



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-5242/2  
MD/TK/KP/EW/AG:all

## 2017 ASSEMBLY BILL 907

January 31, 2018 - Introduced by Representatives NYGREN, PRONSCHINSKE, DUCHOW, SNYDER, RODRIGUEZ, PETRYK, NOVAK, ZIMMERMAN, TUSLER, VANDERMEER, HORLACHER, KRUG, ROHRKASTE, PETERSEN, E. BROOKS, EDMING, SPIROS, BALLWEG, TITTL, TRANEL, KITCHENS, KNODL, BORN, JAGLER, SANFELIPPO, SKOWRONSKI, BILLINGS, KOLSTE, GENRICH, KULP and MURSAU, cosponsored by Senators DARLING, MOULTON, WANGGAARD, TESTIN and FEYEN. Referred to Joint Committee on Finance.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to repeal* 457.02 (5) and 457.02 (5m); *to renumber and amend* 448.665  
2           and 449.06 (2m); *to amend* 118.01 (2) (d) 6., 118.01 (2) (d) 7., 440.88 (3) (a)  
3           (intro.), 440.88 (3m), 440.88 (7), 441.16 (3) (d), 447.056 (1) (intro.), 448.07 (1) (d),  
4           961.385 (2) (cm) 1. (intro.) and 961.385 (2) (cm) 2.; and *to create* 20.285 (1) (c),  
5           36.25 (55), 49.45 (29z), 118.01 (2) (d) 2. d., 440.043, 441.19, 447.02 (2) (k),  
6           448.038, 448.13 (1) (a) 3., 448.13 (4), 448.20 (3) (c), 448.40 (2) (ck), 448.40 (2)  
7           (cm), 448.665 (1) (b) and 449.06 (2m) (b) of the statutes; **relating to:** continuing  
8           education in prescribing controlled substances for certain health care  
9           practitioners; maintenance and detoxification treatment provided by physician  
10          assistants and advanced practice nurse prescribers; requiring school boards to  
11          provide instruction about drug abuse awareness and prevention; graduate  
12          training of psychiatric nurses; training materials for social services workers  
13          handling substance abuse-related cases; substance abuse counseling and

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- 1           modifying and creating administrative rules related to substance abuse  
2           counseling; granting rule-making authority; and making appropriations.
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***Analysis by the Legislative Reference Bureau******Continuing education***

This bill requires a physician, physician assistant, advanced practice nurse prescriber, podiatrist, dentist, or optometrist who is authorized to prescribe controlled substances, when renewing his or her license issued by the applicable credentialing board, to submit proof of completion of continuing education requirements promulgated by rule of the board regarding best practices in prescribing controlled substances.

***Buprenorphine combination products; federal waivers***

Under current federal law, the federal Drug Enforcement Administration (DEA) registers health care practitioners to dispense controlled substances, and practitioners who dispense narcotic drugs to individuals for addiction treatment must additionally obtain a separate DEA registration for that purpose. However, qualifying health care practitioners may, subject to certain requirements and limitations, obtain a waiver from the requirement to obtain a separate DEA registration to dispense those drugs for addiction treatment. Health care practitioners eligible to obtain and practice under such a waiver include qualifying physicians and, until October 1, 2021, qualifying physician assistants and nurse practitioners. In order to qualify for a waiver, a nurse practitioner or physician assistant must be supervised by, or work in collaboration with, a qualifying physician, if the nurse practitioner or physician assistant is required by state law to act in collaboration with or under the supervision of a physician.

Under rules promulgated by the state Medical Examining Board, the practice of a physician assistant must be under the supervision of one or more physicians, and under rules promulgated by the state Board of Nursing, advanced practice nurse prescribers must work in a collaborative relationship with a physician.

This bill provides that, with respect to the ability of an advanced practice nurse prescriber or physician assistant to obtain and practice under a waiver, a physician who satisfies any of the criteria specified in federal law to be eligible to obtain a waiver is considered eligible to serve as a qualifying physician for purposes of the collaboration or supervision requirement under federal law, regardless of whether the physician himself or herself holds a waiver.

The bill prohibits the Department of Health Services from requiring prior authorization for or another limitation on prescribing and dispensing of buprenorphine combination products to a Medical Assistance recipient, who is not pregnant, by a health care provider who possesses a valid waiver, if the prior authorization or other limitation is not required under the federal law.

***Substance abuse counseling***

This bill makes the following changes regarding substance abuse counseling:

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1. Allows marriage and family therapists and professional counselors to represent themselves to the public as substance abuse counselors, clinical supervisors, or prevention specialists without holding a certification for that purpose granted by the Department of Safety and Professional Services.

2. Requires DSPS to grant a certification as a substance abuse counselor, clinical supervisor, or prevention specialist to an individual who holds a similar unexpired certification granted by another state that has requirements for certification that are not lower than this state's certification requirements.

3. Requires the secretary of DSPS to appoint an advisory behavioral health review committee to semiannually review the requirements for obtaining certain substance abuse counseling certifications; for obtaining credentials granted by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board; and for obtaining other credentials related to behavioral health. Under the bill, the advisory committee is required to accept public comments related to its review and may propose changes in statutes and administrative rules to DSPS.

4. Allows a person certified as a social worker, advanced practice social worker, or independent social worker, within the scope of his or her credential, to treat substance use disorder as a specialty. In order to treat substance use disorder as a specialty, current law requires a person holding one of those certifications to satisfy additional criteria related to education and amount of supervised practice, and to complete continuing education every two years, or to obtain a substance abuse counselor, clinical supervisor, or prevention specialist certification from DSPS.

5. Specifies the contents required in an application for certification as a substance abuse counselor, clinical substance abuse counselor, intermediate or independent clinical supervisor, prevention specialist, substance abuse counselor-in-training, clinical supervisor-in-training, or prevention specialist-in-training.

6. Adds various actions to the scope of unprofessional conduct for which DSPS may discipline a substance abuse counselor or other related professional.

7. Specifies the requirements that a person with an expired substance abuse counselor or other related certification must satisfy to renew or reinstate an expired, surrendered, or revoked certification.

8. Specifies the contents required in an application to be approved by DSPS to provide education that satisfies the educational requirements for a substance abuse counselor or other related certification.

9. Specifies the continuing education requirements that a substance abuse counselor, clinical substance abuse counselor, prevention specialist, or clinical supervisor is required to satisfy in order to renew his or her certification.

***Drug abuse awareness and prevention instruction***

This bill requires each school board to incorporate drug abuse awareness and prevention in its health instructional program. Current law requires school boards to provide instruction about the effects of controlled substances and alcohol on the human system, but a school board may not require a pupil to receive that instruction if the pupil's parent or guardian files a written objection. Current law also requires school boards to provide instruction to pupils on the relationship between highway

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safety and controlled substances and the relationship between youth suicide and controlled substances. This bill specifies that the references to controlled substances in these requirements include prescription drugs included in the Uniform Controlled Substances Act.

