



## STATE OF WISCONSIN

Department of Safety and Professional Services  
1400 E Washington Ave.  
Madison WI 53703

Mail to:  
PO Box 8935  
Madison WI 53708-8935

Email: [dsps@wisconsin.gov](mailto:dsps@wisconsin.gov)  
Web: <http://dsps.wi.gov>  
Phone: 608-266-2112

**Governor Scott Walker      Secretary Dave Ross**

### SOCIAL WORKER SECTION,

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

**Room 121C, 1400 E. Washington Avenue, Madison**

**Contact: Dan Williams - 608-266-2112**

**DECEMBER 3, 2013**

*The following agenda describes the issues that the Board 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 Board. A quorum of the Joint Board may be present.*

#### **AGENDA**

**11:00 A.M.**

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

- A. **Adoption of Agenda (1-4)**
- B. **11:00 A.M. – Public Hearing on Administrative Rule MPSW 3 relating to Temporary Social Worker Credentials (5-8)**
  - 1) Review and Respond to Clearinghouse Report and Public Hearing Comments
- C. **Approval of Minutes of October 23, 2013 (9-12)**
- D. **Administrative Matters – Discussion and Consideration**
  - 1) 2014 Meeting Dates (13-14)
  - 2) Staffing Updates
- E. **Legislation/Administrative Rules Matters – Discussion and Consideration**
  - 1) Draft of MPSW 8, 14, 19 relating to Continuing Education (15-18)
- F. **Bureau of Milwaukee Child Welfare – Discussion and Consideration (19-24)**

- G. Items Received After Preparation of the Agenda
- 1) Introductions, Announcements and Recognition
  - 2) Division of Legal Services and Compliance Matters
  - 3) Presentations of Petition(s) for Summary Suspension
  - 4) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
  - 5) Presentation of Proposed Final Decision and Order(s)
  - 6) Education and Examination Matters
  - 7) Credentialing Matters
  - 8) Class 1 Hearings
  - 9) Practice Questions/Issues
  - 10) Legislation/Administrative Rule Matters
  - 11) Liaison/Committee Report(s)
  - 12) Informational Item(s)
  - 13) Speaking Engagement(s), Travel, or Public Relation Request(s)
  - 14) Consulting with Legal Counsel

H. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warnings (ss.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.).**

I. **Deliberation of Proposed Stipulations, Final Decisions and Orders**

- 1) Kelly Powers 12 SOC 113 **(25-32)**
- 2) Natalie Young 13 SOC 017 **(33-40)**

J. **Credentialing Matters**

- 1) **APPEARANCE** – Jennifer Green, LCSW Application Review **(41-66)**
- 2) **APPEARANCE BY PHONE** – Mary Newbauer, LCSW Application Review **(67-92)**
- 3) Request for Temporary Credential Extension - Victoria Jackson, MSW **(93-94)**

K. **Case Closings**

- 1) Cases
- 2) Case Status Report

- L. Items Received After Preparation of the Agenda:
- 1) Case Status Report
  - 2) Proposed Decisions
  - 3) Summary Suspensions
  - 4) Objections and Responses to Objections
  - 5) Complaints
  - 6) Administrative Warnings
  - 7) Matters Relating to Costs
  - 8) Monitoring Cases
  - 9) Credentialing Matters
  - 10) Class 1 Hearings
  - 11) Appearances from Requests Received or Renewed
  - 12) Examination Matters
  - 13) **Application Matters, including reviews**
  - 14) Professional Assistance Program Cases
  - 15) Motions
  - 16) Consult with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

- L. **Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate**

**ADJOURNMENT**

Page intentionally left blank





---

---

## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

---

---

Scott Grosz and Jessica Karls-Ruplinger  
*Clearinghouse Co-Directors*

Terry C. Anderson  
*Legislative Council Director*

Laura D. Rose  
*Legislative Council Deputy Director*

### CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

#### CLEARINGHOUSE RULE 13-094

AN ORDER to amend MPSW 3.11 (5), relating to temporary social worker credentials.

Submitted by **DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES**

11-01-2013 RECEIVED BY LEGISLATIVE COUNCIL.

11-20-2013 REPORT SENT TO AGENCY.

