before the Section, and testified in support of his application for a Licensed Clinical Social Worker credential. Mr. Hristov provided the Section with additional documentation in support of his appeal. The Section will deliberate on this matter during closed session.

## **SECTION DISCUSSION OF SUPERVISORY STANDARDS**

### **Review and Consideration of Supervisory Forms**

The Section reviewed the recent revisions to the Section's draft supervisory forms. George Kamps identified his most recent revisions to the supervisory forms.

**MOTION:** Eric Alvin moved, seconded by Daryl Wood, to approve the supervisory forms with changes for submission to the Joint Board in January 2012 and to authorize Nicholas Smiar and George Kamps to make any other changes as needed prior to the agenda deadline for that meeting. Motion carried unanimously.

### **REVIEW OF REQUEST OF A POTENTIAL APPLICANT FOR SECTION DISCUSSION RELATING TO DIFFICULTIES IN OBTAINING VERIFICATION OF SUPERVISED EXPERIENCE FOR OLDER RECIPROCAL APPLICANTS SEEKING THE LICENSED CLINICAL SOCIAL WORKER (LCSW) CREDENTIAL**

The Section reviewed correspondence from a potential applicant, Casey Johnson, and discussed what concessions can be made for older applicants who are experiencing difficulties in obtaining verification of supervised experience. The Section discussed what types of documentation it will accept in lieu of verification of supervised experience. The Section asked Dan Williams to respond to this potential applicant indicating that she should submit an application and provide a narrative surrounding her practice experiences.

### **SECTION DISCUSSION OF RECRUITMENT EFFORTS FOR SECTION MEMBER APPOINTMENTS – DARYL WOOD**

The Section discussed what recruitment efforts are being pursued in terms of generating new Section member appointments. During the course of Section discussion Marc Herstand indicated that he is working to recruit individuals to apply for upcoming Section vacancies.

## **SECTION DISCUSSION AS TO THE POTENTIAL LOSS OF INSTITUTIONAL KNOWLEDGE UPON SECTION MEMBER DEPARTURES – ERIC ALVIN**

The Section discussed the potential loss of institutional knowledge resulting from the impending departure of several of its current members. George Kamps indicated that he will work to capture his institutional knowledge of the Section's procedures in a draft document to be reviewed in January 2012. Mary Jo Walsh will review the document drafted by George Kamps and intends to provide any additional information that she believes would be pertinent.

## **SECTION REVIEW AND DISCUSSION OF POSSIBLE UPDATES TO THE "SOCIAL WORK SECTION FILE REVIEW MATERIALS FOLDER" – ERIC ALVIN**

The Section reviewed the "Social Work Section File Review Materials Folder" in order to identify information that should be updated. The Section will continue discussion of this topic in 2012 at its January and April meetings.

## **DISCUSSION AND CLARIFICATION OF LICENSED CLINICAL SOCIAL WORK (LCSW) LICENSING PROCEDURES – ERIC ALVIN**

The Section discussed how it reviews reciprocity applications. George Kamps will work to devise a flowchart of the review criteria for reciprocal applicants. The Section will review the draft flowchart in January 2012.

## **REVIEW OF PROPOSAL FOR DEVELOPMENT OF A WHITE PAPER ON CLINICAL PRACTICE RELATING TO THE LICENSED CLINICAL SOCIAL WORKER (LCSW) – ERIC ALVIN**

The Section reviewed a draft white paper distributed by Eric Alvin outlining clinical practice guidelines. Sharon Henes informed the Section that Executive Order 50 may require white papers to be submitted to the Governor's office for review. She indicated that any document that explains, interprets, or clarifies a rule is subject to review by the Governor under the auspices of Executive Order 50. George Kamps indicated that he will work on the draft white paper for review at a future meeting.

## **DISCUSSION REGARDING EMPLOYERS PREFERRING TO HIRE LCSW WHEN CAPSW OR CISW WOULD QUALIFY FOR DUTIES**

The Section discussed concerns surrounding a tendency for employers to recruit Licensed Clinical Social Workers (LCSWs) when Certified Advanced Practice Social Workers (CAPSWs) or Certified Independent Social Workers (CISWs) would qualify or perform the duties in a particular position. The Section discussed how to clarify the scope of practice for the CAPSWs and CISWs. Joanne Barndt provided comments to the Section indicating that employers are misled by the term "licensed". Marc Herstand, NASW-WI Chapter, informed the Section that he has written a statement regarding this issue which is posted on the NASW-WI Chapter website.

## **CONSIDERATION OF REQUEST FOR ACCEPTANCE OF SOCIAL WORK TRAINING CERTIFICATE (SWTC) METHODS COURSES TAKEN THROUGH ONLINE MEDIA**

The Section discussed correspondence from Trista Krukowski and directed Dan Williams to respond to this correspondence indicating that the Section does not accept online core courses.

## **REVIEW OF PROPOSED REVISIONS TO THE APPLICATION FORMS FOR OBTAINING A SOCIAL WORK TRAINING CERTIFICATE (SWTC) AND CONSIDERATION OF ADDITIONAL MODIFICATIONS**

The Section discussed a number of different application form drafts resulting from changes to MPSW 3.13, Wis. Admin. Code.

**MOTION:** Mary Jo Walsh moved, seconded by Eric Alvin, to authorize Eric Alvin and Nicholas Smiar to draft and/or modify, and to conduct approvals, on the Section's behalf, of the application forms to be used for obtaining a Social Work Training Certificate. Motion carried unanimously.

The Section requested a status report on the progress of the SWTC application forms at the January meeting.

## **LEGISLATION/ADMINISTRATIVE RULE MATTERS**

1) **Section Consideration of Whether to Pursue Rule Changes to MPSW 3.09 (1), Wis. Admin. Code, Relating to Application for Licensure as a Clinical Social Worker (LCSW) – Eric Alvin**

The Section considered whether to pursue rule changes to MPSW 3.09 (1), Wis. Admin. Code, to clarify that the additional 1500 hours of supervised practice, which substitutes for clinical field, must be obtained while holding either the CAPSW, if in Wisconsin, or appropriate credential in the jurisdiction where the hours were completed. Colleen Baird will research this matter and bring her findings to a future meeting. The Section requested that this matter be placed on a priority list for future action.

2) **Section Consideration of Whether to Pursue Rule Changes to MPSW 3.13 (4), Wis. Admin. Code, Relating to the Social Work Training Certificate (SWTC) – Eric Alvin**

The Section discussed whether to pursue rulemaking to address the approval of internships completed as part of degree program, in cases where the internship went beyond the scope of practice of a SWTC. Eric Alvin indicated that the proposed SWTC disclosure application form should address the issue at hand until the Section is able to take measures to address this matter. The Section requested that this matter be placed on a priority list for future action.