***Graduate psychiatric nursing education***

This bill requires the Board of Regents of the University of Wisconsin System, in consultation with the chancellor of UW-Madison, to do all of the following with respect to the graduate program in psychiatric mental health nursing at UW-Madison: 1) increase the number of students provided the opportunity to study to be board-eligible psychiatric mental health nurse practitioners; 2) expand the instructional capacity available to teach psychiatric mental health nursing; and 3) subject to certain student commitments, annually provide fellowships for psychiatric mental health nursing students to participate in clinical rotations in rural communities or areas with shortages of mental health professionals in this state. The bill provides additional funding to the UW System for these purposes.

***Training resources for social services workers***

This bill provides \$50,000 of funding to the Department of Children and Families to develop and maintain online training resources for social services workers who deal with substance abuse-related cases.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
2 the following amounts for the purposes indicated:

		<b>2017-18</b>	<b>2018-19</b>
3	<b>20.285 University of Wisconsin System</b>		
4	(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC		
5	SERVICE		
6	(c) Graduate psychiatric nursing		
7	education	GPR    A	-0-    250,000

8           **SECTION 2.** 20.285 (1) (c) of the statutes is created to read:

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1           20.285 (1) (c) *Graduate psychiatric nursing education*. The amounts in the  
2 schedule for the purposes specified in s. 36.25 (55) (a).

3           **SECTION 3.** 36.25 (55) of the statutes is created to read:

4           **36.25 (55)** GRADUATE PSYCHIATRIC NURSING EDUCATION AT THE UNIVERSITY OF  
5 WISCONSIN-MADISON. (a) In consultation with the chancellor of the University of  
6 Wisconsin-Madison, the board shall do all of the following with respect to the  
7 graduate program in psychiatric mental health nursing at the University of  
8 Wisconsin-Madison:

9           1. Increase the number of students provided the opportunity to study to be  
10 board-eligible psychiatric mental health nurse practitioners.

11           2. Expand the instructional capacity available to teach psychiatric mental  
12 health nursing.

13           3. Annually provide fellowships for psychiatric mental health nursing students  
14 to participate in clinical rotations in rural communities or areas with shortages of  
15 mental health professionals in this state. In order to receive a fellowship under this  
16 subdivision, a student shall commit to passing applicable board certification and to  
17 practicing in this state for at least 2 years after graduation from the program.

18           (b) Costs associated with the board's duties under par. (a) shall be funded from  
19 the appropriation account under s. 20.285 (1) (c).

20           **SECTION 4.** 49.45 (29z) of the statutes is created to read:

21           **49.45 (29z)** OPIOID TREATMENT AUTHORIZATION. The department may not require  
22 prior authorization for or other limitation on prescribing and dispensing of  
23 buprenorphine combination products to a recipient, who is not pregnant, under the  
24 Medical Assistance program under this subchapter by a health care provider who

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1 possesses a valid waiver under 21 USC 823, if the prior authorization or other  
2 limitation is not required by 21 USC 823.

3 **SECTION 5.** 118.01 (2) (d) 2. d. of the statutes is created to read:

4 118.01 (2) (d) 2. d. Awareness about drug abuse, including prescription drug  
5 abuse, and prevention.

6 **SECTION 6.** 118.01 (2) (d) 6. of the statutes is amended to read:

7 118.01 (2) (d) 6. Knowledge of the prevention of accidents and promotion of  
8 safety on the public highways, including instruction on the relationship between  
9 highway safety and the use of alcohol and controlled substances, including  
10 prescription drugs, under ch. 961.

11 **SECTION 7.** 118.01 (2) (d) 7. of the statutes is amended to read:

12 118.01 (2) (d) 7. The skills needed to make sound decisions, knowledge of the  
13 conditions which may cause and the signs of suicidal tendencies, knowledge of the  
14 relationship between youth suicide and the use of alcohol and controlled substances,  
15 including prescription drugs, under ch. 961 and knowledge of the available  
16 community youth suicide prevention and intervention services. Instruction shall be  
17 designed to help prevent suicides by pupils by promoting the positive emotional  
18 development of pupils.

19 **SECTION 8.** 440.043 of the statutes is created to read:

20 **440.043 Behavioral health review committee.** (1) The secretary shall  
21 appoint an advisory committee under s. 440.042 to provide advice concerning  
22 behavioral health. The advisory committee shall semiannually conduct a review of  
23 the requirements for obtaining a credential under s. 440.88 or ch. 457 or for other  
24 credentials related to behavioral health.

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1           **(2)** The advisory committee shall accept comments from the public related to  
2 its review under sub. (1). Before conducting a review under sub. (1), the department  
3 shall publish a class 1 notice under ch. 985 and shall publish notice on its Internet  
4 site announcing the opportunity for public comment.

5           **(3)** The advisory committee established under sub. (1) may propose changes in  
6 statutes and rules to the department.

7           **SECTION 9.** 440.88 (3) (a) (intro.) of the statutes is amended to read:

8           440.88 **(3)** (a) (intro.) Subject to pars. (b) and (c) and except as provided in sub.  
9 (3m), the department shall promulgate rules that establish minimum standards and  
10 qualifications for the certification of all of the following, including substance abuse  
11 counselors and clinical supervisors ~~described under s. HFS 75.02 (11) and (84), Wis.~~  
12 ~~Adm. Code, in effect on December 15, 2006, as defined by the department of health~~  
13 services by rule:

14           **SECTION 10.** 440.88 (3m) of the statutes is amended to read:

15           440.88 **(3m)** EXCEPTION. This section does not apply to a physician, as defined  
16 in s. 448.01 (5), a clinical social worker, as defined in s. 457.01 (1r), ~~or~~ a licensed  
17 psychologist, as defined in s. 455.01 (4), a marriage and family therapist, as defined  
18 in s. 457.01 (3), or a professional counselor, as defined in s. 457.01 (7), who practices  
19 as a substance abuse clinical supervisor or provides substance abuse counseling,  
20 treatment, or prevention services within the scope of his or her licensure.

21           **SECTION 11.** 440.88 (7) of the statutes is amended to read:

22           440.88 **(7)** RECIPROCAL CERTIFICATION. The department ~~may~~ shall, upon  
23 application and payment of the required fee, issue certification as a substance abuse  
24 counselor, clinical supervisor, or prevention specialist to an individual who holds a  
25 similar unexpired certification issued to the individual by another state for which the

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1 requirements for certification are of a standard that is not lower than that specified  
2 in this subchapter.

