



November 1st, 2023

Senator Cabral-Guevara, Chair

Members of the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families

Testimony on 2023 Senate Bill 253

Relating to: a tier I license issued by the Department of Public Instruction and modifying administrative rules promulgated by the Department of Public Instruction.

Thank you, Chairwoman Cabral- Guevara and other members of the committee, for hearing my testimony on Senate Bill 253 today. Mental health has been a growing concern in our state, and our nation over these last few years. While this issue impacts people of all age groups, our children are struggling. We need to find new, innovative ways to help support our kids during a time of crisis, and that is what SB 253 aims to do.

The recent annual report from the Office of Children's Mental Health showed how prevalent mental health issues are in for kids in school. Of those responding to the survey, 52% reported anxiety, 34% reported feeling sad or hopeless every day, and 22% reported self-harm. Additionally, less than a quarter (23.6%) of those who report feeling sad, empty, hopeless, angry, or anxious would talk with an adult family member about their feelings. Although that is an alarming number, that is part of the reality we are facing. In addition to a portion of students not feeling comfortable talking about their feelings at home, they spend a good portion of their day at school. For some students, school may be the only access they have to mental health services. However, getting services at school when we have a shortage of mental health professionals can be difficult. The recommended counselor-to-student ratio is 250:1. In Wisconsin, the ratio is 387:1. In the next five years, Wisconsin is going to need about 1,500 more mental health professionals working in schools to handle the increased demand of mental health services by students. If we have a shortage as is, we need to be proactive about trying to address the need for this workforce.

SB 253 expands the pool of eligible mental health professionals that can work in a school by creating a tier 1 license for marriage and family therapists (MFT) to obtain in order to offer their services at a school. Marriage and family therapy covers both the couple and the familial system, focusing on theories and techniques that assess, prevent, and treat cognitive, behavioral, and mental issues for an individual, couple or, family as a whole. These therapists have experience with kids and how certain issues in a child's life can be impacting their mental health and overall behavior. MFT's are required to obtain, at minimum, a master's degree, complete 3,000 hours of post-graduate supervised experience, including at least 1,000 hours of face-to-face client contact, while holding a training license, and pass an examination approved by the Marriage and Family Therapist Section. These qualifications are similar to those looking to be a professional counselor or clinical social worker, to the point where they are all governed under the same chapter of statute.

This is simply an option, an opportunity to try and get more mental health professionals who are qualified into schools to get our kiddos the services they need. Thank you, and I will take any questions at this time.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jesse James'.

Senator Jesse James

23rd Senate District

Sen.James@legis.wisconsin.gov



DAVID STEFFEN

STATE REPRESENTATIVE • 4th ASSEMBLY DISTRICT

November 1, 2023

Testimony to the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families Re: SB 253

Chairman James and Committee Members,

Thank you for the opportunity to testify in favor of Senate Bill 253. SB 253 will help alleviate the shortage of mental health practitioners in our schools by allowing marriage and family therapists (MFTs) to serve in our school system. SB 253 allows certified marriage and family therapists to obtain a tier 1 license through the Department of Public Instruction. A tier 1 license is already available and utilized by social workers—allowing them to serve the needs of our students. SB 253 simply expands the license to include marriage and family therapists. This creates another **option** for schools to fill their needs and is not a mandate to hire MFTs.

Governor Evers declared 2023 the Year of Mental Health. In keeping with that focus, SB 253 recognizes the growing mental health needs of our students and provides a creative solution to connecting kids with the appropriate services. The needs in our schools are outpacing the capacity of school social workers. It is projected that Wisconsin will need 1,500 more counselors in the next five years, and although the student-to-counselor ratio recommended by the American School Counselor Association is 250-to-1, Wisconsin's ratio is 387-to-1. SB 253 works to fix this shortfall by utilizing existing mental health professionals.

Marriage and family therapists are specifically trained to address the mental health needs of individuals, couples, and families. They are subject-matter experts in how patterns of negative thoughts, emotional outbursts, and interactional conflicts can inhibit daily functioning within the classroom, the hallways, the lunchroom, during recess, and at school events. Challenges to a student's mental health often stem from events occurring throughout their lifespan and across generations. The qualifications and expertise of MFTs make them a perfect addition to provide mental health services in a school setting. Allowing them a space in the school system is a necessary step towards healthier children who are able to thrive inside and outside of school.

Lastly, I'll bring your attention to Senate Amendment 1 to SB 253. This amendment is the product of conversations with counseling professionals who already serve our students (school social workers and psychologists) and ensures that MFTs meet proper requirements, adhere to HIPPA standards and will in no way serve as the school social worker. MFTs will use their expertise to help fill in the growing mental health needs within our schools.