**3) Discussion of the Status of Amendments to MPSW 20 (Grievance Procedure) – Eric Alvin**

The Section whether to include a provision indicating it is a violation for a supervisor to place a trainee in a position where they are practicing outside of their scope, under the pretense of the existing scope statement amending MPSW 20, Wis. Admin. Code. Colleen Baird and Sharon Henes informed the Section that the pending scope statement which amends MPSW 20 would not allow for such a revision and that further amendments to MPSW 20 would require the Section to draft a new scope statement.

The Section was updated on the status of amendments to MPSW 20, Wis. Admin. Code.

**4) 2011 Senate Bill 280**

The Section reviewed and discussed the impact of 2011 Senate Bill 280. Marc Herstand, NASW-WI Chapter, provided comments to the Section in opposition to 2011 Senate Bill 280. The Section expressed concerns in response to this legislation and took the following action.

**MOTION:** Eric Alvin moved, seconded by Mary Jo Walsh, to authorize George Kamps to draft and send a letter, on behalf of the Section, to the Department of Safety and Professional Services, State Senator Terry Moulton, State Representative Keith Ripp, and the Chair of the Committee on Health, State Senator Leah Vukmir, expressing concerns about protection of the public and asking that the Social Work profession be taken out of the bill. The Section authorizes George Kamps or his designee to speak on behalf of the Section, at any hearings that may arise in relation to this bill. Motion carried unanimously.

**DISCUSSION ON POSSIBLE WEBSITE IMPROVEMENTS AND REVIEW OF FREQUENTLY ASKED QUESTIONS RELATING TO THE SCOPE OF PRACTICE OF SOCIAL WORK**

The Section deferred this matter to a future meeting due to time constraints.

**STATUS OF REIMBURSEMENT FROM MEDICAID OF QUALIFIED TREATMENT TRAINEES**

The Section discussed correspondence from Marc Herstand, NASW-WI Chapter, relevant to the status of implementation of Medicaid reimbursements for qualified treatment trainees. The Section asked Dan Williams to contact Dan Zimmerman, Mark Hale or Sarah Coyle, Department of Health Services (DHS), regarding the status of Medicaid reimbursements for qualified treatment trainees. The Section requested that a DHS representative appear at the MPSW Joint Board meeting in January 2012.

**REPORT OF THE 2011 ASSOCIATION OF SOCIAL WORK BOARDS (ASWB)  
ANNUAL MEETING – NOVEMBER 3-5, 2011 – OKLAHOMA CITY, OKLAHOMA –  
NICHOLAS SMIAR**

Nicholas Smiar reported to the Section regarding his attendance at the 2011 ASWB Annual Meeting. During this report the Section requested that Nicholas Smiar contact ASWB to update the names of Section members and department staff that are affiliated with the work of the Section. The Section noted that Dan Williams will make a future contact with ASWB and request an appearance before the Section. The Section indicated that it would be interested in receiving such a presentation in the fall of 2012.

**SCREENING PANEL REPORT**

Eric Alvin reported that the screening panel reviewed eight (8) cases, four (4) cases were opened, and four (4) cases were closed.

**ITEMS RECEIVED AFTER PRINTING OF THE AGENDA**

- 1) Class 1 Hearings on Denial of Applications for Licensure – *None*
- 2) Presentations of Petition(s) for Summary Suspension – *None*
- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s) – *None*
- 4) Presentation of Proposed Final Decision and Order(s) – *None*
- 5) Review for Approval: Psychometric Testing – *None*
- 6) Informational Item(s) – *None*
- 7) DOE Matters – *None*
- 8) Education and Examination Matters – *None*
- 9) Credentialing Matters – *None*
- 10) Practice Questions/Issues – *None*
- 11) **Legislation/Administrative Rule Matters:**

This agenda topic was addressed as item # 4 under the agenda item titled: “Legislation/Administrative Rule Matters”.

- 12) Liaison Report(s) – *None*
- 13) **Speaking Engagement(s), Travel, or Public Relation Request(s)**

Nicholas Smiar informed the Section that he personally with Bruce Pamperin, as an individual and not as a representative of the Section, to discuss UW Stout’s SWTC courses.

## CONVENE TO CLOSED SESSION

**MOTION:** Nicholas Smiar moved, seconded by Eric Alvin, 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 DOE cases, and consult with legal counsel. Roll Call Vote: Eric Alvin-yes; George Kamps-yes; Nicholas Smiar-yes; Daryl Wood-yes; and Mary Jo Walsh-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:58 p.m.

## RECONVENE TO OPEN SESSION

**MOTION:** Nicholas Smiar moved, seconded by Daryl Wood, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:37 p.m.

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

### DELIBERATION ON MONITORING MATTERS

#### **Robert K. LaFountain, LCSW – Consideration of Report of Psychological Evaluation**

**MOTION:** Mary Jo Walsh moved, seconded by Eric Alvin, to defer consideration of the report of psychological evaluation for Robert K. LaFountain, LCSW until the January 2012 Section meeting. Motion carried unanimously.

### APPLICATION REVIEWS

#### **1:00 P.M. APPEARANCE (by phone): Todd Pyka – Application for Licensed Clinical Social Worker (LCSW)**

Todd Pyka appeared before the Section telephonically in support of his application for a LCSW credential.

**MOTION:** Mary Jo Walsh moved, seconded by Nicholas Smiar, to request additional information from Todd Pyka regarding his LCSW application for review by the Section in January 2012. Motion carried unanimously.

#### **1:25 P.M. APPEARANCE: Michael Braxton – Application for Certified Advanced Practice Social Worker (CAPSW)**

Michael Braxton did not appear before the Section in support of his application for a CAPSW credential.

**MOTION:** Eric Alvin moved, seconded by Daryl Wood, to defer deliberation of the application of Michael Braxton for CAPSW. Motion carried unanimously.

**1:50 P.M. APPEARANCE: Susanna Leggio – Application for Social Work Training Certificate (SWTC)**

Susanna Leggio appeared before the Section in support of her application for a Social Work credential.

**MOTION:** Eric Alvin moved, seconded by Daryl Wood, to accept the work experience of Susanna Leggio for her SWTC application and to approve Ms. Leggio for certification upon successful completion of the ASWB examination. Motion carried unanimously.

**2:15 P.M. APPEARANCE: Michelle Stoneburner – Application for Licensed Clinical Social Worker (LCSW)**

Michelle Stoneburner appeared before the Section in support of her application for a LCSW credential.

