

**JOINT EXAMINING BOARD MEETING
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK JOINT EXAMINING BOARD
MEETING MINUTES
APRIL 15, 2009**

PRESENT: Arlie Albrecht, Eric Alvin, LaMarr Franklin, George Kamps, Bruce Kuehl, Charles Lindsey, Leslie Mirkin, Evelyn Pumphrey, Ann Marie Starr, Mary Jo Walsh, Daryl Wood

EXCUSED: Abe Rabinowitz

STAFF: Jeff Scanlan, Bureau Director; Michael Berndt, Legal Counsel; Gail Sumi, Minute Taker and other DRL Staff

GUESTS: Marc Herstand, NASW WI; Joseph D’Costa, DWD/DVR; Ann Jablonski, WCBHP; Dawn Ashmore

CALL TO ORDER

Mary Jo Walsh, Chair, called the meeting to order at 9:07 a.m. A quorum of ten (10) members was present. Charles Lindsey was welcomed as the new member of the Board and had the opportunity to introduce himself.

APPROVAL OF AGENDA

Amendment to the Agenda:

- After Item “F” (open session) Review of Inquiries Received by Legal Counsel – Add: Review of Correspondence from Anthony Werth, Ozaukee County - Department of Human Services, to Ann Marie Starr Regarding HS 35 and Strength Based Practice Mandates

MOTION: Ann Marie Starr moved, seconded by Leslie Mirkin, to approve the April 15, 2009 agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 27, 2009

MOTION: George Kamps, moved, seconded by LaMarr Franklin, to approve the minutes of January 27, 2009 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Jeff Scanlan welcomed Charles Lindsey. Susan Putra was recognized for the hard work, dedication and years of service she provided to the Board and the Professional Counselor's Section. The Board was introduced to General Counsel, Michael Berndt, who is standing in today as temporary Board Counsel. Also introduced was Gail Sumi, newly appointed Administrator of the Division of Board Services. Gail Sumi introduced herself and provided information on her background. The following staff updates were provided to the Joint Board.

- Hector Colon has been appointed as the Department's Executive Assistant.
- Amy Childers, Division of Board Services, has left the Department.
- Nicole Goodman, Division of Board Services, has transferred to the Office of Education and Examination.

Secretary Celia Jackson, Initiative of Board Meetings Held Around State

Secretary Celia Jackson appeared to discuss the MPSW Joint Board's postponement and subsequent rescheduling of the Joint Board meeting to be held at a location outside of Madison in the fall of 2009. The Board was informed that the Department has been conducting outreach efforts in order to make the Boards more accessible to interested parties throughout the state. Also provided was information about the experience of past Board meetings in areas around the state to include the 2009 Real Estate Board meeting in Waukesha and the 2008 Board of Nursing meeting in Green Bay. Board discussion of the pros and cons involved with meeting at an offsite location ensued. The Board took the following action:

MOTION: George Kamps moved, seconded by Ann Marie Starr, to add an offsite Joint Board meeting in the fall of 2009. Motion carried unanimously.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES, ADMINISTRATIVE RULES AND PRESS RELEASES

Michael Berndt reviewed the summary reports with the Joint Board.

STATUS OF RULES AND STATUTES

Review of Draft Rules: Changes to s. MPSW 1.11 Psychometric Testing

Jeff Scanlan advised the Joint Board of the progress made on the rule draft outlining changes to s. MPSW 1.11 relating to psychometric testing. The Psychology Examining Board has reviewed and approved the rule draft with edits however; the changes made do not affect the substance of the rule. Jeff Scanlan then provided the Board with concerns voiced by the Psychology Examining Board regarding the absence of supervisor qualifications for psychometric testing. Leslie Mirkin reported to the Board regarding the Professional Counselor Section's discussion of the draft rules.

MOTION: Eric Alvin moved, seconded by Arlie Albrecht, to refer the issue of supervisor qualifications for psychometric testing to the subcommittee. Motion carried unanimously.

MOTION: Leslie Mirkin moved, seconded by Eric Alvin, to move the s. MPSW 1.11 psychometric testing rule draft forward in the rulemaking process. Motion carried unanimously.

