



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-137

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 December 2014.]

2. Form, Style and Placement in Administrative Code

a. The board should add s. 457.08 (1) (c), (2) (c), (3) (d), and (4) (d), Stats., to the list of statutes interpreted, since those are the statutes that require applicants to pass one or more exams approved by the board. The board should also consider adding a summary of 2017 Wisconsin Act 357, which was enacted following the Joint Committee for Review of Administrative Rules’ objection to a proposed rule repeal, for the express purpose of ensuring the board’s authority to continue to require more than one exam.

b. The plain language analysis states the rule clarifies that there are two exams required for licensure under the chapter but, as proposed, s. MPSW 1.05 (1) states that the **social work** exam process consists of two exams. Does the board intend to require two exams for all of the license types it issues? As proposed, the requirement would not apply to marriage and family therapists or professional counselors, even though that is expressly authorized under Act 357’s changes to s. 457.10 (4), Stats. To add clarity, the board should consider:

- (1) Specifying in s. MPSW 1.05 (3) which license types are required to complete the two exams (social workers, advanced practice social workers, etc.). The rule summary’s plain language analysis should also be reviewed for consistency.
- (2) Amending the title to s. MPSW 1.05, if the board does not intend for the substance of the rule to apply to “Examination provisions for all sections.”.

c. The board should review the proposed rule's amended text in its entirety to ensure that all material intended to be removed from the code is indicated with stricken-through text and all material intended to be added is shown as underscored text. [s. 1.06 (1), Manual.]