**MOTION:** Eric Alvin moved, seconded by Mary Jo Walsh, to approve the clinical hours of Michelle Stonerburner accrued at Determan, LLC but to indicate that the hours accumulated at La Causa, Inc. are not approved as clinical in nature. Motion carried unanimously.

**Jacquelyn Czehno – Application for Social Worker Certification (CSW)**

Jim Polewski and Hannah Hoff, Division of Enforcement, appeared before the Section to discuss the application of Jacquelyn Czehno.

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, that upon successful completion of the ASWB examination, grant a limited social work certification to Jacquelyn Czehno, contingent upon acceptance of a reprimand for past social work practice without a credential. The Section requires Ms. Czehno to complete thirty (30) hours of continuing education, including boundaries and ethics, to be completed by February 28, 2013. Motion carried unanimously.

**DELIBERATION ON HEARINGS FOR APPLICATION DENIALS OR ANY  
RECEIVED AFTER MAILING OF THE AGENDA**

**Ivaylo Hristov: Class 1 Hearing on the Denial of Application for Licensed Clinical Social Worker**

**MOTION:** Mary Jo Walsh moved, seconded by Eric Alvin, to grant a credential for Licensed Clinical Social Work to Ivaylo Hristov based upon the information presented at the December 12, 2011 Class One hearing before the Section. Motion carried unanimously.

**DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND  
ORDERS**

**Lawrence Kane, III, L.C.S.W. (07 SOC 034, 08 SOC 013, 08 SOC 037, 08 SOC 051, 09 SOC 011, 09 SOC 014, 09 SOC 020, 09 SOC 032, 09 SOC 033, 09 SOC 040, 09 SOC 048, 09 SOC 066, 10 SOC 015, 11 SOC 009 and 11 SOC 047)**

**MOTION:** Daryl Wood moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Lawrence Kane, III, L.C.S.W. (07 SOC 034, 08 SOC 013, 08 SOC 037, 08 SOC 051, 09 SOC 011, 09 SOC 014, 09 SOC 020, 09 SOC 032, 09 SOC 033, 09 SOC 040, 09 SOC 048, 09 SOC 066, 10 SOC 015, 11 SOC 009 and 11 SOC 047). Motion carried unanimously.

**Jeffry L. Miller, L.C.S.W. & C.I.S.W. (10 SOC 078)**

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jeffry L. Miller, L.C.S.W. & C.I.S.W. (10 SOC 078). Motion carried unanimously.

**Susan M. Gau-Krueger, L.C.S.W. (11 SOC 044)**

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Susan M. Gau-Krueger, L.C.S.W. (11 SOC 044). Motion carried unanimously.

**DELIBERATION ON PROPOSED ADMINISTRATIVE WARNINGS**

**10 SOC 045**

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to issue an administrative warning in the matter of case number 10 SOC 045. Motion carried unanimously.

## 11 SOC 075

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to issue an administrative warning in the matter of case number 11 SOC 075. Motion carried

### **DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS**

#### **Final Decision and Order with Explanation of Variance In the Matter of Disciplinary Proceedings Against Denise Lynn Bailey, C.S.W., DHA Case No. DRL-10-0075, Division of Enforcement (DOE) Case # 09 SOC 026**

**MOTION:** Nicholas Smiar moved, seconded by Daryl Wood, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order, with variance in the matter of disciplinary proceedings against Denise Lynn Bailey, C.S.W., Respondent, DHA Case No. DRL-10-0075, Division of Enforcement (DOE) Case # 09 SOC 026. Motion carried. Abstained: Eric Alvin

*(Eric Alvin left the room for deliberation and voting in the matter of disciplinary proceedings against Denise Lynn Bailey, CSW, Respondent – Division of Hearing and Appeals (DHA) Case # DRL-10-0075, Division of Enforcement (DOE) Case # 09 SOC 026.)*

### **DELIBERATION OF ITEMS RECEIVED AFTER PRINTING OF THE AGENDA**

- 1) Application Issues and/or Reviews – *None*
- 2) Class 1 Hearings – *None*
- 3) Professional Assistance Procedure (PAP) – *None*
- 4) Monitoring Matters – *None*
- 5) Proposed Stipulations, Final Decisions and Orders – *None*
- 6) Administrative Warnings – *None*
- 7) Orders Fixing Costs/Matters Related to Costs – *None*
- 8) Proposed Final Decisions and Orders – *None*
- 9) Petitions for Summary Suspension – *None*
- 10) Petitions for Re-hearings – *None*
- 11) Examination Issues – *None*
- 12) **Credential Matters**

#### Review of Application Issue for Kathryn Haupt

Sharon Henes, Paralegal, addressed the Section regarding the LCSW application of Kathryn Haupt.

**MOTION:** Daryl Wood moved, seconded by Nicholas Smiar, to rescind the denial of the application for Kathryn Haupt and to grant a licensed clinical social worker credential. Motion carried unanimously.

- 13) Appearances from Requests Received or Renewed – *None*
- 14) Motions – *None*

## **DIVISION OF ENFORCEMENT**

### **1) Case Status Report**

The Section reviewed a report detailing its pending enforcement cases.

### **2) Case Closings**

#### **10 SOC 024**

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to close case 10 SOC 024 for prosecutorial discretion (P2). Motion carried unanimously.

#### **10 SOC 067**

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to close case 10 SOC 067 for insufficient evidence. Motion carried unanimously.

#### **10 SOC 071**

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to close case 10 SOC 071 for insufficient evidence. Motion carried unanimously.

#### **11 SOC 050**

**MOTION:** Eric Alvin moved, seconded by Nicholas Smiar, to close case 11 SOC 050 for insufficient evidence. Motion carried unanimously.

### **DOE SIGNATURE COLLECTION**

Signatures were collected for all required documents.