3 **SECTION 12.** 441.16 (3) (d) of the statutes is amended to read:

4 441.16 (3) (d) Establishing procedures for maintaining a certificate to issue  
5 prescription orders, including requirements for continuing education and a  
6 requirement to complete the nursing workforce survey and submit the fee required  
7 under s. 441.01 (7). The requirements established by the board under this paragraph  
8 shall include continuing education requirements regarding best practices in  
9 prescribing controlled substances, as defined in s. 961.01 (4), for any advanced  
10 practice nurse who is authorized to dispense controlled substances under 21 USC  
11 821 to 831, and the board shall specify a minimum number of hours of such  
12 instruction that must be completed in each 2-year period.

13 **SECTION 13.** 441.19 of the statutes is created to read:

14 **441.19 Maintenance and detoxification treatment under federal**  
15 **waiver.** (1) In this section, “waiver” means a waiver issued by the federal  
16 department of health and human services under 21 USC 823 (g) (2) (A).

17 (2) With respect to the ability of an advanced practice nurse who is certified to  
18 issue prescription orders to obtain and practice under a waiver, a physician who  
19 meets any of the conditions specified in 21 USC 823 (g) (2) (G) (ii) shall be considered  
20 eligible to serve as a qualifying physician for purposes of the requirement under 21  
21 USC 823 (g) (2) (G) (iv) (III), regardless of whether the physician himself or herself  
22 holds a waiver.

23 **SECTION 14.** 447.02 (2) (k) of the statutes is created to read:

24 447.02 (2) (k) Continuing education requirements for dentists under s. 447.056  
25 regarding best practices in prescribing controlled substances, as defined in s. 961.01



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1 (4). The board shall specify a minimum number of hours of such instruction that  
2 must be completed in each 2-year period. Continuing education requirements  
3 established in the rules promulgated under this paragraph shall apply only with  
4 respect to a dentist who is authorized to dispense controlled substances under 21  
5 USC 821 to 831.

6 **SECTION 15.** 447.056 (1) (intro.) of the statutes is amended to read:

7 447.056 (1) (intro.) Except as provided in subs. (2) to (4), a person is not eligible  
8 for renewal of a license to practice dentistry, other than a permit issued under s.  
9 447.02 (3), unless the person has taught, attended, or otherwise completed, during  
10 the 2-year period immediately preceding the renewal date specified under s. 440.08  
11 (2) (a), 30 credit hours of continuing education related to the practice of dentistry or  
12 the practice of medicine, including not less than 25 credit hours of instruction in  
13 clinical dentistry or clinical medicine and including the credit hours of instruction  
14 regarding best practices in prescribing controlled substances that are required by  
15 the board in rules promulgated under s. 447.02 (2) (k). Not more than 4 of the 30  
16 hours may be from teaching. Continuing education does not satisfy the requirements  
17 under this subsection unless the continuing education is one of the following:

18 **SECTION 16.** 448.038 of the statutes is created to read:

19 **448.038 Maintenance and detoxification treatment under federal**  
20 **waiver.** (1) In this section, “waiver” means a waiver issued by the federal  
21 department of health and human services under 21 USC 823 (g) (2) (A).

22 (2) With respect to the ability of a physician assistant to obtain and practice  
23 under a waiver, a physician who meets any of the conditions specified in 21 USC 823  
24 (g) (2) (G) (ii) shall be considered eligible to serve as a qualifying physician for

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1 purposes of the requirement under 21 USC 823 (g) (2) (G) (iv) (III), regardless of  
2 whether the physician himself or herself holds a waiver.

3 **SECTION 17.** 448.07 (1) (d) of the statutes, as affected by 2013 Wisconsin Act  
4 240, is amended to read:

5 448.07 (1) (d) No registration may be permitted by the secretary of the board  
6 in the case of any physician, physician assistant, or perfusionist who has failed to  
7 meet the requirements of s. 448.13 or any person whose license or certificate has been  
8 suspended or revoked and the registration of any such person shall be deemed  
9 automatically annulled upon receipt by the secretary of the board of a verified report  
10 of such suspension or revocation, subject to the person's right of appeal. A person  
11 whose license or certificate has been suspended or revoked and subsequently  
12 restored shall be registered by the board upon tendering a verified report of such  
13 restoration of the license or certificate, together with an application for registration  
14 and the registration fee.

15 **SECTION 18.** 448.13 (1) (a) 3. of the statutes is created to read:

16 448.13 (1) (a) 3. If the physician is authorized to dispense controlled substances  
17 under 21 USC 821 to 831, continuing education programs regarding best practices  
18 in prescribing controlled substances, as defined in s. 961.01 (4).

19 **SECTION 19.** 448.13 (4) of the statutes is created to read:

20 448.13 (4) Each person who is licensed as a physician assistant and who is  
21 authorized to dispense controlled substances under 21 USC 821 to 831 shall, in each  
22 2nd year at the time of application for a certificate of registration under s. 448.07,  
23 submit proof of completion of continuing education requirements promulgated by  
24 rule by the board regarding best practices in prescribing controlled substances, as  
25 defined in s. 961.01 (4).

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1           **SECTION 20.** 448.20 (3) (c) of the statutes is created to read:

2           448.20 (3) (c) Promulgating the rules establishing continuing education  
3 requirements under s. 448.40 (2) (cm).

4           **SECTION 21.** 448.40 (2) (ck) of the statutes is created to read:

5           448.40 (2) (ck) Establishing continuing education requirements under s.  
6 448.13 (1) (a) 3. regarding best practices in prescribing controlled substances, as  
7 defined in s. 961.01 (4), for renewal of a license to practice medicine and surgery by  
8 a physician authorized to dispense controlled substances under 21 USC 821 to 831.  
9 The board shall specify a minimum number of hours of such instruction that must  
10 be completed in each 2-year period.

11           **SECTION 22.** 448.40 (2) (cm) of the statutes is created to read:

12           448.40 (2) (cm) Establishing continuing education requirements under s.  
13 448.13 (4) regarding best practices in prescribing controlled substances, as defined  
14 in s. 961.01 (4), for renewal of a physician assistant license by a physician assistant  
15 authorized to dispense controlled substances under 21 USC 821 to 831. The board  
16 shall specify a minimum number of hours of such instruction that must be completed  
17 in each 2-year period. In promulgating rules under this paragraph, the board shall  
18 give deference to the recommendations of the council on physician assistants.

19           **SECTION 23.** 448.665 of the statutes is renumbered 448.665 (1) (intro.) and  
20 amended to read:

21           448.665 (1) (intro.) The affiliated credentialing board shall promulgate rules  
22 establishing requirements and procedures for licensees to complete continuing  
23 education programs or courses of study in order to qualify for renewal of a license  
24 granted under this subchapter. The rules promulgated under this section shall  
25 require do all of the following:

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1           (a) Require a licensee to complete at least 30 hours of continuing education  
2 programs or courses of study within each 2-year period immediately preceding the  
3 renewal date specified under s. 440.08 (2) (a).