DISCUSSION ON AMENDMENT OR REPEAL OF S. 457.02 PERTAINING TO REQUIREMENTS FOR SUBSTANCE ABUSE AND SUBSTANCE USE DISORDER TREATMENT BY A LICENSEE OF THE BOARD (MARRIAGE AND FAMILY THERAPIST, PROFESSIONAL COUNSELOR, & CLINICAL SOCIAL WORKER)

The Board was provided a handout and a report regarding the progress made by George Kamps, Mary Jo Walsh and Ann Marie Starr on options of amendment or repeal of s. 457.02. The Joint Board discussed the most appropriate approach to the issue of requirements for substance abuse and substance use disorder treatment by licensees of the Board and the adequate educational standards relating to this practice. Also deliberated was whether to pursue rules change which would amend Wis. Admin. Code MPSW s. 1.09. The Committee will review current rules to determine the scope of an amendment should the Board wish to pursue rule writing. The Board indicated that discussion of potential rule and statute changes will continue at a future meeting.

MOTION: Ann Marie Starr moved, seconded by LaMarr Franklin, to request the Department to draft a legislative request to repeal the portions of s. 457.02 that pertain to the prohibitions on treatment of substance abuse disorders. Motion carried unanimously.

ORDER FOR ADOPTION: ORDER OF THE MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING AND PROFESSIONAL COUNSELING EXAMINING BOARD ADOPTING RULES, CLEARINGHOUSE 08-088; RULES RELATING TO SUPERVISED PRACTICE, TRAINING LICENSES AND ACADEMIC PROGRAMS FOR PROFESSIONAL COUNSELORS

Jeff Scanlan provided the Board with an overview of clearinghouse rule 08-088, relating to supervised practice, training licenses and academic programs for professional counseling. The Board reviewed the plain language analysis and then took the following action:

MOTION: Bruce Kuehl moved, seconded by George Kamps, to approve clearinghouse rule 08-088 for publication. Motion carried unanimously.

ORDER FOR ADOPTION: ORDER OF THE MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING AND PROFESSIONAL COUNSELING EXAMINING BOARD ADOPTING RULES, CLEARINGHOUSE 08-089; RULES RELATING TO SUPERVISED PRACTICE HOURS AND INTERNSHIPS REQUIRED FOR SOCIAL WORKERS

Jeff Scanlan gave background regarding clearinghouse rule 08-089 relating to supervised practice hours and internship requirements for Social Workers. The Board reviewed the plain language analysis for CR 08-089. The Board discussed the equivalency provision in this draft.

MOTION: Bruce Kuehl moved, seconded by Eric Alvin, to adopt for publication CR 08-089. Motion carried unanimously.

**REPORT OF MPSW JOINT EXAMINING BOARD GOAL SETTING COMMITTEE
(MEMBERS: E. ALVIN; A. ALBRECHT, E. PUMPHREY)**

The Joint Board was provided with a report of the recommendations made by the Joint Board Goal Setting Committee. The Board reviewed the Committee's suggestions and discussed whether to include these topics and how to prioritize these issues. The Board was informed that future Committee meetings will be handled by teleconference call. The Committee expressed that they would like to hold a teleconference call sometime before the next Joint Board meeting. The Goal Setting Committee identified the following priorities for the Board's consideration and pursuit:

1. Amendment or repeal of Wis. statute s. 457.02 regarding repeal of provisions which restrict license holders from providing treatment of substance abuse and substance use disorders.
2. Achieving medical assistance and 3rd party payer reimbursement for in-training license holders at the master's level.

3. Review existing regulations for practice of substance abuse treatment under s. MPSW 1.09, Wis. Admin. Code and remove eligibility for bachelor level certificate holders.
4. Create supervisor training guidelines.
5. Address disparity between supervisor regulations across the Sections of the Joint Board.
6. Review definition of psychotherapy, address differences of definition of psychotherapy in state code and statute and address whether the board needs to modernize definition for acceptable clinical practice (what counts as acceptable supervised psychotherapeutic practice required for licensure?)
7. DHS Mental Health Practitioner (AKA: Dan Crossman letter holders) What action should be taken by the Board in terms of recognizing or grand parenting these individuals that hold the letter but may not hold or qualify for a certificate or license under the Joint Board.
8. Identify any other statutory changes needed for any of the Sections or the Joint Board.

