



2023 SENATE BILL 513

October 16, 2023 - Introduced by Senator CABRAL-GUEVARA, cosponsored by Representatives GUSTAFSON, BROOKS, O'CONNOR, ORTIZ-VELEZ and WICHGERS. Referred to Committee on Licensing, Constitution and Federalism.

1 **AN ACT to create** 51.42 (7) (b) 12., 457.01 (8r), 457.03 (4) and 457.035 (3) of the
2 statutes; **relating to:** provision of psychotherapy by qualified treatment
3 trainees and applicants for certain training licenses in outpatient mental
4 health clinics.

Analysis by the Legislative Reference Bureau

Under current administrative code, qualified treatment trainees may provide psychotherapy to consumers through outpatient mental health clinics certified by the Department of Health Services. Under current administrative code, “qualified treatment trainee” is defined to mean either a graduate student who is enrolled in an accredited institution in psychology, counseling, marriage and family therapy, social work, nursing, or a closely related field or a person with a graduate degree from an accredited institution and course work in psychology, counseling, marriage and family therapy, social work, nursing, or a closely related field who has not yet completed applicable supervised practice requirements. This bill adds to the definition of qualified treatment trainee for purposes of providing psychotherapy to consumers through outpatient mental health clinics a person with a graduate degree from an accredited institution in psychology, counseling, marriage and family therapy, social work, nursing or a closely related field who has submitted an application for a training license as a social worker, marriage and family therapist, or professional counselor until the person is granted a training license or for one year following the date that the person submitted an application for a training license, whichever occurs first.

SENATE BILL 513

Further, this bill codifies current administrative code by directing DHS to promulgate rules to allow qualified treatment trainees and persons with a graduate degree from an accredited institution in psychology, counseling, marriage and family therapy, social work, nursing, or a closely related field who have submitted an application for a training license as a social worker, marriage and family therapist, or professional counselor within the previous year but have not yet been granted a training license to provide psychotherapy to patients through an outpatient mental health clinic certified by DHS while under clinical supervision as defined by DHS. Additionally, the bill directs the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board to promulgate rules establishing standards of conduct for qualified treatment trainees to engage in psychotherapy in an outpatient mental health clinic certified by DHS including a requirement that qualified treatment trainees be supervised while engaging in psychotherapy.

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

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

1 **SECTION 1.** 51.42 (7) (b) 12. of the statutes is created to read:

2 51.42 (7) (b) 12. Allow qualified treatment trainees, as defined in s. 457.01 (8r),
3 and persons with a graduate degree from an accredited institution in psychology,
4 counseling, marriage and family therapy, social work, nursing, or a closely related
5 field who have submitted an application for a training license under s. 457.09,
6 457.11, or 457.13 within the previous year but have not yet been granted a training
7 license to provide psychotherapy to patients through an outpatient mental health
8 clinic certified by the department while under clinical supervision as defined by the
9 department by rule.

10 **SECTION 2.** 457.01 (8r) of the statutes is created to read:

11 457.01 (8r) “Qualified treatment trainee” means either of the following:

12 (a) A graduate student who is enrolled in an accredited institution in
13 psychology, counseling, marriage and family therapy, social work, nursing, or a
14 closely related field.

SENATE BILL 513**SECTION 2**

1 (b) A person with a graduate degree from an accredited institution and course
2 work in psychology, counseling, marriage and family therapy, social work, nursing,
3 or a closely related field who has not yet completed the applicable supervised clinical
4 training that must be completed for licensure as a clinical social worker, marriage
5 and family therapist, or professional counselor under rules promulgated pursuant
6 to this chapter.

7 **SECTION 3.** 457.03 (4) of the statutes is created to read:

8 457.03 (4) Upon the advice of the social worker section, marriage and family
9 section, and professional counselor section, promulgate rules establishing standards
10 of conduct for qualified treatment trainees to engage in psychotherapy through an
11 outpatient mental health clinic certified by the department of health services
12 including a requirement that qualified treatment trainees be supervised while
13 engaging in psychotherapy.

14 **SECTION 4.** 457.035 (3) of the statutes is created to read:

15 457.035 (3) The individual is a qualified treatment trainee and the individual
16 engages in psychotherapy through an outpatient mental health clinic certified by the
17 department of health services while supervised as provided by the examining board
18 by rule.

19 **SECTION 5.** DHS 35.03 (17m) (b) of the administrative code is amended to read:

20 DHS 35.03 (17m) (b) A person with a graduate degree from an accredited
21 institution and course work in psychology, counseling, marriage and family therapy,
22 social work, nursing or a closely related field who has not yet completed the
23 applicable supervised practice requirements described under ch. MPSW 4, 12, or 16,
24 or Psy 2 as applicable. For purposes of this paragraph, a person with a graduate
25 degree from an accredited institution in psychology, counseling, marriage and family

SENATE BILL 513**SECTION 5**

1 therapy, social work, nursing or a closely related field who has submitted an
2 application for a training license under s. 457.09, 457.11, or 457.13 is considered a
3 qualified treatment trainee until the person is granted a training license or for one
4 year following the date that the person submitted an application for a training
5 license, whichever occurs first.

6 **SECTION 6. Effective date.**

7 (1) Notwithstanding s. 227.265, this act takes effect on the day after
8 publication.

9 (END)