### **ADJOURNMENT**

**MOTION:** Mary Jo Walsh moved, seconded by Eric Alvin, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:48 p.m.

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

**AGENDA REQUEST FORM**

|  |   |   |  |
|--|---|---|--|
| 1) Name and Title of Person Submitting the Request:<br><br><b>Kimberly Wood, Bureau Assistant</b>  |   | 2) Date When Request Submitted:<br><b>12/21/2011</b><br>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> |  |
| 3) Name of Board, Committee, Council, Sections:<br><br><b>Social Worker Section</b>  |   |   |  |
| 4) Meeting Date:<br><br><b>1/10/2012</b>   | 5) Attachments:<br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Administrative Matters<br/>1) Section Appointments for 2012</b>  |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both  | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br>Please find the attached document outlining the Section's current assignments. The Section Chair (Eric Alvin) should assign Section members to the positions listed below: <ul style="list-style-type: none"> <li>• Screening Panel</li> <li>• Credentialing Liaison</li> <li>• Continuing Education Liaison</li> <li>• Division of Enforcement – Monitoring Liaison</li> <li>• Division of Enforcement – Professional Assistance Program (PAP) Liaison</li> <li>• ASWB Exam Issues</li> </ul>  |   |   |  |
| 11) <span style="float: right;">Authorization</span><br><br><div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"><i><b>Kimberly Wood</b></i></div> <div style="width: 35%; text-align: right;"><b>12/21/2011</b></div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 35%; text-align: right;">Date</div> </div> |   |   |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.   |   |   |  |

**SOCIAL WORKER SECTION  
2011 APPOINTMENTS**

**Board Member Appointments**

Screening Panel: Eric Alvin, Daryl Wood, Nicholas Smiar – alternate

Credentialing Liaison: Mary Jo Walsh, George Kamps

Continuing Education Liaison: Nicholas Smiar

Division of Enforcement – Monitoring Liaison: Mary Jo Walsh, Eric Alvin – alternate

Professional Assistance Program (PAP) Liaison: Mary Jo Walsh, Eric Alvin – alternate

ASWB Exam Issues: Nicholas Smiar

**State of Wisconsin  
Department of Safety and Public Services**

**AGENDA REQUEST FORM**

|   |   |  |
|---|---|--|
| <b>Name and Title of Person Submitting the Request:</b><br>Amanda Barbian, CE Specialist  |   | <b>Date When Request Submitted:</b><br>12/20/2011  |
| <b>Items will be considered late if submitted after 5 p.m. and less than:</b> <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before meeting for all other boards</li> </ul>   |   |  |
| <b>Name of Board, Committee, Council:</b><br>Social Worker Section, Joint Board of Marriage & Family Therapy, Professional Counseling & Social Work   |   |  |
| <b>Board Meeting Date:</b><br>1/11/2012   | <b>Attachments:</b><br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No   | <b>How should the item be titled on the agenda page?</b><br>2009-2011 Social Work Continuing Education Audit Compliance Report |
| <b>Place Item in:</b><br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both   | <b>Is an appearance before the Board being scheduled? If yes, by whom?</b><br><input checked="" type="checkbox"/> Yes by <u>    Amanda Barbian    </u><br><br><input type="checkbox"/> No | <b>Name of Case Advisor(s), if required:</b>   |
| <b>Describe the issue and action the Board should address:</b><br><br>The 2009-2011 social work continuing education audit compliance report lists the number and percent of those licensees who are not in compliance and the reasons for noncompliance. After review of the report, make recommendations for final report modifications and make motion to refer the list of noncompliant licensees to the Division of Enforcement. |   |  |
| <b>If this is a "Late Add" provide a justification utilizing the Agenda Request Policy:</b>   |   |  |
| <b>Directions for including supporting documents:</b><br>1. This form should be attached to any documents submitted to the agenda.<br>2. Documents submitted to the agenda must be single-sided.<br>3. Only copies of the original document will be accepted.<br>4. Provide original documents needing Board Chairperson signature to the Bureau Director or Program Assistant prior to the start of a meeting.                       |   |  |
| <b>Authorization:</b>   |   |  |
| Amanda Barbian  | 12-20-2011  |  |
| <b>Signature of person making this request</b>  | <b>Date</b>   |  |
| Jill M. Remy  | 12-21-2011  |  |
| <b>Supervisor signature (if required)</b>   | <b>Date</b>   |  |
| <b>Bureau Director signature (indicates approval to add late items to agenda)</b>   | <b>Date</b>   |  |

# 2009-2011 Social Work Continuing Education Audit Compliance

## SW Section Report

### SW 120 Audit

Of 245 licensees audited, thirty (30) were not in compliance representing a 88% compliance rate. Following are the reasons for noncompliance:

- Twelve (12) licensees did not submit any documentation
  - Signed certified mail receipts were sent back to the Department for eight (8) licensees confirming they had received the audit letter
  - Four (4) certified second notice letters were returned to the Department
- Fifteen (15) licensees had less than thirty (30) documented hours completed during the 09-11 biennium.
- Seven (7) licensees did not complete the 4-hour ethics and boundaries requirement during the 09-11 biennium.
- Four (4) licensees completed Interactive internet/self-study continuing education courses that did not have the specific approval that is required.

### APSW 121 Audit

Of 78 licensees audited, seven (7) were not in compliance representing a 91% compliance rate. Following are the reasons for noncompliance:

- Two (2) licensees had less than thirty (30) documented hours completed during the 09-11 biennium.
- Four (4) licensees did not complete the 4-hour ethics and boundaries requirement during the 09-11 biennium.
- Two (2) certified second notice letters were returned to the Department unclaimed.

### ISW 122 Audit

Of 17 licensees audited, one (1) was not in compliance representing a 94% compliance rate. Following is the reason for noncompliance:

- Over limit on the number of hours that are allowed to be completed through interactive internet and self-study courses.

## **LCSW 123 Audit**

Of 157 licensees audited, twenty-seven (27) were not in compliance representing a 83% compliance rate. Following are the reasons for noncompliance:

- Four (4) licensees did not submit any documentation
  - Signed certified mail receipts were sent back to the Department for one (1) licensee confirming they had received the audit letter
  - Three (3) certified second notice letters were returned to the Department
- Seventeen (17) licensees had less than thirty (30) documented hours completed during the 09-11 biennium.
- Eighteen (18) licensees did not complete the 4-hour ethics and boundaries requirement during the 09-11 biennium.
- Four (4) licensees completed Interactive internet/self-study continuing education courses that did not have the specific approval that is required.

Three (3) licensees went over the limit on the number of hours that are allowed to be completed through interactive internet and self-study courses.