JKR:AS

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached      YES       NO

Page intentionally left blank

**SOCIAL WORKER SECTION  
MEETING MINUTES  
OCTOBER 23, 2013**

**PRESENT:** Nicholas Smiar, Barbara Viste-Johnson, Elizabeth Krueger, Jennie Anderson-Meger

**STAFF:** Dan Williams, Executive Director; Nicholas Tank, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Nicholas Smiar, Chair, called the meeting to order at 9:00 a.m. A quorum of four (4) members was confirmed.

**APPROVAL OF AGENDA**

**MOTION:** Barbara Viste-Johnson moved, seconded by Elizabeth Krueger, to approve the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF SEPTEMBER 25, 2013**

**MOTION:** Elizabeth Krueger moved, seconded by Jennie Anderson-Meger, to approve the minutes of September 25, 2013 as published. Motion carried unanimously.

**LEGISLATION/ADMINISTRATIVE RULES MATTERS**

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to cancel the November 2013 meeting in favor of scheduling December 2013. Motion carried unanimously.

**MOTION:** Barbara Viste-Johnson moved, seconded by Elizabeth Krueger, to approve the permanent Scope Statement on MSPW 4 related to supervision and designates the Chair of the Section as the representative to approve the Scope for implementation after publication. Motion carried unanimously.

**UPDATE/CLARIFICATION TO FORM 2560**

**MOTION:** Barbara Viste-Johnson moved, seconded by Elizabeth Krueger, to request that the draft of form 2560 include MPSW 2.01(8) and Wis. Stats. 457.01(8m), under number one (1) to change the word “therapy” to “psychotherapy”, and under number four (4) remove Roman Numeral IV. Motion carried unanimously.

## SECTION POSITION STATEMENTS

- MOTION:** Elizabeth Krueger moved, seconded by Jennie Anderson-Meger, to remove the position statement number one (1) relating to requirements for the CAPSW Certification from the DSPS website. Motion carried unanimously.
- MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to accept the amended position statement number four (4) under the heading Certified Advanced Practiced Social Worker relating to a CAPSW pursuing a Clinical Social Worker License. Motion carried unanimously.
- MOTION:** Barbara Viste-Johnson moved, seconded by Jennie Anderson-Meger, to remove the position statement number one (1) under Licensed Clinical Social Worker from the DSPS website. Motion carried unanimously
- MOTION:** Barbara Viste-Johnson moved, seconded by Elizabeth Krueger, to accept the revised position statement number two (2) under Licensed Clinical Social Worker relating to Clinical Social Worker License reciprocity. Motion carried unanimously.

## SECTION GOALS FOR 2013

- MOTION:** Barbara Viste-Johnson moved, seconded by Elizabeth Krueger, to rename this item "Section Goals," to revise goal number two (2) to read "CEU" as "CEH". To revise goal number three (3) "review board member orientation materials." To add goal number eight (8) to work with the Joint Board to revise MPSW 1.09. To add goal number nine (9) to change Wis. Stats. 457 to include minimum number of Psychotherapy hours requirements. To add number ten (10) to develop Social Worker Section Letterhead for future correspondence. Motion carried unanimously.

## SCREENNIG PANEL REPORT

- MOTION:** Elizabeth Krueger moved, seconded by Jennie Anderson-Meger, to accept the Screen Panel Report, that one (1) case was not open and one(1) case was requested to be tabled. Motion carried unanimously.

## CLOSED SESSION

- MOTION:** Barbara Viste-Johnson moved, seconded by Jennie Anderson-Meger, to convene to closed session to deliberate cases following hearing (19.85(1)(a) Stats.); to consider licensure or certification of individuals (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.). Barbara Viste-Johnson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Nicholas Smiar – yes; Barbara Viste- – yes; Elizabeth Krueger – yes; and Jennie Anderson-Meger – yes. Motion carried unanimously.

The Board convened into Closed Session at 11:06 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 12:43 p.m.

### **CREDENTIALING MATTERS**

**MOTION:** Jennie Anderson-Meger moved, seconded by Elizabeth Krueger, to rescind the denial (dated 4/18/13) of Kristin Franck's application for licensure via reciprocity and acknowledge the applicant's withdrawal of her application for reciprocity for LCSW in Wisconsin. Motion carried unanimously.

