



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-4855/1  
MPG:emw

## 2015 SENATE BILL 797

April 7, 2016 - Introduced by JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES. Referred to Committee on Health and Human Services.

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

1     **AN ACT to amend** 457.08 (1) (c), 457.08 (2) (c), 457.08 (3) (d), 457.08 (4) (d), 457.10  
2           (4), 457.12 (4) and 457.16 (2); and **to create** 457.03 (1m) of the statutes;  
3           **relating to:** examinations for certification or licensure by the Marriage and  
4           Family Therapy, Professional Counseling, and Social Work Examining Board  
5           and requiring the exercise of rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board to promulgate rules establishing examination requirements for certification and licensure by the board. Under current law, the board's examinations for certification and licensure must generally test an applicant's minimum competency in subjects substantially related to the practice of social work, advanced practice social work, independent social work, clinical social work, marriage and family therapy, or professional counseling, as appropriate. The bill specifies that the board's examinations for certification and licensure may include an examination that tests an applicant's knowledge of state law relating to the relevant practice.

The bill is introduced as required by s. 227.19 (5) (e), stats., in support of the objection of the Joint Committee for Review of Administrative Rules on March 3, 2016, to promulgation by the board of a portion of clearinghouse rule number 15-082. The relevant portion of the proposed rule provides for the elimination of the requirement that certain applicants for certification or licensure by the board pass

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an examination that tests an applicant's knowledge of state law relating to the practice for which the applicant is seeking certification or licensure.

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.** 457.03 (1m) of the statutes is created to read:

2           457.03 (1m) Upon the advice of the social worker section, marriage and family  
3 therapist section, and professional counselor section, and consistent with s. 457.16,  
4 promulgate rules establishing examination requirements for certification and  
5 licensure under this chapter.

6           **SECTION 2.** 457.08 (1) (c) of the statutes is amended to read:

7           457.08 (1) (c) Passes ~~an examination~~ one or more examinations approved by  
8 the social worker section to determine minimum competence to practice as a social  
9 worker as specified in the rules promulgated under s. 457.03 (2).

10          **SECTION 3.** 457.08 (2) (c) of the statutes is amended to read:

11          457.08 (2) (c) Passes ~~an examination~~ one or more examinations approved by  
12 the social worker section to determine minimum competence to practice as an  
13 advanced practice social worker as specified in the rules promulgated under s. 457.03  
14 (2).

15          **SECTION 4.** 457.08 (3) (d) of the statutes is amended to read:

16          457.08 (3) (d) Passes ~~an examination~~ one or more examinations approved by  
17 the social worker section to determine minimum competence to practice as an  
18 independent social worker as specified in the rules promulgated under s. 457.03 (2),  
19 or passes the ~~academy of certified social workers~~ Academy of Certified Social  
20 Workers examination administered by the National Association of Social Workers,

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1 except that the examining board may require an individual who passes the Academy  
2 of Certified Social Workers examination to also pass an examination approved by the  
3 examining board that tests the individual's knowledge of state law relating to  
4 independent social work.

5 **SECTION 5.** 457.08 (4) (d) of the statutes is amended to read:

6 457.08 (4) (d) Passes ~~an examination~~ one or more examinations approved by  
7 the social worker section to determine minimum competence to practice as a clinical  
8 social worker.

9 **SECTION 6.** 457.10 (4) of the statutes is amended to read:

10 457.10 (4) Passes ~~an examination~~ one or more examinations approved by the  
11 marriage and family therapist section to determine minimum competence to practice  
12 marriage and family therapy.

13 **SECTION 7.** 457.12 (4) of the statutes is amended to read:

14 457.12 (4) Passes ~~an examination~~ one or more examinations approved by the  
15 professional counselor section to determine minimum competence to practice  
16 professional counseling.

17 **SECTION 8.** 457.16 (2) of the statutes is amended to read:

18 457.16 (2) Examinations shall consist of written or oral tests, or both, requiring  
19 applicants to demonstrate minimum competency in subjects substantially related to  
20 the practice of social work, advanced practice social work, independent social work,  
21 clinical social work, marriage and family therapy, or professional counseling, as  
22 appropriate, and may include an examination that tests an applicant's knowledge of  
23 state law relating to the relevant practice.

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(END)