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

**AGENDA REQUEST FORM**

|   |   |   |  |
|---|---|---|--|
| 1) Name and Title of Person Submitting the Request:<br><br><b>Kimberly Wood, Bureau Assistant</b>   |   | 2) Date When Request Submitted:<br><b>12/21/2011</b><br>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> |  |
| 3) Name of Board, Committee, Council, Sections:<br><br><b>Social Worker Section</b>   |   |   |  |
| 4) Meeting Date:<br><br><b>1/10/2012</b>  | 5) Attachments:<br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Section Creation and Prioritization of Goals for 2012</b>  |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both   | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br><p>At the December meeting the Section requested that Kimberly Wood take note of the priority items listed below. The Section should review the items below, discuss its priorities and identify any other topics to be included on a 2012 Goals List.</p> <ol style="list-style-type: none"> <li>1) Whether to pursue rule changes to MPSW 3.09 (1), Wis. Admin. Code, to clarify that the additional 1500 hours of supervised practice, which substitutes for clinical field, must be obtained while holding either the CAPSW, if in Wisconsin, or appropriate credential in the jurisdiction where the hours were completed.</li> <li>2) Whether to pursue rulemaking to address the approval of internships completed as part of degree program, in cases where the internship went beyond the scope of practice of a SWTC.</li> </ol> |   |   |  |
| 11) <b>Authorization</b>  |   |   |  |
| <b><i>Kimberly Wood</i></b>   |   | <b>12/21/2011</b>   |  |
| Signature of person making this request   |   | Date  |  |
| Supervisor (if required)  |   | Date  |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date  |   |   |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.  |   |   |  |

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

**AGENDA REQUEST FORM**

|  |   |   |  |
|--|---|---|--|
| 1) Name and Title of Person Submitting the Request:<br><br>Kimberly Wood, Bureau Assistant   |   | 2) Date When Request Submitted:<br><br>December 21, 2011  |  |
|  |   | 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> |  |
| 3) Name of Board, Committee, Council, Sections:<br>Social Worker Section   |   |   |  |
| 4) Meeting Date:<br>1/11/2012  | 5) Attachments:<br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br>Section Discussion of Supervisory Standards<br>1) Review and Consideration of Supervisory Forms   |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both  | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br>This topic was carried forward from the Section's last meeting. Please review and discuss the revisions made by George Kamps to the Section's supervisory forms. See attached.  |   |   |  |
| 11) Authorization  |   |   |  |
| <i>Kimberly Wood</i>   |   | <i>12/21/2011</i>   |  |
| Signature of person making this request  |   | Date  |  |
| Supervisor (if required)   |   | Date  |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda)   |   | Date  |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Executive Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. |   |   |  |

# Wisconsin Department of Regulation & Licensing

Mail To: P.O. Box 8935  
Madison, WI 53708-8935

FAX #: (608) 261-7083  
Phone #: (608) 266-2112

1400 E. Washington Avenue  
Madison, WI 53703  
E-Mail: web@drl.state.wi.us  
Website: http://drl.wi.gov

## MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK EXAMINING BOARD

### CLINICAL SOCIAL WORK *Pre-Licensing* SUPERVISED EXPERIENCE FORM

*(To be completed before you begin accumulating post-graduate experience toward Clinical Social Work License. Submit a separate form for each clinical site and qualified supervisor. It is the applicant's responsibility to submit a new form if they have a change in site or supervisor.)*

Please Type or Print In Ink

APPLICANT NAME \_\_\_\_\_  
(please print)

SUPERVISOR NAME \_\_\_\_\_  
(supervisor print name here and sign at end after reviewing form with applicant)

#### Applicant check box if facility meets experiential requirements:

I am in a position or have an offer for a position that will provide supervised experience that will count toward the hours needed to fulfill MPSW 3.09 of the Wisconsin Administrative Code which requires that, after receiving an appropriate master's or doctorate degree, the applicant will complete at least 3,000 hours of clinical social work practice in no less than 2 years, including at least 1,000 hours of face-to-face client contact. This experience will include the diagnosis and treatment of mental, emotional, or behavioral disorders using established methods (WI.Stats 457.01(8m)).

*Attach a formal position description and please describe (attach additional sheet if necessary):*

Name and address of facility where applicant's clinical experience will be acquired: \_\_\_\_\_

The facility's mission: \_\_\_\_\_

The type of clients the applicant will serve at this facility: \_\_\_\_\_

The degree to which the applicant will be the primary provider of psychotherapy treatment for his or her clients. (If no primary provider experience, please explain.): \_\_\_\_\_

The treatment methods the applicant will use: \_\_\_\_\_

How this applicant will conduct diagnosis of clients (including DSM). (If no diagnosis (incl. DSM), please explain.): Will applicant have the authority to conduct DSM diagnosis?

\_\_\_\_\_ Will \_\_\_\_\_

The manner in which the applicant will have the ability to change or recommend changing a client's DSM-IV diagnosis. (If no ability to change, please explain.): In what manner will applicant be able to change or recommend changing client's Dx, if not, explain?

#### Supervision Requirements:

Consistent with MPSW 4, supervision requires one hour of face-to-face individual or group (no more than 6 supervisees) supervision by a supervisor approved by the social work section of at least one hour duration during each week of supervised practice. The supervisor may exercise discretion in averaging out supervision over the course of the period of supervision. The supervisor may not permit a supervisee to engage in any Clinical Social Work practice that the supervisor cannot competently perform. The supervisor shall be legally and ethically responsible for the activities of the trainee. Supervision may be exercised by a person other than the employment supervisor, but the supervisor shall be able to interrupt or stop the supervisee from practicing in given cases and to stop the supervised relationship if necessary. Supervisor shall be available or make appropriate provision for emergency consultation and intervention. Supervisor, check box indicating your qualification and sign below:

- An individual licensed as a clinical social worker who has received a doctorate degree in social work.
- An individual licensed as a clinical social worker who has engaged in the equivalent of 5 years of full-time clinical social work.
- A psychologist licensed under ch. 455, Stats.
- A physician who has completed a residency in psychiatry and licensed under Chap. 448**
- An individual licensed as a clinical social worker who has received a master's degree in social work.
- Another individual approved in advance by the Social Worker section. Applicant must include a current resume of the requested supervisor indicating professional credentials, including CSW related training, clinical and supervisory experience. Also enclose a written explanation of the reason this individual is being requested instead of one of the professionals listed above.

Signature of Supervisor \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Credential # \_\_\_\_\_

Profession in which supervisor is credentialed \_\_\_\_\_

**needs new form #** (rev. 7/2011)  
Ch. 457, Stats.

**Committed to Equal Opportunity in Employment and Licensing**

# Wisconsin Department of Regulation & Licensing

Mail To: P.O. Box 8935  
Madison, WI 53708-8935

1400 E. Washington Avenue  
Madison, WI 53703

FAX #: (608) 261-7083  
Phone #: (608) 266-2112

E-Mail: web@drl.state.wi.us  
Website: http://drl.wi.gov

## MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK EXAMINING BOARD

### DOCUMENTATION OF **PRE-LICENSING** CLINICAL EXPERIENCE – SUPERVISOR'S AFFIDAVIT FOR CLINICAL SOCIAL WORK LICENSE

(A copy of this form is to be completed by each supervisor.)