**MOTION:** Elizabeth Krueger moved, seconded by Barbara Viste-Johnson, to grant Danielle Gennuso's request for renewal for APSW Temporary Certification per Wis. Stat. § 457.14, once all requirements are met. Motion carried unanimously.

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

**MOTION:** Barbara Viste-Johnson moved, seconded by Jennie Anderson-Meger, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Marla J. Brogan - 12 SOC 095. Motion carried unanimously.

**MOTION:** Barbara Viste-Johnson moved, seconded by Elizabeth Krueger, to reject the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Kelly Powers – 12 SOC 113. Motion carried unanimously.

### **DLSC MATTERS**

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to close case # 12 SOC 095 (C.A.S.) for N.V. (No Violation). Motion carried unanimously.

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to close case # 12 SOC 130 (L.M.W.) for I.E. (Insufficient Evidence). Motion carried unanimously.

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to close case # 13 SOC 005 (A.M.R.) for I.E. (Insufficient Evidence). Motion carried unanimously.

**MOTION:** Jennie Anderson-Meger moved, seconded by Elizabeth Krueger, to close case # 13 SOC 037 (J.V.D.) for N.V. (No Violation). Motion carried.  
*Barbara Viste-Johnson recused herself from deliberation and voting on the above matter.*

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to close case # 13 SOC 046 (L.J.) for N.V. (No Violation). Motion carried unanimously.

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to close case # 13 SOC 049 (D.M.A.) for N.V. (No Violation). Motion carried unanimously.

**MOTION:** Jennie Anderson-Meger moved, seconded by Barbara Viste-Johnson, to close case # 13 SOC 053 (S.F.F.) for N.V. (No Violation). Motion carried unanimously.

#### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Barbara Viste-Johnson moved, seconded by Elizabeth Krueger, to affirm all motions made in closed session. Motion carried unanimously.

#### **ADJOURNMENT**

**MOTION:** Elizabeth Krueger moved, seconded by Jennie Anderson-Meger, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:44 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>Dan Williams</b>   |  | 2) Date When Request Submitted:<br><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>MPSW Joint Board – Social Worker Section</b>   |  |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| 4) Meeting Date:<br><br><b>12/2/13</b>   | 5) Attachments:<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>2014 meeting dates – Discussion and Consideration</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 by<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br>N/A  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| 10) Describe the issue and action that should be addressed:<br><br><u>2014 dates</u><br><br><table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Jan 29 (Wed)</td> <td style="width: 50%;">Joint (1/28)</td> </tr> <tr> <td>March 19 (Wed)</td> <td></td> </tr> <tr> <td>April 30 (Wed)</td> <td>Joint (4/29)</td> </tr> <tr> <td>June 25 (Wed)</td> <td></td> </tr> <tr> <td>July 30 (Wed)</td> <td>Joint (7/29)</td> </tr> <tr> <td>Sept 17 (Wed)</td> <td></td> </tr> <tr> <td>Oct 29 (Wed)</td> <td>Joint (10/28)</td> </tr> </table> |  |  |  | Jan 29 (Wed) | Joint (1/28) | March 19 (Wed) |  | April 30 (Wed) | Joint (4/29) | June 25 (Wed) |  | July 30 (Wed) | Joint (7/29) | Sept 17 (Wed) |  | Oct 29 (Wed) | Joint (10/28) |
| Jan 29 (Wed)   | Joint (1/28)   |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| March 19 (Wed)   |  |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| April 30 (Wed)   | Joint (4/29)   |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| June 25 (Wed)  |  |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| July 30 (Wed)  | Joint (7/29)   |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| Sept 17 (Wed)  |  |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |
| Oct 29 (Wed)   | Joint (10/28)  |  |  |              |              |                |  |                |              |               |  |               |              |               |  |              |               |

Page intentionally left blank

**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>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>MPSW Joint Board – Social Worker Section</b>   |  |  |  |
| 4) Meeting Date:<br><br><b>12/2/13</b>   | 5) Attachments:<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>Draft of MPSW 8, 14, 19 relating to continuing education – Discussion and Consideration</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 by<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br>N/A  |  |
| 10) Describe the issue and action that should be addressed:<br><br><div style="background-color: yellow; height: 20px; width: 100%;"></div>  |  |  |  |
| 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 Bureau Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting. |  |  |  |