4           (2) The affiliated credentialing board may waive all or part of these the  
5 requirements for the completion of continuing education programs or courses of  
6 study under sub. (1) if the affiliated credentialing board determines that prolonged  
7 illness, disability, or other exceptional circumstances have prevented a licensee from  
8 completing the requirements.

9           **SECTION 24.** 448.665 (1) (b) of the statutes is created to read:

10           448.665 **(1)** (b) Establish requirements for a licensee who is authorized to  
11 dispense controlled substances under 21 USC 821 to 831 to complete continuing  
12 education programs regarding best practices in prescribing controlled substances, as  
13 defined in s. 961.01 (4). The affiliated credentialing board shall specify a minimum  
14 number of hours of such instruction that must be completed in each 2-year period.

15           **SECTION 25.** 449.06 (2m) of the statutes is renumbered 449.06 (2m) (intro.) and  
16 amended to read:

17           449.06 **(2m)** (intro.) The examining board shall promulgate rules requiring a  
18 person who is issued a license to practice optometry to complete, during the 2-year  
19 period immediately preceding the renewal date specified in s. 440.08 (2) (a), not less  
20 than 30 hours of continuing education. The rules shall include requirements all of  
21 the following:

22           (a) Requirements that apply only to optometrists who are allowed to use topical  
23 ocular diagnostic pharmaceutical agents under s. 449.17 or who are allowed to use  
24 therapeutic pharmaceutical agents or remove foreign bodies from an eye or from an  
25 appendage to the eye under s. 449.18.

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1           **SECTION 26.** 449.06 (2m) (b) of the statutes is created to read:

2           449.06 **(2m)** (b) Requirements for optometrists who are authorized to dispense  
3 controlled substances under 21 USC 821 to 831 to complete continuing education  
4 programs regarding best practices in prescribing controlled substances, as defined  
5 in s. 961.01 (4). The examining board shall specify a minimum number of hours of  
6 such instruction that must be completed in each 2-year period.

7           **SECTION 27.** 457.02 (5) of the statutes is repealed.

8           **SECTION 28.** 457.02 (5m) of the statutes is repealed.

9           **SECTION 29.** 961.385 (2) (cm) 1. (intro.) of the statutes, as created by 2015  
10 Wisconsin Act 266, is amended to read:

11           961.385 **(2)** (cm) 1. (intro.) A practitioner, pharmacist, registered nurse  
12 licensed under s. 441.06, or substance abuse counselor, as defined in s. 440.88 (1) (b),  
13 or ~~an individual authorized under s. 457.02 (5m) to treat~~ **who treats, within the scope**  
14 **of his or her credential,** alcohol or substance dependency or abuse as a specialty, if  
15 any of the following is applicable:

16           **SECTION 30.** 961.385 (2) (cm) 2. of the statutes, as created by 2015 Wisconsin  
17 Act 266, is amended to read:

18           961.385 **(2)** (cm) 2. A person who medically coordinates, directs, or supervises,  
19 or establishes standard operating procedures for, a practitioner, pharmacist,  
20 registered nurse, substance abuse counselor, or individual ~~authorized under s.~~  
21 ~~457.02 (5m) to treat alcohol or substance dependency or abuse as a specialty to whom~~  
22 records may be disclosed under subd. 1., if the person is evaluating the job  
23 performance of the practitioner, pharmacist, registered nurse, substance abuse  
24 counselor, or individual, or is performing quality assessment and improvement  
25 activities, including outcomes evaluation or development of clinical guidelines, and

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1 if the disclosure does not contain personally identifiable information, as defined in  
2 s. 19.62 (5), of a patient and is limited to only those records about the practitioner,  
3 pharmacist, registered nurse, substance abuse counselor, or individual the person  
4 medically coordinates, directs, or supervises, or for whom the person establishes  
5 standard operating procedures.

6 **SECTION 31.** DHS 75.02 (15) of the administrative code is amended to read:

7 DHS 75.02 (15) "Counseling" means the application of recognized theories,  
8 principles, techniques and strategies to manage and facilitate the progress of diverse  
9 patients toward mutually determined treatment goals and objectives using  
10 culturally sensitive modalities as described in s. SPS ~~166.01 (3)~~ 160.02 (10m) or s.  
11 MPSW 2.01 (10).

12 **SECTION 32.** DHS 75.02 (84) (d) of the administrative code is amended to read:

13 DHS 75.02 (84) (d) ~~A s. MPSW 1.09 specialty~~ An individual who holds a  
14 credential under ch. 457, Stats., granted by DSPS.

15 **SECTION 33.** DHS 75.03 (4) (e) of the administrative code is amended to read:

16 DHS 75.03 (4) (e) ~~All~~ Any staff who ~~provide~~ provides clinical supervision ~~shall~~  
17 ~~fulfill the requirements established, as defined~~ in s. SPS 160.02 (6) ~~and,~~ shall hold  
18 ~~a certificate from DSPS as required~~ be a clinical supervisor, as defined in s. SPS  
19 160.02 (7), except for a physician knowledgeable in addiction treatment, licensed  
20 psychologist with a knowledge of psychopharmacology and addiction treatment, or  
21 professional possessing the ~~s. MPSW 1.09 subspecialty~~ a credential under ch. 457,  
22 Stats.

23 **SECTION 34.** MPSW 1.09 of the administrative code is repealed.

24 **SECTION 35.** Chapter SPS 160 (title) of the administrative code is amended to  
25 read:

**ASSEMBLY BILL 907****Chapter SPS 160****APPLICABILITY AND DEFINITIONS**

**SECTION 36.** SPS 160.015 of the administrative code is created to read:

**SPS 160.015 Applicability. (1)** Except as provided in sub. (2), no person may represent himself or herself to the public as a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist or use in connection with his or her name a title or description that conveys the impression that he or she is a substance abuse counselor, clinical supervisor, or prevention specialist or a certified substance abuse counselor, clinical supervisor, or prevention specialist unless he or she is so certified under s. 440.88, Stats.

**(2)** Chapters SPS 160 to 168 do not apply to any of the following:

(a) A physician, as defined in s. 448.01 (5), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

(b) A clinical social worker, as defined in s. 457.01 (1r), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

(c) A licensed psychologist, as defined in s. 455.01 (4), Stats., who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

(d) A marriage and family therapist, as defined in s. 457.01 (3), or a professional counselor, as defined in s. 457.01 (7), who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

**ASSEMBLY BILL 907****SECTION 36**

1 (e) The preparation of a patient for substance use disorder treatment by  
2 referral, the treatment of a patient for substance use disorder until a referral for  
3 substance use disorder treatment is completed, and the continuation of treatment  
4 with the nonsubstance use disorder issues of a person, when performed by a mental  
5 health provider practicing within the scope of his or her credential.

