

**STATE OF WISCONSIN
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK EXAMINING BOARD**

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : **REPORT TO THE LEGISLATURE**
MARRIAGE AND FAMILY THERAPY, : **ON CLEARINGHOUSE RULE 06-054**
PROFESSIONAL COUNSELING AND : [s. 227.19 (3), Stats.]
SOCIAL WORK EXAMINING BOARD :

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:

The department estimates that this rule will require time in the Division of Professional Credentialing. The total staff salary and fringe is estimated at \$57. The department also finds that this rule has no significant fiscal effect on the private sector.

IV. STATEMENT EXPLAINING NEED:

This proposed rule-making order will permit applicants for licensure as professional counselors to take and pass examinations that would demonstrate their professional competency. This proposal would give applicants an additional option of being able to take the National Counselor Mental Health Certification Examination. It would also permit the section to approve other examinations. As a result, the proposed change would permit applicants who take and successfully pass one of three examinations or another examination approved by the section to become eligible for licensure as a professional counselor.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on August 1, 2006. Two individuals appeared at the public hearing and spoke in support of the proposed rule. They are:

Deborah Schingen, Wisconsin Mental Health Counselors Association, Milwaukee, WI
Charles Lindsey, Sun Prairie, Wisconsin Counseling Association UW-Oshkosh, WI

There were no other appearances and no written comments were received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 5. The plain language analysis states that the proposed rule permits the section “to approve another examination that it deems to be equivalent to the other three.” However, the text of the rule merely allows the section to approve another examination. If equivalency is required, it should be included in the text of the rule.

Response: The analysis was changed to read: “This proposal would give applicants an additional option of being able to take the National Counselor Mental Health Certification Examination. It would also permit the section to approve ~~another examination that it deems to be equivalent to the other three~~ another examination. As a result, the proposed change would permit applicants who take and successfully pass one of three examinations or ~~an equivalent one~~ another examination approved by the section to become eligible for licensure as a professional counselor.

The other recommendations suggested in the Clearinghouse Report were accepted in whole.

VIII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

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