## MPSW 19.01 Definitions

### MPSW 19.02 Continuing education requirements

- (1) Unless granted a postponement or waiver of the continuing education requirement under s. 19.04, every licensed marriage and family therapist, professional counselor, social worker, advanced practice social worker, independent social worker and clinical social worker is required to complete at least 30 continuing education credit hours in approved continuing education programs during each 2 year credential period.
- (2) A minimum of 4 continuing education credit hours, of the required 30 continuing education credit hours, shall be in the area of professional ethics and boundaries for the specific profession in which the credential is held.
- (3) During the time between receiving the initial credential and commencement of a full 2 year period, a new credential holder is not required to meet continuing education requirements for the first renewal of the credential.
- (4) Continuing education credit hours may apply only to the 2 year credential 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 requirement during a 2 year credential period, any additional continuing education hours obtained on or after the renewal date to satisfy the requirement of the preceding period will not apply to the period in which they are earned.

### MPSW 19.03 Continuing education programs.

- (1) The following educational programs are approved as continuing education programs under this chapter:
  - (a) Any continuing education program approved, sponsored, provided or authorized by:
    1. American Association for Marriage and Family Therapy (AAMFT);
    2. Wisconsin Association of Marriage and Family Therapy (WAMFT);
    3. National Rehabilitation Counselor Association (NRCA)
    4. American Rehabilitation Counselor Association (ARCA)
    5. Wisconsin Rehabilitation Counselor Association (WRCA)
    6. National Board for Certified Counselors (NBCC)
    7. American Counselor Association (ACA)
    8. Wisconsin Counselor Association (WCA)
    9. National Board for Certified Counselors (NBCC)
    10. Commission on Rehabilitation Counselor Certification (CBCC)
    11. Association of Social Work Boards (ASWB)
    12. National Association of Social Work (NASW) or affiliated chapters.
  - (b) Any continuing education program or course offered by a training program accredited by the commission on accreditation for marriage and family therapy education (COAMFTE).

- (c) 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.
- (d) 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.
- (e) 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.
- (f) Any course or continuing education program offered by an accredited college or university that is related to the practice of marriage and family therapy, professional counseling or social work.
- (g) A presenter of professional material at any of the following:
  - 1. Seminars, workshops, programs or institutions.
  - 2. University, college or vocational technical adult education courses.
  - 3. Educational sessions at state and national conferences.
  - 4. Educational telephone network (ETN) courses

Presenters may receive 2 continuing education credit hours per hour of continuing education or 20 continuing education credit hours for a semester education course. No additional continuing education credit hours will be granted for subsequent presentations of the same material.

- (h) Authorship of a published textbook or professional resource book. Authors of a book may receive 20 continuing education credit hours.
- (i) Authorship of a published chapter in a textbook or professional resource book or a professional journal article. Authors of chapters or articles may receive 8 continuing education credit hours.
- (j) Development of alternative or electronic media, computer software, videotapes or audiotapes. Developers of these materials may receive 8 continuing education credit hours.
- (k) Public and private agencies that provide in-house training and development programs that is related to the practice of marriage and family therapy, professional counseling or social work. Only 15 of the required 30 continuing education credit hours may be met through in-house training and development programs.

#### MPSW 19.04 Postponement, Waiver and Exemption.

- (1) A credential holder may apply to the section for a postponement or waiver of the requirements of this chapter on grounds of prolonged illness, disability or other ground constituting extreme hardship. This 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.
- (2) The section may grant an exemption from the requirements of this chapter to a credential holder who certifies to the section that the credential holder has permanently retired and no longer uses the title “marriage and family therapist”, “licensed professional counselor”, “social worker”, “advanced practice social worker”, “independent social worker” or “clinical social

worker” and no longer practices marriage and family therapy, professional counseling or social work. The credential holder’s status will change to non-practicing.

(3) A credential holder who has been granted an exemption due to retirement may not return to the active practice or use the title without submitting evidence satisfactory to the section that the credential holder has completed at least 30 continuing education credit hours for each of the biennia during which the credential holder was granted an exemption.