6 **SECTION 37.** SPS 160.02 (2m) of the administrative code is created to read:

7 SPS 160.02 (2m) "Assessment training" means education on the  
8 comprehensive process of collecting pertinent data about patients or patient systems  
9 and their environment, and appraising the data as a basis for making decisions  
10 regarding substance use disorder diagnosis and treatment or referral. The education  
11 shall consist of culturally inclusive studies in understanding addiction,  
12 psychopharmacology, recognition and differentiation of co-occurring medical and  
13 psychological disorders, clinical evaluation, and treatment planning.

14 **SECTION 38.** SPS 160.02 (3) (g) of the administrative code is created to read:

15 SPS 160.02 (3) (g) Marriage and family therapy, as defined in s. 457.01 (5),  
16 Stats.

17 **SECTION 39.** SPS 160.02 (3) (h) of the administrative code is created to read:

18 SPS 160.02 (3) (h) Professional counseling, as defined in s. 457.01 (6), Stats.

19 **SECTION 40.** SPS 160.02 (3m) of the administrative code is created to read:

20 SPS 160.02 (3m) "Case management" means education on culturally  
21 appropriate administrative, clinical, and evaluative activities included in the  
22 process of coordinating and prioritizing patient treatment goals and working with  
23 the patient and significant others, as well as other services, agencies, and resources  
24 to achieve those treatment goals. The education shall include studies in  
25 implementing treatment plans including continuing assessment, the referral



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1 process, service coordination, including for co-occurring medical and psychological  
2 disorders, record management and documentation, and utilizing the written client  
3 record to guide and monitor services to reach measurable goals and objectives.

4 **SECTION 41.** SPS 160.02 (6) of the administrative code is amended to read:

5 SPS 160.02 (6) “Clinical supervision” means a specific and definitive process  
6 of oversight of a counselor’s professional development in the didactic, experiential  
7 and application of the transdisciplinary foundations, and practice dimensions  
8 including core functions. Supervision takes place in intermittent in person contact  
9 between a clinical supervisor and treatment staff provided on or off the site of a  
10 service to ensure that each patient has an individualized treatment plan and is  
11 receiving quality care. A primary purpose of “clinical supervision” is to ensure skill  
12 development evidenced in quality patient care.

13 **SECTION 42.** SPS 160.02 (9) of the administrative code is repealed.

14 **SECTION 43.** SPS 160.02 (10) of the administrative code is repealed.

15 **SECTION 44.** SPS 160.02 (10m) of the administrative code is created to read:

16 SPS 160.02 (10m) “Counseling training” means education that includes the  
17 study of fundamental theories, principles, and techniques of substance use disorder  
18 counseling to facilitate the progress of diverse patients toward mutually determined  
19 treatment goals and objectives using culturally sensitive modalities. Counseling  
20 education shall include studies of understanding addiction, recognized treatment  
21 theory and practice, the recovery process, effective strategies for meeting the  
22 counseling needs of diverse patients, crisis management skills, and awareness of  
23 co-occurring medical and psychological disorders.

24 **SECTION 45.** SPS 160.02 (14) of the administrative code is repealed.

25 **SECTION 46.** SPS 160.02 (16) of the administrative code is repealed.

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1           **SECTION 47.** SPS 160.02 (19m) of the administrative code is created to read:

2           SPS 160.02 (**19m**) “Patient education” means education about the process of  
3 providing patients, groups, families, couples, significant others, and communities  
4 with information on risks related to substance use, the processes of dependence  
5 including signs, symptoms, and behavior patterns, and available resources for  
6 prevention, treatment, and recovery in culturally relevant ways. The education  
7 shall include studies in understanding addiction including addiction to nicotine, the  
8 classification and basic pharmacology of drugs, basic physiology and the effects of  
9 drug use on the human body and patient, learning styles and teaching methods,  
10 delivery of educational programs, health and behavior problems related to substance  
11 use including transmission of HIV/AIDS, tuberculosis, sexually transmitted  
12 infections, and other infectious diseases, and basic life skills such as stress  
13 management, communication, and assertiveness.

14           **SECTION 48.** SPS 160.02 (22) of the administrative code is repealed.

15           **SECTION 49.** SPS 160.02 (24m) of the administrative code is created to read:

16           SPS 160.02 (**24m**) “Professional responsibility” means education that  
17 addresses standards of conduct or professional behavior expectations for counselors,  
18 supervisors, and prevention workers. Professional behavior areas to be studied shall  
19 include, at a minimum, legal issues specific to substance use disorder professional  
20 practice, patient welfare as a primary concern, responsibility for professional  
21 competence and professional development, participation in ongoing supervision and  
22 consultation, counselor values and self-care, relationships with other professionals  
23 and institutions, and the establishment of limits and boundaries in the patient  
24 relationship. This education shall also address the impact of specific cultural, ethnic,  
25 and racial influences and expectations.

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1           **SECTION 50.** SPS 160.02 (28) of the administrative code is amended to read:  
2           SPS 160.02 **(28)** “Substance use disorder” means the existence of a diagnosis  
3 of “~~substance dependence~~” or “~~substance abuse~~” “substance use disorder” listed in  
4 the most current edition of DSM.

5           **SECTION 51.** SPS 160.02 (29) of the administrative code is repealed.

6           **SECTION 52.** SPS 160.03 of the administrative code is amended to read:

7           **SPS 160.03 Use of title.** ~~A~~ Except as consistent with s. SPS 160.015 (2), a  
8 person may use the title “addiction counselor,” “substance abuse counselor,” “alcohol  
9 and drug counselor,” “substance use disorder counselor” or “chemical dependency  
10 counselor” only if he or she is certified as a substance abuse counselor, or as a clinical  
11 substance abuse counselor under s. 440.88, Stats., ~~or as allowed under the provisions~~  
12 ~~of s. 457.02 (5m), Stats.~~

13           **SECTION 53.** Chapter SPS 161 of the administrative code is repealed and  
14 recreated to read:

15   **Chapter SPS 161**

16   **REQUIREMENTS FOR CERTIFICATION**

17           **SPS 161.01 Substance abuse counselor-in-training application.** An  
18 applicant for certification as a substance abuse counselor-in-training shall submit  
19 all of the following:

- 20           (1) An application form.
- 21           (2) A fee as determined by the department under s. 440.05, Stats.
- 22           (3) Evidence of successful passage of the jurisprudence examination.
- 23           (4) Evidence of completion of 100 hours of substance use disorder specialized  
24 education through a postsecondary institution, department-approved continuing

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1 education, or department-approved education program. The 100 hours shall be in  
2 all of the following:

3 (a) Fifteen hours in assessment training.

4 (b) Fifteen hours in counseling training.

5 (c) Ten hours in case management.

6 (d) Fifteen hours in patient education.

7 (e) Twenty hours in professional responsibility.

8 (f) Twenty-five hours in electives in any of the subjects in pars. (a) to (e).

