

MAR 27 2001

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FORM 2



WISCONSIN LEGISLATIVE COUNCIL 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 01-027

AN ORDER to renumber SFC 11.015; and to create SFC 11.015 (2), relating to professional counselor training certificates.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

03-05-01 RECEIVED BY LEGISLATIVE COUNCIL.

03-23-01 REPORT SENT TO AGENCY.

RS:RJC:jal

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

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

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND
WORKERS, MARRIAGE AND FAMILY : FAMILY THERAPISTS AND
THERAPISTS AND PROFESSIONAL : PROFESSIONAL COUNSELORS
COUNSELORS : (CLEARINGHOUSE RULE 01-)

PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to renumber SFC 11.015; and to create SFC 11.015 (2), relating to professional counselor training certificates.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

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

Statutes interpreted: s. 457.13 (2), Stats.

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors creates a rule that clarifies that a professional counselor training certificate is available only to persons during a period of supervised practice and the limited circumstances in which a professional counselor training certificate is available.

TEXT OF RULE

SECTION 1. SFC 11.015 is renumbered SFC 11.015 (1).

SECTION 2. SFC 11.015 (2) is created to read:

SFC 11.015 (2) A professional counselor training certificate shall be valid during a period of supervised pre-certification practice. The training certificate shall expire after 24 months, or when the applicant obtains certification under s. 457.12, Stats., or at the end of the supervised practice, whichever occurs first. A professional counselor training certificate may not be renewed.

(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 proposed 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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3/1/01

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

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PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND
WORKERS, MARRIAGE AND : FAMILY THERAPISTS AND
FAMILY THERAPISTS AND : PROFESSIONAL COUNSELORS
PROFESSIONAL COUNSELORS : ADOPTING RULES
: (CLEARINGHOUSE RULE 01-027**

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 professional counselor training certificates.

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 01-027**
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:

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors creates a rule that clarifies that a professional counselor training certificate is available only to persons during a period of supervised practice and the limited circumstances in which a professional counselor training certificate is available.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on May 17, 2001. There were no appearances at the public hearing nor were any written comments received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

There were no recommendations suggested in the Clearinghouse Report.

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.

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

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FINAL REGULATORY FLEXIBILITY ANALYSIS

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7/25/01