The Board discussed the various recommendations. It was determined that the Board would like to examine the methods of implementation of each item identified by the Goal Setting Committee. It was suggested that the list of recommendations be sorted into groups, those that require legislative change or those that do not. This item will be continued at a future meeting.

REPORT OF MARRIAGE AND FAMILY THERAPIST SECTION

Bruce Kuehl indicated that there was nothing to report from the Marriage and Family Therapist's Section as they have not met since the last meeting of the Joint Board. The Section will meet later in the day after the Joint Board adjourns.

REPORT OF PROFESSIONAL COUNSELOR SECTION

Leslie Mirkin provided the Board a summarized report of the items covered at the previous day's meeting of the Professional Counselor's Section. It was noted that the Section was pleased to receive a new appointment, Charles Lindsey and then inquired of the Board as to the best way to convey appreciation to Susan Putra. The Board will send flowers to Susan Putra in recognition of her service to the Board. Leslie Mirkin continued his report by informing the Board of the Section's efforts to review and revise their application forms. Aaron Knautz, Credential Processor, was recognized for his organization and efficiencies in the handling of the applications for professional counseling and preparing files for Section review. Correspondence received by the PC Section was discussed. A letter, sent to the Section by Professional Counseling Education Department Chairs from UW Whitewater and UW Oshkosh, pointed out the increase of educational requirements for the professional counseling profession in many other states and noted the revisions made by CACREP increasing its educational requirements effective 2010. The Section has requested that David Van Doren, EdD, Counselor Education Department Chair, UW Whitewater, and M. Alan Saginak, EdD, Professional Counseling Department Chair, UW Oshkosh provide a presentation to the Section at its next meeting. On a similar note the Board was informed that the Section had reviewed e-mail correspondence

between Dan Zimmerman, DHS and Jeff Scanlan highlighting concerns regarding the adequacy of training for professional counselors and mentioned the possibility of two-tiered licensure.

REPORT OF SOCIAL WORKER SECTION

George Kamps began the Social Work Section's report to the Board with thanks to the Board for their vote earlier today on CR 08-089 relating to supervised practice hours and internship requirements for Social Workers. This item places internships under the auspices of the universities for social work training applicants and will enhance the Section's ability to develop more specific requirements for the internship experience. George Kamps also mentioned that the Section hopes to include information about equivalency for the Social Work Training Certificate in the BSW Digest. George Kamps went on to report that the Section has been attempting to fill the Certified Independent Social Work vacancy and has been unsuccessful. The inability to fill this vacant position is due to dwindling numbers of CISW's and because many MSW's are becoming APSW's in route to LCSW's. Finally, George Kamps indicated that the Section had conveyed concerns regarding the reassignment of Jacquelynn Rothstein to the Division of Enforcement in the form of a letter to Secretary Jackson. The Secretary's response was reviewed with the Board.

REVIEW OF INQUIRIES RECEIVED BY LEGAL COUNSEL

The Board reviewed a letter from Anthony Werth, Ozaukee County – Department of Human Services, that was addressed to Ann Marie Starr which inquired about HS 35, specifically if providers are required to comply with "state approved" approaches to treatment. It was noted that the Board supports HS 35 but the testimony provided did not indicate Board support of strength based practice. After further discussion the Board indicated that this question was outside of its jurisdiction and agreed that a response to this effect should be provided to Mr. Werth.

PUBLIC COMMENT

Marc Herstand, NASW WI, provided an update to the Board regarding efforts to incorporate the vendorship bill into the state budget.

OTHER BOARD BUSINESS

Members of the Professional Counseling Section announced that Ann Marie Starr had a recent birthday. Ann Marie was regaled with a stirring rendition of Happy Birthday.

ADJOURNMENT

MOTION: LaMarr Franklin moved, seconded by Evelyn Pumphrey, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:03 p.m.