9 **(5)** Evidence of current employment, a written offer of employment, internship,  
10 practicum, or an agreement authorizing volunteer hours at an agency providing  
11 substance use disorder treatment.

12 **(6)** For applicants who have a pending criminal charge or have been convicted  
13 of a crime, all related information necessary for the department to determine  
14 whether the circumstances of the pending criminal charge or conviction are  
15 substantially related to the practice of substance abuse counseling.

16 **SPS 161.02 Substance abuse counselor application.** (1) Except as  
17 provided in sub. (2), an applicant for certification as a substance abuse counselor  
18 shall submit all of the following:

19 (a) An application form.

20 (b) A fee as determined by the department under s. 440.05, Stats.

21 (c) Evidence of successful passage of the jurisprudence examination unless the  
22 applicant has previously passed the examination in the process of obtaining a  
23 substance abuse counselor-in-training credential.

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1 (d) Evidence of completion of 360 hours of substance use disorder specialized  
2 education through a postsecondary institution or a department-approved education  
3 program. The 360 hours shall be in all of the following:

- 4 1. Sixty hours in assessment training.
- 5 2. Sixty hours in counseling training.
- 6 3. Sixty hours in case management.
- 7 4. Sixty hours in patient education.
- 8 5. Sixty hours in professional responsibility.
- 9 6. Six hours in boundaries and ethics.
- 10 7. Fifty-four hours in electives in any of the subjects in subds. 1. to 6.

11 (e) Evidence of successful passage of the National Association for Alcoholism  
12 and Drug Abuse Counselors' NCAC I exam.

13 (f) Evidence of completion of 3,000 hours of work experience performing the  
14 practice dimensions supervised by an individual under ch. SPS 162 within the 5  
15 years immediately preceding the date of application. The 3,000 hours shall include  
16 all of the following:

- 17 1. One thousand hours in providing substance use disorder counseling with a  
18 minimum of 500 hours in a one-on-one individual modality setting.
- 19 2. Two hundred hours of providing counseling during the 12-month period  
20 immediately preceding the date of application of which 100 hours shall have been  
21 completed using an individual modality setting.

22 (g) For applicants who have a pending criminal charge or have been convicted  
23 of a crime, all related information necessary for the department to determine  
24 whether the circumstances of the pending criminal charge or conviction are  
25 substantially related to the practice of substance abuse counseling.

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1           (2) An applicant for certification as a substance abuse counselor who is  
2           credentialed by the marriage and family therapy, professional counseling, and social  
3           work examining board at the bachelor's level or higher shall submit evidence  
4           satisfactory to the department of the applicant's current credential under ch. 457,  
5           Stats.

6           **SPS 161.03 Clinical substance abuse counselor application.** (1) Except  
7           as provided in sub. (2), an applicant for certification as a clinical substance abuse  
8           counselor shall submit all of the following:

9           (a) An application form.

10          (b) A fee as determined by the department under s. 440.05, Stats.

11          (c) Evidence of successful passage of the jurisprudence examination unless the  
12          applicant has previously passed the examination in the process of obtaining a  
13          substance abuse counselor-in-training or substance abuse counselor credential.

14          (d) Evidence of one of the following:

15           1. Holding a substance abuse counselor credential.

16           2. Completion of 360 hours of substance use disorder specialized education  
17          through a postsecondary institution or department-approved education program.

18          The 360 hours shall be in all of the following:

19           a. Sixty hours in assessment training.

20           b. Sixty hours in counseling training.

21           c. Sixty hours in case management.

22           d. Sixty hours in patient education.

23           e. Sixty hours in professional responsibility.

24           f. Six hours in boundaries and ethics.

25           g. Fifty-four hours in electives in any of the subjects in subds. 2. a. to f.

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1 (e) Evidence of an associate's degree or higher in a behavioral science field from  
2 an accredited university or college.

3 (f) Evidence of successful passage of the National Association for Alcoholism  
4 and Drug Abuse Counselors' NCAC I exam.

5 (g) Evidence of completion of 5,000 hours of work experience performing the  
6 practice dimensions, supervised by an individual under ch. SPS 162 within the 5  
7 years immediately preceding the date of application. The 5,000 hours may include  
8 any work experience hours obtained as a requirement of the substance abuse  
9 counselor credential.

10 (h) For applicants who have a pending criminal charge or have been convicted  
11 of a crime, all related information necessary for the department to determine  
12 whether the circumstances of the pending criminal charge or conviction are  
13 substantially related to the practice of substance abuse counseling.

14 (2) An applicant for certification as a clinical substance abuse counselor who  
15 is credentialed by the marriage and family therapy, professional counseling, and  
16 social work examining board at the master's level or higher shall submit evidence  
17 satisfactory to the department of the applicant's current credential under ch. 457,  
18 Stats.

19 **SPS 161.04 Clinical supervisor-in-training application.** An applicant  
20 for certification as a clinical supervisor-in-training shall submit all of the following:

21 (1) An application form.

22 (2) A fee as determined by the department under s. 440.05, Stats.

23 (3) Evidence of current employment, a written offer of employment, or an  
24 agreement authorizing volunteer hours as a clinical supervisor of counselors

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1 providing substance use disorder treatment services who are certified under s.  
2 440.88, Stats., or under ch. 457, Stats.

3 (4) Evidence of one of the following:

4 (a) Holding an active clinical substance abuse counselor credential.

5 (b) Holding an active credential under ch. 457, Stats., at the master's level or  
6 higher.

7 **SPS 161.05 Intermediate clinical supervisor or independent clinical**  
8 **supervisor application.** An applicant for certification as an intermediate clinical  
9 supervisor or independent clinical supervisor shall submit all of the following:

10 (1) An application form.

11 (2) A fee as determined by the department under s. 440.05, Stats.

12 (3) Evidence of holding an active credential of one of the following:

13 (a) Clinical substance abuse counselor.

14 (b) A credential under ch. 457, Stats., at the master's level or higher.

15 (4) Evidence of 2 years of clinical supervisory experience as a  
16 supervisor-in-training or intermediate supervisor within the last 5 years as the  
17 supervisor of counselors certified under s. 440.88, Stats., or having a credential  
18 under ch. 457, Stats.

19 (5) Evidence of one of the following:

20 (a) Holding an intermediate clinical supervisor credential.

21 (b) Successful completion of 30 hours of education in clinical supervision,  
22 including a minimum of 6 hours of training in each of the following:

23 1. Assessment and evaluation.

24 2. Counselor development.

25 3. Management and administration.



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1           4. Professional responsibility.

2           (c) Holding an American Association for Marriage and Family Therapy  
3 supervisor certification.

4           **(6)** Evidence of successful passage of the National Association of Alcoholism  
5 Counselors and Trainers' NCSE exam.

6           **SPS 161.06 Prevention specialist-in-training application.** An applicant  
7 for certification as a prevention specialist-in-training shall submit all of the  
8 following:

9           **(1)** An application form.