#### MPSW 19.05 Record retention and audits.

(1) A credential holder shall retain for a minimum period of 4 years and shall make available to the board or its agent upon request, documentation of publication or certificates of attendance issued by the program sponsor for all continuing education programs for which the credential holder claims credit for purposes of renewal of the credential. The certificate shall include the name of credential holder, date, provider name, hours and title of course.

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

**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>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>MPSW Joint Board – Social Worker Section</b>   |  |  |  |
| 4) Meeting Date:<br><br><b>12/2/13</b>   | 5) Attachments:<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br><br><b>BMCW letter of response – Discussion and Consideration</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 by<br><input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required:<br><br>N/A  |  |
| 10) Describe the issue and action that should be addressed:<br><br><b>See attachment</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 Bureau Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting. |  |  |  |



201 East Washington Avenue, Room G200  
P.O. Box 8916  
Madison, WI 53708-8916  
Telephone: 608-266-8684  
Fax: 608-261-6972

Governor Scott Walker  
Secretary Eloise Anderson

Secretary's Office

November 1, 2013

Nicholas P. Smiar, Chairperson  
Social Worker Section  
Marriage & Family Therapy, Professional Counseling, & Social Work Board  
320 Broadway Street  
Eau Claire, WI 54703

Dear Mr. Smiar:

Thank you for your letter expressing your concerns about the Department of Children and Families' decision to broaden the criteria for Initial Assessment positions with the Bureau of Milwaukee Child Welfare (BMCW). This decision was made after thoughtful consideration and for a number of reasons.

First and foremost is the Department's desire to have an interdisciplinary approach to child protection. The Council on Accreditation for Children and Families, the "gold standard" for child welfare, requires that child protection workers have a bachelor's degree in social work or a comparable human service field. Social workers have contributed a great deal to this field, but so have those with backgrounds in counseling, child development, psychology and other related disciplines; multiple disciplines enhance the team as each member learns from others. Furthermore, other child protection jurisdictions, such as Rock, Kenosha and Racine counties, and Illinois, also allow for broader backgrounds.

Your letter expresses concerns about accountability and transparency. There continues to be significant public oversight to the role of the Initial Assessment Specialist and to the BMCW as a whole. As required by Act 78, BMCW reports to the public on all child deaths, serious and egregious incidents, as well as any practice findings and recommendations. BMCW overall performance on a number of metrics is reported to the public on a semi-annual basis. The Milwaukee County Child Welfare Partnership Council, which consists of legislators, County Board members and Governor Appointees, meets bi-monthly to review BMCW initiatives, outcomes and performance, and all meetings are open to the public. Finally, BMCW participates annually in the statewide Quality Service Review, which is a comprehensive look at practice, community feedback and a large number of quality indicators that have been developed at the federal level. Individual worker conduct always has been, and will continue to be managed in conjunction with the Department's Human Resources office.

Our most recent recruitment resulted in the hiring of thirty exceptionally qualified applicants. Of the thirty, eleven have degrees in Social Work (both Bachelor's and Master's), nine have Criminal Justice degrees, and the remaining ten have degrees in Psychology, Sociology, Mental Health and Human Service. All have significant relevant experience. They are a diversified group in terms of gender, age and race. We are very pleased with the results of this recruitment and look forward to strengthening our Initial Assessment teams with their contributions.

Nicholas P. Smiar, Chairperson  
November 1, 2013  
Page 2

The Department will continue to monitor the results of the decision to broaden the criteria for the Initial Assessment positions. Thank you for the time you took to share your thoughts on the matter. I appreciate your feedback.

Sincerely,



Eloise Anderson  
Secretary

October 4, 2013

Eloise Anderson, Secretary  
Department of Children and Families  
201 East Washington Avenue, Second Floor  
P.O. Box 8916  
Madison, WI 53708-8916

**RE:** Re-classification of social work position, BMCW

Dear Secretary Anderson:

On behalf of the Social Worker Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, I am writing to you to express our deep concern regarding the re-classification of a position in the Milwaukee Bureau of Child Welfare, which is under your direction. The BMCW has re-classified the position of Initial Assessment Social Worker to Initial Assessment Specialist and, thereby, removed the requirement that the person in that position be credentialed as a social worker. Persons in this position are in a critical decision making position in regard to the life and safety of children, and this raises serious concerns about child protection. Our charge is consumer protection, and this decision to re-classify the Initial Assessment Social Worker position will put vulnerable consumers in danger.