Thank you for the opportunity to speak in favor of this bill. I encourage you to join me in supporting this legislation and am happy to answer any questions you have.

A handwritten signature in black ink, appearing to read "David Steffen".

David Steffen
State Representative
4th Assembly District



November 1, 2023

**Senate Committee on Mental Health, Substance Abuse
Prevention, Children and Families**

**Wisconsin Department of Public Instruction Testimony
2023 Senate Bill 253
Senate Amendment 1,
to Senate Bill 253**

Thank you to Chairperson James and members of the committee for the opportunity to testify before you today. My name is Jennifer Kammerud and I am the director of the Licensing, Educator Advancement, and Development Team and the Department of Public Instruction (DPI). I am here on behalf of the department to testify for information only on 2023 Senate Bill 253 (SB 253) and Senate Amendment 1 to Senate Bill 253 (SA1-SB 253).

SB 253 would create a new license in PI 34, the DPI's administrative code governing licensure. This new license under the bill would allow those who hold a master's degree in marriage and family therapy and a valid marriage and family therapy certificate, training license, or clinical license issued by the marriage and family therapy section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board through the Department of Safety and Professional Services to receive a Tier I license to practice in schools. Senate Amendment 1 to this bill provides additional clarity around which licenses must be recognized by DPI for the Tier I license.

The license created under this bill is distinct from the school counselor license. The DPI is requesting this bill be amended to ensure it is implementable, aligned to other licensing law provisions, and meeting the intent of expanding mental health services. This can be done by creating this language under a licensing provision in PI 34 at the Tier I level that applies just to this license. For instance, the bill could place the creation of this license under a newly created provision, PI 34.0375, as a renewable license for a Tier I marriage and family therapist license. If it is its own provision, no additional requirements need to be met. The qualifying criteria could be used to renew the license for a period specified in the bill. It should be noted that the tiered licensing system has no impact on the scope of practice under the license.

As it stands now, the creation of this language in PI 34.028 is contrary to the authorizing language for this section of rule. This section only authorizes one-year licenses with stipulations and work leading to a Tier II license for teaching, school social work, school psychologists, or school counselors. The bill as drafted is also contrary to the overriding eligibility requirement for all licenses in this section as all the licenses under PI 34.028 are reserved for those who do not meet the requirements for a higher tier of license in the area. There is no higher tier of license for marriage and family therapists so there is nothing to make an exception to in enabling eligibility for a Tier I license under PI 34.028.

PI 34.028 also requires that to renew the one-year license with stipulations you must be working to complete any outstanding requirements to be licensed at the Tier II level of the license. Again, the state has no educator preparation programs for school marriage and family therapists so it is unclear as to what these individuals would be working towards.

In addition to the department's request to change the section under which this new license is created, the DPI requests a clarification to the bill regarding the scope of the license. Senate Amendment 1 makes it clear that this license does not authorize someone to be a school social worker. The DPI would like to add language that this license also does not authorize someone to be a school counselor. In other words, the scope of the license would be limited to the scope of the underlying license from the marriage and family therapy section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board. School counselors have a broad array of responsibilities that often focus more on student schedules, advising, broader student services, and post-high school planning. Thank you for the opportunity to testify before you today. I would be happy to answer any questions you may have.

If you have questions or would like additional information, please contact Kevyn Radcliffe, Legislative Liaison, at kevyn.radcliffe@dpi.wi.gov or (608) 264-6716.

*** MEMORANDUM ***

To: Legislative committee members considering AB 251, SB 253

From: Wisconsin School Psychologists Association (WSPA)
Wisconsin School Social Workers Association (WSSWA)

Re: **Opposition to AB 251, SB 253, relating to a Tier 1 DPI license for marriage and family therapists**

Date: November 1, 2023

When legislators consider the mental health needs of Wisconsin students and families, they should first consider the existing pupil service professionals authorized under Wisconsin law and whether there is enough staffing and support to address the needs that exist. With such a review, you will see a serious shortage of pupil service professionals, and growing and serious needs going unmet.

Rather than provide desperately-needed funding for pupil service professionals, AB 251 and SB 253 would mandate that DPI change its administrative rules to create a new Tier 1 license for marriage and family therapists. We do not believe this is the best strategy for addressing the needs of our schools. Therefore, we oppose the bills.

In the recent state budget debate, Governor Evers proposed putting \$36 million into hiring more pupil service professionals to address mental health needs. The Legislature rejected all of this funding, even though the state was experiencing a record state budget surplus. As the budget surplus continues to grow, the Legislature could reconsider its decision to not put more funding into paying for pupil service professionals.