MPSW 3.09(3) of the Wisconsin Administrative Code requires an affidavit that the applicant, after receiving an appropriate master's or doctorate degree, has completed at least 3,000 hours of clinical social work practice in no less than 2 years, including at least 1,000 hours of face-to-face client contact. This experience will include the diagnosis and treatment of mental, emotional, or behavioral disorders using established methods (WI.Stats 457.01(8m)). Consistent with MPSW 4, supervision requires one hour of face-to-face individual or group (no more than 6 supervisees) supervision of at least one hour duration during each week of supervised practice. The supervisor may exercise discretion in averaging out supervision over the course of the period of supervision. The supervisor meets the criteria under s. MPSW 4.01, Wis. Admin. Code.

Please Type or Print In Ink

NAME OF APPLICANT: \_\_\_\_\_

NAME OF SUPERVISOR (please print): \_\_\_\_\_

SUPERVISOR'S LICENSURE:      Profession: \_\_\_\_\_      NUMBER: \_\_\_\_\_

Supervisor, check box indicating your qualification and sign below:

- An individual licensed as a clinical social worker who has received a doctorate degree in social work.
- An individual licensed as a clinical social worker who has engaged in the equivalent of 5 years of full-time clinical social work.
- A psychologist licensed under ch. 455, Stats.  
*A physician who has completed a residency in psychiatry and is licensed under Chap. 448*
- An individual licensed as a clinical social worker who has received a master's degree in social work..
- Another individual approved in advance by the Social Worker section. Applicant must include a current resume of the requested supervisor indicating professional credentials, including CSW related training, clinical and supervisory experience. Also enclose a written explanation of the reason this individual is being requested instead of one of the professionals listed above.

Beginning and ending dates the applicant was under my supervision:

From: \_\_\_\_\_ To: \_\_\_\_\_  
          month                      day                      year                      month                      day                      year

In the process of gathering 3000 hours of total experience, this applicant accumulated \_\_\_\_\_ hours of face-to-face client contact. During this time, I met with the applicant for \_\_\_\_\_ hours of face-to-face supervision.

Name and address of facility where applicant accumulated client-contact: \_\_\_\_\_

Brief description of applicant's clinical responsibilities in this position: \_\_\_\_\_

\_\_\_\_\_

| EVALUATION OF APPLICANT: To complete the supervision requirements, applicants must demonstrate minimum competency in the areas listed below (WI.Stats 457.01(8m)). Please check your evaluation of the applicant in each area listed below. | <u>YES</u>               | <u>NO</u>                |
|---|--------------------------|--------------------------|
| <u>Conducting General Diagnosis</u><br>Applicant was able to evaluate and assess difficulties and strengths in psychosocial functioning of a group, family, couple or individual.   | <input type="checkbox"/> | <input type="checkbox"/> |



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

**AGENDA REQUEST FORM**

|  |   |   |  |
|--|---|---|--|
| 1) Name and Title of Person Submitting the Request:<br><br><b>Dan Williams</b>   |   | 2) Date When Request Submitted:<br><br><b>December 21, 2011</b>   |  |
|  |   | 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> |  |
| 3) Name of Board, Committee, Council, Sections:<br><b>Social Worker Section</b>  |   |   |  |
| 4) Meeting Date:<br><b>January 11, 2012</b>  | 5) Attachments:<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Section Discussion as to the Potential Loss of Institutional Knowledge Upon Section Member Departures</b>  |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both  | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br><b>Continued discussion regarding any other appropriate actions that could be taken to help preserve institutional knowledge that may be lost with the impending changes to the membership of the Section.</b>  |   |   |  |
| 11) Authorization  |   |   |  |
| Signature of person making this request  |   | Date  |  |
| Supervisor (if required)   |   | Date  |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date  |   |   |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Executive Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. |   |   |  |

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

**AGENDA REQUEST FORM**

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| 1) Name and Title of Person Submitting the Request:<br><br><b>Dan Williams</b>   |   | 2) Date When Request Submitted:<br><br><b>December 21, 2011</b>   |  |
|  |   | 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> |  |
| 3) Name of Board, Committee, Council, Sections:<br><b>Social Worker Section</b>  |   |   |  |
| 4) Meeting Date:<br><b>January 11, 2012</b>  | 5) Attachments:<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Review and Discussion of Possible Updates to the "Social Work Section File Review" Materials Folder</b>  |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both  | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br><b>Continue review and consideration of possible updates to the Social Work Section File Review materials folder prepared by Jennifer Borup in 2004 and previously updated by the Section, which was designed for new Section members.</b>  |   |   |  |
| 11) Authorization  |   |   |  |
| Signature of person making this request  |   | Date  |  |
| Supervisor (if required)   |   | Date  |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date  |   |   |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Executive Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. |   |   |  |

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

**AGENDA REQUEST FORM**

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|--|---|---|--|
| 1) Name and Title of Person Submitting the Request:<br><br><b>Dan Williams</b>   |   | 2) Date When Request Submitted:<br><br><b>December 21, 2011</b>   |  |
|  |   | 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> |  |
| 3) Name of Board, Committee, Council, Sections:<br><b>Social Worker Section</b>  |   |   |  |
| 4) Meeting Date:<br><b>January 11, 2012</b>  | 5) Attachments:<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Discussion and Clarification of Licensed Clinical Social Work (LCSW) Licensing Procedures</b>  |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both  | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br><b>The Section should continue to discuss and work towards clarification of LCSW licensing procedures, particularly regarding reciprocity.</b>  |   |   |  |
| 11) Authorization  |   |   |  |
| Signature of person making this request  |   | Date  |  |
| Supervisor (if required)   |   | Date  |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date  |   |   |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Executive Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. |   |   |  |

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

**AGENDA REQUEST FORM**

|  |   |   |  |
|--|---|---|--|
| 1) Name and Title of Person Submitting the Request:<br><br><b>Dan Williams</b>   |   | 2) Date When Request Submitted:<br><br><b>December 21, 2011</b>   |  |
|  |   | 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> |  |
| 3) Name of Board, Committee, Council, Sections:<br><b>Social Worker Section</b>  |   |   |  |
| 4) Meeting Date:<br><b>January 11, 2012</b>  | 5) Attachments:<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Review of Proposal for Development of a White Paper on Clinical Practice Relating to the Licensed Clinical Social Worker (LCSW)</b>  |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both  | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br><b>After discussion of this topic at the December meeting, George Kamps indicated that he would work to draft this white paper for possible review in January 2012.</b>   |   |   |  |
| 11) Authorization  |   |   |  |
| Signature of person making this request  |   | Date  |  |
| Supervisor (if required)   |   | Date  |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda)   |   |   |  |
| Date   |   |   |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Executive Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. |   |   |  |

