



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBb0788/4  
ALL:all:jf

**SENATE AMENDMENT 29,  
TO 2005 ASSEMBLY BILL 100**

June 29, 2005 – Offered by Senators SCHULTZ, A. LASEE, KEDZIE and ROESSLER.

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 196, line 23: increase the dollar amount for fiscal year 2005–06 by  
3 \$175,500 and increase the dollar amount for fiscal year 2006–07 by \$175,500 for the  
4 purpose for which the appropriation is made.

5 **2.** Page 348, line 19: delete “for the acquisition”.

6 **3.** Page 427, line 12: delete lines 12 and 13 and substitute:

7 **“SECTION 820g.** 45.60 (2) of the statutes, as affected by 2005 Wisconsin Act ....  
8 (Assembly Bill 210) is amended to read:

9 45.60 (2) STIPENDS. From the appropriation under s. 20.485 (2) (~~q~~) (dm), the  
10 department shall reimburse a local unit of a member organization of the council on  
11 veterans programs or a local unit of a veterans organization certified by the  
12 department to provide military funeral honors for the costs of providing military

1 funeral honors in this state to a person described in sub. (1). The reimbursement may  
2 not exceed \$50 for each funeral for which military honors are provided.”.

3 **4.** Page 723, line 16: after that line insert:

4 “**SECTION 1692xm.** 77.9941 (3m) of the statutes is renumbered 77.9941 (3m)

5 (a).

6 **SECTION 1692xn.** 77.9941 (3m) (b) of the statutes is created to read:

7 77.9941 (**3m**) (b) The department of revenue shall provide appropriate  
8 guidance regarding the application of the tax imposed under this subchapter to all  
9 persons who hold a sales tax permit issued by the department. Any retail outlet that  
10 would have been classified as a tourism related retailer under s. 77.994 (1), but for  
11 the fact that it is a retail outlet for a manufacturer or wholesaler, shall be considered  
12 a tourism related retailer for purposes of s. 77.994 (1).”.

13 **5.** Page 809, line 19: after “149.143 (1)” insert “, except that in no event may  
14 plan rates exceed 200 percent of rates applicable to individual standard risks”.

15 **6.** Page 865, line 20: delete lines 20 to 21 and substitute:

16 “**SECTION 2284mg.** 440.03 (13) (b) 5m. of the statutes is created to read:

17 440.03 (**13**) (b) 5m. Substance abuse counselor, clinical supervisor, or  
18 prevention specialist.”.

19 **7.** Page 867, line 1: delete “Alcohol and other drug abuse counselor” and  
20 substitute “Substance abuse counselor, clinical supervisor, or prevention specialist”.

21 **8.** Page 872, line 24: delete the material beginning with that line and ending  
22 with page 874, line 4, and substitute:

1                                   “SUBSTANCE ABUSE COUNSELORS,  
2   CLINICAL SUPERVISORS,  
3   AND PREVENTION SPECIALISTS

4           **440.75 Substance abuse counselors, clinical supervisors, and**  
5 **prevention specialists. (1) DEFINITIONS.** In this subchapter:

6           (a) “Clinical supervisor” means a basic clinical supervisor, an intermediate  
7 clinical supervisor, or an independent clinical supervisor.

8           (b) “Substance abuse counselor” means a basic substance abuse counselor, an  
9 intermediate substance abuse counselor, or an independent substance abuse  
10 counselor.

11           **(2) CERTIFICATION.** Except as provided in sub. (3m) and s. 440.12 or 440.13, the  
12 department shall certify as a substance abuse counselor, a clinical supervisor, or a  
13 prevention specialist any individual who satisfies the applicable conditions in sub.  
14 (3) and who has presented evidence satisfactory to the department that applicable  
15 certification standards and qualification of the department, as established by rule,  
16 have been met.

17           **(3) CERTIFICATION; STANDARDS AND QUALIFICATIONS.** (a) Subject to pars. (b) and  
18 (c) and except as provided in sub. (3m), the department shall promulgate rules that  
19 establish minimum standards and qualifications for the certification of all of the  
20 following, including substance abuse counselors and clinical supervisors described  
21 under s. HFS 75.02 (11) and (84), 2005 Wis. Adm. Code:

- 22           1. Basic substance abuse counselors.
- 23           2. Intermediate substance abuse counselors.
- 24           3. Independent substance abuse counselors.
- 25           4. Basic clinical supervisors.

1           5. Intermediate clinical supervisors.

2           6. Independent clinical supervisors.

3           7. Prevention specialists.

4           (b) Rules promulgated under par. (a) shall include standards based on  
5 demonstrated requisite competency, knowledge, skills, and attitudes of professional  
6 practice that are culturally competent and evidence-based.

7           (c) Before the department may promulgate rules under par. (a), the department  
8 shall appoint a certification review committee under s. 227.13 and shall consult with  
9 the certification review committee on the proposed rules. A majority of the members  
10 of the certification review committee required under this paragraph shall represent  
11 alcohol and other drug abuse organizations in this state, as recommended by the  
12 Wisconsin Association on Alcoholism and Other Drug Abuse, Inc.

13           **(3m) EXCEPTION.** This section does not apply to a physician, as defined in s.  
14 448.01 (5), who specializes in psychiatry, a clinical social worker, as defined in s.  
15 457.01 (1r), or a licensed psychologist, as defined in s. 455.01 (4), who practices as  
16 a substance abuse clinical supervisor or provides substance abuse counseling,  
17 treatment, or prevention services within the scope of his or her licensure.