Our organizations also have the following concerns:

- The bills would mandate a change in the administrative rules without making changes in the relevant statutes, which refer to "pupil service professionals" and then refer to counselors, social workers, psychologists, and nurses.
- A concern has been raised about the reference to HIPAA. It is our understanding that the relevant statute should be FERPA.
- An amendment has been drafted that would say that marriage and family therapists cannot practice as school social workers. Shouldn't it also be made clear that marriage and family therapists cannot practice as school psychologists and school counselors?
- Why just a Tier 1 license? For other pupil service professions, as someone progresses in their career, the assumption is that a Tier 1 license will lead to a Tier 2 license.

Thank you for considering the views of the state's school psychologists and school social workers.

Good afternoon Committee on Mental Health, Substance Abuse Prevention, Children and Families (Senate)

I want to thank you for taking the time to meet with us on behalf of this bill. I am Amanda Anderson, the person for the Wisconsin Association for Marriage and Family Therapy.

School guidance counselors focus on vocational guidance. School counselors focus on *academic, career, and social/emotional development*. School social workers work directly with school administrations as well as students and families, providing leadership in forming school discipline policies, mental health interventions, crisis management, and support services. School psychologists and psychiatrists focus on the development and education of children, as well as the child's psychological needs in a school setting; such as providing testing for ADHD testing, cognitive and developmental disabilities testing, testing for high academic placement, and other forms of assessment.

None of these professionals are able to meet the mental health needs that extend outside of the school system but impair the functioning of a child within the school system. Currently, schools contract with mental health practitioners who are licensed marriage and family therapists, licensed professional counselors, and licensed clinical social workers. They help with addressing students' family issues, suicidal ideation/attempts, low self-esteem, bereavement, trauma, etc.

AB 251/SB 253 is designed to offer a position within the school system that specifically addresses these issues that are not school related but affect the child and teen's ability to fully function while engaging in school activities. Schools will still have the option to contract out and not have a designated staff on hand, but if they desire to have a designated mental health practitioner as a staff member, they have the ability to do so with the passage of this bill.

Good afternoon Committee on Mental Health, Substance Abuse Prevention, Children and Families (Senate)

As a public member in representative Steffen's district and as a concerned father, here are the reasons for why this bill must pass in order to ensure safety in the children of our schools. As a marriage and family therapist in training, I am able to provide psychotherapy via systems perspective, diagnose and treat mental and emotional disorders within the context of peer and family relationships. We expand the traditional emphasis on the individual symptomatology to include the biopsychosocial impacts of the children we already serve.

- There is a nationwide shortage and even in our state alone, mental health practitioners who understand the complexities of family dynamics on children.
- Also, having marriage and family therapists in schools makes it more accessible so parents don't have to take time off to come get their child, transport them to the center, then take them back to school, then back to work.
- We agree with the other school mental health practitioners that students are in dire need of mental health services. There are an abundant number of bills circulating the senate and assembly to lessen the crisis of suicidal rates.
- According to the CDC in 2021, 1/4 of female students made a suicide plan (males at 11.6%). Let's say there are 1,000 students in a given school with roughly 1/2 being female (500). Of those 500 students, the statistic would show that 125 female students had a suicide plan. With one guidance counselor, you're telling me that the counselor was able to meet with 125 students just for suicide alone? I see roughly 17 clients a week and sometimes I feel burnt out from that. I can't imagine seeing that 125 student population in addition to the male count which adds in another 60-65 students. This is only a scenario for suicide alone, now imagine the other baggage and issues that children come in with that are not being addressed due to the above-mentioned factors.

Good afternoon, Committee on Mental Health, Substance Abuse Prevention, Children, and Families (Senate)

As the Secretary of Wisconsin Association of Marriage and Family Therapy, a public member representing Wood and Marathon counties, a mom, a practicing marriage and family therapist in training, and a member of the minority community, please allow me to share some thoughts on the reasons passing of Bill 251 (Assembly) 253 (Senate) is essential for helping our children and their families. We all know about the inaccessibility of mental health care due to reasons of financial constraints on families, parents not being able to take time off from work, and shortage of mental health providers. For some of our communities there is also a shame or distrust attached with seeking therapy.

As a former teacher, I cannot stress enough how a family system-based perspective would allow for quicker assistance to youth while providing therapy for more severe diagnoses; and collaborative opportunities between therapist, teachers, and families in a cohesive manner. Having marriage and family therapists in schools will allow swift assistance to our youth who is struggling with mental health issues including anxiety, depression, suicidal thoughts, and self-awareness.

The current system is that a school contracts with third parties to provide therapy within them. So, we do, in a sense, have these mental health practitioners in the schools, however not all districts have this option to contract with third parties. We are suggesting with this bill that schools be allowed the option to have these same mental health practitioners as an integrated staff within the schools that children know and can go to. We are not asking to replace the school counselors or psychologists. We are asking for the opportunity to join them to assist our next generation stay mentally healthy. Thank you for your time and consideration.