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| 4) Meeting Date:<br><b>January 11, 2012</b>   | 5) Attachments:<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Review of Proposed Revisions to the Application Forms for Obtaining a Social Worker Training Certificate (SWTC) and Consideration of Additional Modifications</b>          |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both   | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br>Continue discussion and deliberate approval and/or modification of the following forms for the Social Worker Training Certificate, as part of the implementation of changes to MPSW 3.13, Wis. Admin. Code.  |   |   |  |
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| 4) Meeting Date:<br><b>January 11, 2012</b>   | 5) Attachments:<br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><b>Legislation/Administrative Rule Matters:</b> <ul style="list-style-type: none"> <li>• 2011 Senate Bill 280</li> </ul>  |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both   | 8) Is an appearance before the Board being scheduled? If yes, who is appearing?<br><input type="checkbox"/> Yes<br><br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br><b>N/A</b>  |  |
| 10) Describe the issue and action that should be addressed:<br><br>In December the Section discussed SB 280 and made a motion to:<br><br><i>"authorize George Kamps to draft and send a letter, on behalf of the Section, to the Department of Safety and Professional Services, State Senator Terry Moulton, State Representative Keith Ripp, and the Chair of the Committee on Health, State Senator Leah Vukmir, expressing concerns about protection of the public and asking that the Social Work profession be taken out of the bill. The Section authorizes George Kamps or his designee to speak on behalf of the Section, at any hearings that may arise in relation to this bill."</i><br><br>The letter addressing the motion above is attached. |   |   |  |
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December 20, 2011

Senator Terry Moulton  
Senator Leah Vukmir  
Assemblyman Keith Ripp

Re: Concerns re: SB 280

Dear Senators Moulton and Vukmir and Assemblyman Ripp

I am writing to express grave concerns regarding the provisions of Senate Bill 280. Following discussion of this proposed legislation at the December 10<sup>th</sup> meeting of the Social Work Section of the WI Board of Marriage & Family Therapy, Professional Counseling, and Social Work Examining Board, I have been designated by the Social Work Section to register the strongest opposition to SB 280. We are convinced that the passing of this legislation will in fact place the protection of Wisconsin consumers of Social Work services at its lowest point since the establishment of title and practice protection in 1994.

Based on the language of SB 280, alternative and complementary health service providers would be allowed to provide services without a license or certification unless they would do one of the 6 services identified. **This language would eliminate the protection consumers now receive when receiving services from licensed or certified social workers.**

We urge the removal of Social Work professionals from the language of SB 280. If additional rationale is requested, we are more than willing to provide further supportive evidence.

Respectfully submitted,

George J. Kamps, LCSW  
Chair of the Social Work Section



## 2011 SENATE BILL 280

November 4, 2011 - Introduced by Senators MOULTON, LASEE, GALLOWAY and GROTHMAN, cosponsored by Representatives RIPP, WILLIAMS, VAN ROY and RIVARD. Referred to Committee on Health.

- 1     **AN ACT** *to create* 146.86 of the statutes; **relating to:** complementary and  
2           alternative health services and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a person must have a license, certificate, or permit (license) to practice medicine and surgery, midwifery, professional nursing, chiropractic, dentistry, perfusion, respiratory care, physical therapy, podiatry, occupational therapy, optometry, psychology, psychotherapy, clinical social work, marriage and family therapy, professional counseling, pharmacy, speech pathology, audiology, acupuncture, barbering or cosmetology, aesthetics, electrology, manicuring, and selling and fitting hearing aids. Additionally, a license is required under current law to practice as a physician assistant or to act as an ambulance service provider.

This bill allows a person who provides a complimentary and alternative health service (CAHS provider) to practice any of the above activities without a license as long as they do not do any of the following:

1. Puncture the skin, except by pricking a finger for purposes of blood screening.
2. Prescribe or administer X-ray services.
3. Prescribe or dispense a prescription drug, a controlled substance, or other device that may only be prescribed or dispensed by a licensed health care provider.
4. Perform a chiropractic adjustment or manipulation of joints or a spine.
5. Recommend that a patient discontinue treatment that is prescribed by a licensed health care provider.
6. Make a specific diagnosis using medical terms that are used in conventional western medicine.

**SENATE BILL 280**

This bill defines a complimentary and alternative health service as any health care practice or method or healing therapy or modality that is not one of the prohibited acts listed above and that is provided by an individual who is not licensed to provide the health care practice, healing therapy, or modality, or method. Under this bill, if a CAHS provider does one of the prohibited acts listed above, he or she is subject to any applicable penalties for unauthorized practice. Additionally, a person who suffers an injury due to a CAHS provider doing one of the prohibited acts, may sue the CAHS provider and may recover treble damages and costs, including attorney fees.

Under this bill, before providing a complementary and alternative health service for a fee, a CAHS provider must provide a consumer with written information that contains the CAHS provider's contact information; the fact that the CAHS provider is not licensed as a health care provider; a description of the complementary and alternative health service that is to be provided; and the CAHS provider's education or other qualifications that relate to the service that is to be provided. The CAHS provider must also obtain written acknowledgment from the consumer that he or she received the required written information and post a similar written statement in a place that is visible to consumers. This bill also requires a CAHS provider to update the required written information to reflect any relevant changes and to obtain a new written acknowledgment from a consumer before performing a complementary and alternative health service after the written information is changed.

Under the bill, a CAHS provider who fails to provide a consumer with the required written information or fails to obtain the consumer's written acknowledgment may be subject to a forfeiture. The Department of Health Services may also pursue a temporary restraining order or permanent injunction against the offending CAHS provider.

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

1           **SECTION 1.** 146.86 of the statutes is created to read:

2           **146.86 Provision of complementary and alternative health practices.**

3           **(1)** In this section:

4           (a) "Complementary and alternative health service" means any health care  
5 practice or method or healing therapy or modality that is not prohibited under sub.

6           (2) (a) to (f) and that is provided by an individual who is not a health care provider

**SENATE BILL 280**

1 or who is a health care provider but is not acting under his or her certificate, permit,  
2 or license as a health care provider.

3 (b) "Controlled substance" has the meaning given in s. 961.01 (4).

4 (c) "Deliver" has the meaning given in s. 450.01 (5).

5 (d) "Device" has the meaning given in s. 450.01 (6).

6 (e) "Dispense" has the meaning given in s. 450.01 (7).

7 (f) "Health care provider" has the meaning given in s. 146.81 (1) (a) to (hp) and  
8 (q) to (s) and includes a person licensed under s. 440.982 (1), 454.04 (1), or 459.02 (1).