10          **(2)** A fee as determined by the department under s. 440.05, Stats.

11          **(3)** Evidence of successful completion of 40 hours of approved education,  
12 including 5 hours specific to ethics, in the following content areas:

13           (a) Planning and evaluation.

14           (b) Prevention education and service delivery.

15           (c) Communication.

16           (d) Community organization.

17           (e) Public policy and environmental change.

18           (f) Professional growth and responsibility.

19          **SPS 161.07 Prevention specialist application.** An applicant for  
20 certification as a prevention specialist shall submit all of the following:

21          **(1)** An application form.

22          **(2)** A fee as determined by the department under s. 440.05, Stats.

23          **(3)** Evidence of successful passage of the jurisprudence examination.

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1           (4) Evidence of successful completion of 120 hours of approved education,  
2 including 50 hours specific to alcohol, tobacco, and other substance abuse and 6 hours  
3 specific to ethics, in the following content areas:

4           (a) Planning and evaluation.

5           (b) Prevention education and service delivery.

6           (c) Communication.

7           (d) Community organization.

8           (e) Public policy and environmental change.

9           (f) Professional growth and responsibility.

10           **SPS 161.08 Reciprocity.** An applicant holding a current credential in good  
11 standing as a substance abuse counselor, clinical supervisor, or prevention specialist  
12 or its equivalent in another state or U.S. territory with requirements for the  
13 credential that are not lower than specified in this chapter shall submit all of the  
14 following:

15           (1) An application form.

16           (2) A fee as determined by the department under s. 440.05, Stats.

17           (3) For applicants who have a pending criminal charge or have been convicted  
18 of a crime, all related information necessary for the department to determine  
19 whether the circumstances of the pending criminal charge or conviction are  
20 substantially related to the practice of substance abuse counseling.

21           (4) For applicants who have had disciplinary or adverse action taken on their  
22 substance abuse counselor, clinical supervisor, or prevention specialist credential or  
23 its equivalent, all related information necessary for the department to determine  
24 whether the circumstances of the disciplinary action or adverse action warrant  
25 denial of the application.

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1           (5) Evidence of successful passage of jurisprudence examination.

2           **SECTION 54.** SPS 163.01 of the administrative code is repealed.

3           **SECTION 55.** SPS 163.02 (1) of the administrative code is renumbered SPS  
4 163.02 and amended to read:

5           **SPS 163.02 Substance abuse counselor-in-training; limited scope of**  
6 **practice.** The granting of a substance abuse counselor-in-training certificate does  
7 not denote or assure competency to provide substance use disorder counseling. A  
8 substance abuse counselor-in-training may provide services ~~in any of the core~~  
9 ~~functions, except counseling,~~ if authorized and documented by the clinical  
10 supervisor. ~~A clinical supervisor may only authorize a substance abuse~~  
11 ~~counselor-in-training to provide counseling in accordance with sub. (2).~~

12           **SECTION 56.** SPS 163.02 (2) of the administrative code is repealed.

13           **SECTION 57.** SPS 163.02 (3) of the administrative code is repealed.

14           **SECTION 58.** SPS 164.01 (2) (fm) of the administrative code is created to read:

15           SPS 164.01 (2) (fm) Allowing students or supervisees to perform services for  
16 which the substance abuse professional is not qualified by education, training, or  
17 experience to perform.

18           **SECTION 59.** SPS 164.01 (2) (j) of the administrative code is amended to read:

19           SPS 164.01 (2) (j) Discriminating in practice on the basis of age, race, color, sex,  
20 religion, creed, national origin, ancestry, disability, gender identity, or sexual  
21 orientation.

22           **SECTION 60.** SPS 164.01 (2) (k) of the administrative code is amended to read:

23           SPS 164.01 (2) (k) Revealing to other personnel not engaged in the care of a  
24 patient or to members of the public information which concerns a patient's identity  
25 or condition unless release of the information is authorized by the patient or required

**ASSEMBLY BILL 907****SECTION 60**

1 or authorized by law. This provision shall not be construed to prevent a credential  
2 holder from cooperating with the department in the investigation of complaints.

3 **SECTION 61.** SPS 164.01 (2) (x) of the administrative code is amended to read:

4 SPS 164.01 (2) (x) Failing to report to the department or to institutional  
5 supervisory personnel any violation of the rules of this chapter by a substance abuse  
6 professional.

7 **SECTION 62.** SPS 164.01 (2) (y) of the administrative code is created to read:

8 SPS 164.01 (2) (y) Disclosing supervisee confidences, except as follows:

- 9 1. As mandated by law.
- 10 2. To prevent a clear and immediate danger to a person.
- 11 3. In educational or training settings where there are multiple supervisors who  
12 share responsibility for training of the supervisee.

13 **SECTION 63.** Chapter SPS 165 of the administrative code is repealed and  
14 recreated to read:

15 **Chapter SPS 165**

16 **RENEWAL AND REINSTATEMENT**

17 **SPS 165.01 Late renewal. (1) GENERAL.** A person with an expired credential  
18 under s. 440.88, Stats., may not reapply for a credential using the initial application  
19 process.

20 **(2) RENEWAL WITHIN 5 YEARS.** A person renewing a credential under s. 440.88,  
21 Stats., within 5 years after its expiration shall do all of the following:

22 (a) Pay the renewal fee as determined by the department under s. 440.03 (9)  
23 (a), Stats., and any applicable late renewal fee.

24 (b) Certify the completion of continuing education under ch. SPS 168 during  
25 the 2-year period preceding the last renewal date.



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1           **SPS 166.01 Approval of substance abuse counselor education.** (1) An  
2 application to be a department-approved education program shall include all of the  
3 following:

4           (a) A detailed outline of each course, or for core competency programs a detailed  
5 outline of each core competency and how the competency will be measured.

6           (b) For each course or core competency, indicate the allocation of hours or  
7 competency hour equivalencies for the following content areas:

8           1. Assessment training.

9           2. Counseling training.

10          3. Case management.

11          4. Patient education.

12          5. Professional responsibility.

13          6. Boundaries and ethics.

14          (c) Evidence that each instructor satisfies one of the following:

15          1. The instructor holds one of the following credentials in good standing:

16           a. Substance abuse counselor.

17           b. Clinical substance abuse counselor.

18           c. A credential under ch. 457, Stats.

19          2. The instructor is a physician with knowledge and experience related to  
20 substance use disorder counseling.

21          3. The instructor is a psychologist with knowledge and experience related to  
22 substance use disorder counseling.

23          4. The instructor is an instructor of substance use disorder related courses at  
24 an accredited institution.

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1           (2) An instructor whose credential has been limited, suspended, or revoked  
2 may not instruct in an approved program while the disciplinary action is in effect.

