



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 13-009

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated November 2011.]

2. Form, Style and Placement in Administrative Code

a. The introductory phrase of the proposed rule should read: “The Marriage & Family Therapy, Professional Counseling and Social Work Examining Board proposes an order to repeal and recreate ss. MPSW 10.01 (6) and 14.01, relating to education.”. [See s. 1.02 (1) (Example), Manual.]

b. In the rule analysis, “Related statute or rule” should be “Related statutes or rules.”

c. In SECTION 1, “MPSW 10.01 (6)” should be **bold**.

d. The board’s definition of “Supervision” is unclear when read together with other relevant code chapters using the terms “supervision,” “supervised,” and “supervisory”. For instance, how will the new definition impact interpretation of s. MPSW 12.01 (1), requiring an average of one hour of supervision per week? How does it affect s. MPSW 12.04, limiting group supervision session time credited? Consider replacing imprecise verbs “describe, allow for, and provide” with “include, may be, or shall” depending on intent.

e. The “(3)” in s. MPSW 14.01 (3) should be indicated with **bold** text.

f. In s. MPSW 14.01 (2) (intro.) and (3) (intro.), the board should standardize the grammar of the three criteria in the rule paragraphs. Instead of “must total”, sub. (2) (intro.) should read “totals”, and instead of “The program curricula shall contain”, sub. (3) (intro.) should read “The coursework contained”. The board should add “all of the following:” at the end of s. MPSW 14.01 (2) (intro.).

g. Within each subdivision in s. MPSW 14.01 (2) (d), semicolons should be used to distinguish between the listed items. Also, the hyphens should be deleted and the subdivision titles should be formatted in accordance with s. 1.05 (2), Manual.

h. In s. MPSW 14.01 (2) (e) 1. and (e) 2., the board should add “coursework” before “addressing” to make these sections read correctly with the “one of the following” introductory phrase in s. MPSW 14.01 (2) (intro.).

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

a. In the plain language analysis, the board should remove the space between the end of the sentence and period in “3 semester hours or 4 quarter hours in counseling theory or counseling approaches course which includes a variety of theoretical models.” (This sentence is the third plain language analysis bullet point.)

b. Throughout the analysis of the proposed rule, the board should refer, uniformly, to “coursework” instead of “course(s)”.

c. The plain language analysis of SECTION 3 could be clarified to read: “An effective date of September 1, 2016 will provide the time necessary for the education programs to make adjustments in their course offerings and curricula. In addition, it will provide notice of the new requirements to students pursuing their master’s degrees.”.

d. In the last line of the Illinois comparison, “health” should be capitalized.

e. The end of the first sentence in the Minnesota comparison could be revised for clarity.

f. The final sentence of s. MPSW 10.01 (6) could be clarified to read: “The supervisory relationship further shall provide a structure for monitoring and clinical oversight of the professional services rendered by the counselor-in-training to ensure ethical delivery of services and protection of public health and welfare.”.

g. In s. MPSW 14.01 (2) (intro.), the board should clarify the reference to “a student’s” by instead referring to “the applicant’s”.

h. In s. MPSW 14.01 (2) (a), the board should substitute “provided” for “provide”.

i. The board should substitute “with” for “to include” in the third line of s. MPSW 14.01 (2) (a) and the third line of s. MPSW 14.01 (2) (b).

j. The board should consider replacing the imprecise language “usually performed by the onsite or field supervisor” in s. MPSW 14.01 (2) (b) with a more precise standard. Does the board use “usually” to mean a certain amount of the supervision?