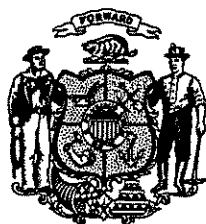


WISCONSIN LEGISLATIVE COUNCIL STAFF



RULES CLEARINGHOUSE

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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 00-158

AN ORDER to create SFC 1.05 (7), relating to the state jurisprudence examination.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

11-06-00 RECEIVED BY LEGISLATIVE COUNCIL.

11-30-00 REPORT SENT TO AGENCY.

RNS:NZ;jal;tlu

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)]

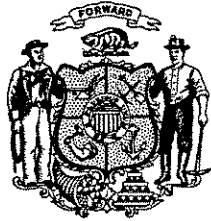
Comment Attached YES NO

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CLEARINGHOUSE RULE 00-158

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

4. Adequacy of References to Related Statutes, Rules and Forms

In the analysis section, the statutes interpreted should be changed from "s. 457.08 (1) (b), (2) (b) . . ." to "s. 457.08 (1) (c), (2) (c)"

5. Clarity, Grammar, Punctuation and Use of Plain Language

Under the rule, if an applicant took and passed part II of the examination for another certificate, but did not receive the certificate because of failure on part I of that examination, the person would be required to take part II again as part of the application for a social worker certificate. Is this intended? If not, "and receiving" should be deleted. [Also see s. SFC 1.05 (6) regarding retaking only the failed part of the examination.]

FEB 26 2001

**STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS**

**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND FAMILY
WORKERS, MARRIAGE AND : THERAPISTS AND PROFESSIONAL
FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 00-158)**

TO: Senator Judy Robson, Senate Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 15 South, State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS is submitting in final draft form rules relating to the state jurisprudence examination.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

**STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS**

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE :
EXAMINING BOARD OF SOCIAL : **REPORT TO THE LEGISLATURE**
WORKERS, MARRIAGE AND : **ON CLEARINGHOUSE RULE 00-158**
FAMILY THERAPISTS AND : **(s. 227.19 (3), Stats.)**
PROFESSIONAL COUNSELORS :

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

These rules will have no significant impact upon state or local units of government.

IV. STATEMENT EXPLAINING NEED:

The Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors issues four different types of social work certification, based on an applicant's education and experience. An individual who has received one type of certification may later apply for another type. All applicants are currently required to take and pass a state jurisprudence examination. The proposed change would eliminate the need to retake the state jurisprudence examination if the applicant passed the examination within the previous five years.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on January 11, 2001. There were no appearances at the public hearing nor were any written comments received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The recommendations suggested in the Clearinghouse Rule were accepted in whole.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

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2/26/01

STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND FAMILY
WORKERS, MARRIAGE AND : THERAPISTS AND PROFESSIONAL
FAMILY THERAPISTS AND : COUNSELORS ADOPTING RULES
PROFESSIONAL COUNSELORS : (CLEARINGHOUSE RULE 00-158)

PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to create SFC 1.05 (7), relating to the state jurisprudence examination.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 457.03 (3), Stats.

Statutes interpreted: s. 457.08 (1) (c), (2) (c), (3) (d) and (4) (d), Stats.

The Social Worker Section of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors issues four different types of social work certification, based on an applicant's education and experience. An individual who has received one type of certification may later apply for another type. All applicants are currently required to take and pass a state jurisprudence examination. The proposed change would eliminate the need to retake the state jurisprudence examination if the applicant passed the examination within the previous five years.

TEXT OF RULE

SECTION 1. SFC 1.05 (7) is created to read:

SFC 1.05 (7) An applicant for certification as a social worker, advanced practice social worker, independent social worker, independent clinical social worker, marriage and family therapist, or professional counselor need not take part II of the examination if within the 5 years preceding the date of application, the applicant took and passed part II in the process of applying for another certification from the board.

(END OF TEXT OF RULE)

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

Dated _____

Agency _____

Chairperson
Examining Board of Social Workers,
Marriage and Family Therapists
and Professional Counselors

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

FINAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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2/26/01