3           (3) An approved program shall inform the department in advance of any major  
4 change in a course or instructor qualifications.

5           (4) An approval of a program remains in effect for 5 years. After 5 years, the  
6 program shall resubmit a new application to become an approved educational  
7 program.

8           (5) An approved program shall provide a certificate of completion or transcript  
9 to each student and shall retain student records for at least 7 years after a student  
10 has completed the program.

11           **SPS 166.02 Approved prevention specialist education.** The department  
12 shall accept prevention specialist training provided, sponsored, or approved by any  
13 of the following:

14           (1) An accredited college or university.

15           (2) The Wisconsin Association of Alcohol and Drug Abuse.

16           (3) The National Association of Alcohol and Drug Abuse Counselors.

17           (4) The Wisconsin Clearinghouse for Prevention Resources.

18           (5) The Federal Center for Substance Abuse Prevention.

19           (6) The National Center for the Application of Prevention Technologies or its  
20 regional centers.

21           (7) The federal department of health and human services, or its agencies,  
22 institutes, administrations, or centers.

23           (8) The White House Office of National Drug Control Policy.

24           (9) The department of health services.

25           (10) The department of public instruction.

**ASSEMBLY BILL 907****SECTION 65**

1           **SECTION 65.** Chapter SPS 168 of the administrative code is repealed and  
2 recreated to read:

3   **Chapter SPS 168**

4   **CONTINUING EDUCATION**

5           **SPS 168.01 Continuing education requirements.** (1) Unless granted a  
6 postponement or waiver of the continuing education requirements under s. SPS  
7 168.03, a substance abuse counselor or prevention specialist shall complete 30  
8 continuing education credit hours in approved continuing education programs  
9 during each 2-year credential period and shall certify on the renewal application  
10 that all required continuing education was completed.

11           (2) A minimum of 4 continuing education credit hours of the required 30 credit  
12 hours shall be in the area of professional ethics and boundaries.

13           (3) A credential holder who also holds an active credential granted under ch.  
14 457, Stats., may satisfy the continuing education requirements by meeting the  
15 continuing education requirements under s. 457.22, Stats.

16           (4) A clinical supervisor shall complete 4 hours of continuing education each  
17 2-year credential period related to the supervision of substance abuse counselors.  
18 The 4 hours completed under this subsection may count toward the continuing  
19 education required for renewal of a clinical substance abuse counselor certification.

20           (5) A new credential holder is not required to satisfy continuing education  
21 requirements during the time between initial credentialing and commencement of  
22 a full 2-year credential period.

23           (6) Continuing education credit hours shall apply only to the 2-year credential  
24 period during which the credit hours are completed. If a credential holder fails to  
25 satisfy the continuing education requirements during a 2-year credential period,



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1 any additional continuing education credit hours completed on or after the renewal  
2 date to satisfy the requirement of the preceding period will not apply to the period  
3 during which they are earned.

4 **SPS 168.02 Approved continuing education. (1)** A continuing education  
5 program is approved if it is relevant to the practice of substance abuse counseling and  
6 any of the following applies:

7 (a) The program is approved, sponsored, provided, endorsed, or authorized by  
8 any of the following:

9 1. The National Association of Alcohol and Drug Abuse Counseling or one of  
10 its affiliated divisions.

11 2. The International Certification & Reciprocity Consortium.

12 3. The American Association for Marriage and Family Therapy or one of its  
13 affiliated divisions.

14 4. The Wisconsin Association for Marriage and Family Therapy.

15 5. The National Rehabilitation Counseling Association.

16 6. The American Rehabilitation Counseling Association.

17 7. The Wisconsin Rehabilitation Counseling Association.

18 8. The National Board for Certified Counselors.

19 9. The Commission on Rehabilitation Counselor Certification.

20 10. The Association of Social Work Boards.

21 11. The National Association of Social Workers or one of its affiliated chapters.

22 12. The Association of Baccalaureate Program Directors.

23 13. The Council on Social Work Education.

24 (b) The program or course is offered by a training program accredited by the  
25 Commission on Accreditation for Marriage and Family Therapy Education.

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1 (c) The program is approved, sponsored, or co-sponsored by a presenter  
2 approved by the Committee for the Approval of Continuing Education Sponsors of  
3 the American Psychological Association.

4 (d) The program or course is offered by an accredited college or university. A  
5 credential holder shall receive 15 continuing education credit hours for completing  
6 a semester course approved under this paragraph.

7 (e) The program is an employee sponsored inservice training and development  
8 program. No more than 15 continuing education credit hours earned through  
9 employee sponsored in-service training and development programs that are not  
10 approved under par. (a), (b), (c), or (d) may count toward satisfying continuing  
11 education requirements.

12 **(2)** (a) A person may earn continuing education credit hours for engaging in any  
13 of the following activities, if the activity is relevant to the practice of substance abuse  
14 counseling:

15 1. Presenting professional material. One continuing education credit hour is  
16 earned under this subdivision for each hour of a continuing education presentation,  
17 except that 15 credit hours are earned for presenting a semester-long educational  
18 course. No continuing education credit hours are earned by a person for repeating  
19 a presentation for which the person has previously earned continuing education. A  
20 person who presents for any of the following may earn continuing education credit  
21 hours under this subdivision:

22 a. A seminar, workshop, program, or institution that is approved under sub. (1).

23 b. A university, college, or vocational technical adult education course.

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1           2. Developing professional material. One continuing education credit hour is  
2 earned under this subdivision for each hour spent developing continuing education  
3 professional material.

4           3. Authoring a published textbook or professional resource book. Fifteen  
5 continuing education credit hours are earned for authoring a book under this  
6 subdivision.

7           4. Authoring a professional journal article or a chapter published in a textbook  
8 or professional resource book. Eight continuing education credit hours are earned  
9 for authoring an article or chapter under this subdivision.

10           (b) A person may earn up to 15 continuing education credit hours that count  
11 toward satisfying continuing education requirements by completing continuing  
12 education that is approved under par. (a).

13           **SPS 168.03 Postponement or waiver.** A holder of a credential under s.  
14 440.88, Stats., may apply to the department for a postponement or waiver of the  
15 requirements under this chapter on grounds of prolonged illness, disability, or other  
16 grounds constituting extreme hardship. The department shall consider each  
17 application individually on its merits.

**SECTION 66. Fiscal changes.**

18           (1) TRAINING MATERIALS FOR SUBSTANCE ABUSE-RELATED CASES. In the schedule  
19 under section 20.005 (3) of the statutes for the appropriation to the department of  
20 children and families under section 20.437 (1) (a) of the statutes, the dollar amount  
21 for fiscal year 2018-19 is increased by \$50,000 to develop and maintain  
22 Internet-accessible training materials for county social services or veteran services  
23 workers on the appropriate response to cases involving substance abuse.  
24

**SECTION 67. Initial applicability.**