9 (g) "Prescription drug" has the meaning given in s. 450.01 (20).

10 **(2)** Notwithstanding ss. 256.15 (2), 440.982 (1), 441.06 (4), 441.15 (2), 446.02  
11 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51 (1), 448.61, 448.961  
12 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 454.04 (1), 455.02 (1m), 457.04 (4), (5),  
13 (6), and (7), 459.02 (1), and 459.24 (1), a person who provides a complementary and  
14 alternative health service does not violate s. 256.15 (2), 440.982 (1), 441.06 (4),  
15 441.15 (2), 446.02 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51  
16 (1), 448.61, 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 454.04 (1), 455.02  
17 (1m), 457.04 (4), (5), (6), and (7), 459.02 (1), or 459.24 (1) unless the person providing  
18 the complementary and alternative health service does any of the following:

19 (a) Punctures the skin, except by pricking a finger for purposes of blood  
20 screening.

21 (b) Prescribes or administers X-ray services.

22 (c) Prescribes, directly applies, delivers, or dispenses a prescription drug, a  
23 controlled substance, or a device that may be prescribed, directly applied, delivered,  
24 or dispensed only by a health care provider.

25 (d) Performs a chiropractic adjustment or manipulation of joints or a spine.

**SENATE BILL 280****SECTION 1**

1           (e) Recommends to the individual receiving the complementary and  
2 alternative health service that he or she discontinue treatment that is prescribed by  
3 a health care provider.

4           (f) Makes a specific diagnosis using a medical term that is commonly used and  
5 understood in conventional western medicine. None of the following are prohibited  
6 under this paragraph:

7           1. Use of medical terminology or common words to describe a health condition.

8           2. Advice that the individual should consult a health care provider in order to  
9 rule out a diagnosable condition.

10           3. A statement that the individual's symptoms may be indicative of or  
11 consistent with a specific medical condition.

12           (g) Holds himself or herself out as or implies that he or she is a health care  
13 provider, if he or she does not hold the applicable certificate, permit, or license.

14           **(3)** A person who is not a health care provider acting under his or her certificate,  
15 permit, or license as a health care provider and who charges a fee for a  
16 complementary and alternative health service shall, before performing the service,  
17 do all of the following:

18           (a) Provide to the individual to be served, in writing, all of the following  
19 information:

20           1. The name, business address, and telephone number of the person who is  
21 providing the complementary and alternative health service.

22           2. If the person is not a health care provider, the fact that the person does not  
23 hold a certificate, permit, or license as a health care provider in this state.

**SENATE BILL 280**

1           3. If the person is a health care provider who is not acting under his or her  
2 certificate, permit, or license as a health care provider, the fact that the person is  
3 providing a service that he or she is not licensed to provide.

4           4. A description of the complementary and alternative health service that the  
5 person proposes to provide to the individual.

6           5. Any education, training, experience, credentials, or other qualifications the  
7 person has with respect to the complementary and alternative health service that the  
8 person proposes to provide to the individual.

9           (b) Post in a location that is readily visible to an individual who is going to  
10 receive a complementary and alternative health service, a written statement,  
11 printed in not less than 12-point boldface type, that contains the information in par.  
12 (a) 1., 2., 3., and 5. and a description of the complementary and alternative health  
13 services that the person generally provides.

14           (c) Attempt to ensure that the individual who is going to receive a  
15 complementary and alternative health service understands the statement under  
16 par. (a).

17           (d) Before the first instance of providing a complementary and alternative  
18 health service to an individual, obtain a written acknowledgment from the  
19 individual that the individual has been provided the written statement under par.

20           (a). The person who is going to provide the complementary and alternative health  
21 service shall do all of the following:

22           1. Provide the individual receiving the service with a copy of the written  
23 acknowledgment.

24           2. Keep the acknowledgment confidential.

**SENATE BILL 280****SECTION 1**

1           3. Maintain the acknowledgment for 2 years from the date the individual signs  
2 the acknowledgment.

3           (e) If the information that is required to be provided under par. (a) changes, do  
4 all of the following:

5           1. Change the written statement under par. (a) to reflect the changes in the  
6 information.

7           2. Post the changed statement as required under par. (b).

8           3. Provide the changed statement to any individual who receives services after  
9 the statement is changed.

10          4. Before the first instance of providing a complementary and alternative  
11 health service to an individual after changing the written statement, obtain a  
12 written acknowledgment from any individual who is going to receive complementary  
13 and alternative health services under par. (d).

14          (4) (a) If the department is notified that a person is violating sub. (3), the  
15 department shall contact the alleged violator, determine if a violation has occurred,  
16 and attempt to bring the alleged violator into compliance with sub. (3).

17          (b) If the alleged violator does not comply with sub. (3) in a reasonable amount  
18 of time, as determined by the department, the department may serve a notice on the  
19 person ordering the person to cease violating sub. (3). The order shall be served in  
20 the manner provided for the service of a summons under s. 801.11. The order is  
21 subject to judicial review under ch. 227.

22          (c) If the department determines that a person continues to violate sub. (3) after  
23 being served a notice under par. (b), the department shall serve a notice on the person  
24 informing him or her that the department will hold a hearing to determine if the  
25 person is violating sub. (3). The department shall serve the notice in the manner

**SENATE BILL 280**

1 provided for the service of a summons under s. 801.11. The department may not hold  
2 the hearing sooner than 10 days after service of the notice. The person may present  
3 evidence, subpoena witnesses, and be represented by counsel at the hearing. The  
4 department shall record the proceedings.

5 (d) Within 30 days after the hearing is held, the department shall issue a  
6 decision that includes findings of fact and conclusions of law based on the testimony  
7 presented. If the department determines that a person continues to violate sub. (3)  
8 after being served a notice under par. (b), the department may order the person to  
9 pay a forfeiture not to exceed \$5,000. The violator shall be provided a copy of the  
10 findings of fact, conclusions of law, and the order to pay the forfeiture. The  
11 department's decision and order are subject to judicial review under ch. 227.

12 (e) In addition to the remedy under par. (d), if the department determines that  
13 a person continues to violate sub. (3) after being served a notice under par. (b), the  
14 department may petition the circuit court for a temporary restraining order or  
15 permanent injunction to enjoin the person from violating sub. (3).

16 (5) Any person suffering injury as the result of a provider of a complementary  
17 and alternative health service doing any of the acts listed in sub. (2) (a) to (f) may sue  
18 for damages and may recover treble the amount of his or her damages, together with  
19 costs, including reasonable attorney fees, notwithstanding s. 814.04 (1).

20 (END)

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