18           **(4) APPLICATIONS; CERTIFICATION PERIOD.** An application for certification as a  
19 substance abuse counselor, clinical supervisor, or prevention specialist under this  
20 section shall be made on a form provided by the department and filed with the  
21 department and shall be accompanied by the fee specified in s. 440.05 (1). The  
22 renewal date and renewal fee for certification as a substance abuse counselor, clinical  
23 supervisor, or prevention specialist are specified under s. 440.08 (2) (a).

24           **(5) CERTIFICATION REQUIRED.** Except as provided in sub. (3m), no person may  
25 represent himself or herself to the public as a substance abuse counselor, clinical

1 supervisor, or prevention specialist or a certified substance abuse counselor, clinical  
2 supervisor, or prevention specialist or use in connection with his or her name a title  
3 or description that conveys the impression that he or she is a substance abuse  
4 counselor, clinical supervisor, or prevention specialist or a certified substance abuse  
5 counselor, clinical supervisor, or prevention specialist unless he or she is so certified  
6 under sub. (2).

7 **(6) REVOCATION, DENIAL, SUSPENSION, OR LIMITATION OF CERTIFICATION.** The  
8 department may, after a hearing held in conformity with chapter 227, revoke, deny,  
9 suspend, or limit under this subchapter the certification of any substance abuse  
10 counselor, clinical supervisor, or prevention specialist or reprimand the substance  
11 abuse counselor, clinical supervisor, or prevention specialist, for practice of fraud or  
12 deceit in obtaining the certification or any unprofessional conduct, incompetence, or  
13 professional negligence.

14 **(7) RECIPROCAL CERTIFICATION.** The department may, upon application and  
15 payment of the required fee, issue certification as a substance abuse counselor,  
16 clinical supervisor, or prevention specialist to an individual who holds a similar  
17 unexpired certification issued to the individual by another state for which the  
18 requirements for certification are of a standard that is not lower than that specified  
19 in this subchapter.

20 **(8) CERTIFICATION OTHER THAN BY DEPARTMENT PROHIBITED.** No entity other than  
21 the department may certify substance abuse counselors, clinical supervisors, or  
22 prevention specialists.”.

1           **9.** Page 884, line 20: delete that line and substitute: “Code certified substance  
2 abuse counselor, clinical supervisor, or prevention specialist under s. 440.75, or  
3 unless the”.

4           **10.** Page 884, line 24: delete “alcohol”.

5           **11.** Page 884, line 25: delete “and other drug abuse counselor” and substitute  
6 “substance abuse counselor, clinical supervisor, or prevention specialist”.

7           **12.** Page 973, line 24: delete “OTHER DRUG ABUSE” and substitute “DRUG”.

8           **13.** Page 974, line 1: delete lines 1 to 5 and substitute:

9           “(a) *Certified alcohol and drug counselors.* Except as provided in paragraph  
10 (am), all of the following individuals who are certified under the following titles  
11 under the requirements of section HFS 75.02 (84) (a) of the Wisconsin  
12 Administrative Code immediately before the effective date of this paragraph are  
13 certified as follows under section 440.75 of the statutes, as created by this act:

14           1.. If certified as a registered alcohol and drug counselor I, certified as a basic  
15 substance abuse counselor.

16           2. If certified as a certified alcohol and drug counselor II, certified as an  
17 intermediate substance abuse counselor.

18           3. If certified as a certified alcohol and drug counselor III or as a certified alcohol  
19 and drug counselor–D, certified as an independent substance abuse counselor.

20           4. If certified as a registered clinical supervisor, certified as a basic clinical  
21 supervisor.

22           5. If certified as a certified clinical supervisor I, certified as an intermediate  
23 clinical supervisor.

1           6. If certified as a certified clinical supervisor II or certified clinical  
2 supervisor-G, certified as an independent clinical supervisor.

3           7. If certified as a certified prevention professional, certified as a prevention  
4 specialist.

5           (am) *Exception.* This subsection does not apply to a physician, as defined in  
6 section 448.01 (5) of the statutes, who specializes in psychiatry, a clinical social  
7 worker, as defined in section 457.01 (1r) of the statutes, or a licensed psychologist,  
8 as defined in section 455.01 (4) of the statutes, who practices as a substance abuse  
9 clinical supervisor or provides substance abuse counseling, treatment, or prevention  
10 services within the scope of his or her licensure.”.

11           **14.** Page 988, line 16: delete “ALCOHOL AND OTHER DRUG ABUSE COUNSELORS” and  
12 substitute “SUBSTANCE ABUSE COUNSELORS, CLINICAL SUPERVISORS, AND PREVENTION  
13 SPECIALISTS”.

14           **15.** Page 989, line 3: delete “ALCOHOL AND OTHER DRUG ABUSE COUNSELOR” and  
15 substitute “SUBSTANCE ABUSE COUNSELOR, CLINICAL SUPERVISOR, AND PREVENTION  
16 SPECIALIST”.

17           **16.** Page 989, line 5: delete “alcohol and other drug abuse”.

18           **17.** Page 989, line 6: delete “counselors” and substitute “substance abuse  
19 counselors, clinical supervisors, and prevention specialists”.

20           **18.** Page 1012, line 17: after “System” insert “, the department of employee  
21 trust funds, and the investment board”.

22                           **(END)**