In the re-classification and the revision of qualifications, the BMCW has removed the position from professional and public oversight of the individual in the position. Individuals in this role will have no obligations in regard to professional ethical behavior other than the conduct requirements attached to the position by the BMCW and is subject to no review of his or her actions other than through internal supervision and discipline. In addition, even when internal discipline is applied, there is no obligation to report that discipline to our board. So, the individual is operating outside of a professional framework and outside of external review. We note that the new requirements state: "Knowledge of and skill in the application of the principles and practices of applicable professional code of ethics." There is no reference to **which** professional code. So, it is not clear to which profession this person might be accountable, if any. It certainly would not require conformity with MPSW 20 Code of Conduct, since that is tied to certification or licensure in Social Work, Marriage and Family Therapy, or Professional Counseling.

In a review of the re-classification material and the position description, we note that the BMCW has, in effect, seriously diminished the qualifications for the position and relied on a training program to fill the gap. Although the new qualifications seem to mirror the former qualifications, there are serious differences. For example, the former qualifications include "knowledge and application of the principles and practices of social work intervention." There is no similar statement in the new qualifications. In effect, the BMCW has not just simply removed the social work qualification; it has actually removed the entire framework of professional practice. In

effect, the new qualifications create a “technician” position in which there is an assumption that the position requires only knowledge content, divorced of integrated knowledge and skill in a framework of ethical practice. In the former position description, every applicant could reasonably be assumed to have a common “floor” of knowledge, skill, and ethical conduct. No such assumption can now be made, and a training program is no guarantor of that. Please be reminded that most other disciplines are not grounded in practice application; rather, they are “studies of” those areas and do not have a common core of practice application. An interdisciplinary approach would be fine, IF all of the disciplines were grounded in applied practice. Sociology, anthropology, psychology, child development, family studies, etc., are not applied disciplines. Although they can contribute knowledge to the process, they do not offer an integrated practice application approach within a framework of ethical practice.

We understand that the BMCW has had problems with staff turnover in this position and with recruitment into this position. However, if a hospital had problems recruiting physicians for staff positions, would the solution be to lower the qualifications and hire less qualified persons and give them an intensive, 16-week training, just to meet that need? The answer, of course, is “No,” especially since physicians deal with life-and-death issues. We could say the same about almost any profession, especially those which deal with life-and-death issues, such as child protection. The answer does not lie in decreasing the qualifications but in examining problems in retention and recruitment and solving those instead. It is our opinion that this change needlessly endangers the life and safety of children at risk. The fact that some counties have made similar re-classifications for social work positions is not a valid argument. That says more about their concerns regarding retention and recruitment than about their wish to diversify their workforce.

The changes will also, in our opinion, increase the liability of the DCF and the BMCW in a very difficult area of practice. If there is a legal challenge to some action in CPS, both the BMCW and the DCF will have increased their liability by decreasing training and practice requirements. Neither agency is totally immune from lawsuit. Why increase liability when that is not necessary?

In summary, our concerns have to do with professionalism, accountability, transparency, and liability. We respectfully request your consideration of these matters and look forward to your response.

Sincerely,

Nicholas P. Smiar, PhD, ACSW, CISW  
Chairperson  
Social Worker Section  
Marriage and Family Therapy, Professional Counseling, and Social Work Board

Cc: Arlene Happach, Director, BMCW  
Linda Davis, Milwaukee Child Welfare Partnership Council  
Willie Johnson, Jr., Milwaukee County Board and Child Welfare Partnership Council

Sen. Alberta Darling

Sen. Nikiya Harris

Rep. LaTonya Johnson

Marc Herstand, Executive Director, NASW-WI

Michael Wallace, President, WCSWE

Stan Stojkovic, Dean, Helen Bader School of Social Welfare, UW-Milwaukee

Kristi Shook Slack, Director, School of Social Work, UW-Madison