State of Wisconsin
2023 - 2024 LEGISLATURE

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LRB-1122/1
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2023 ASSEMBLY BILL 3

February 6, 2023 - Introduced by JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES. Referred to Committee on Family Law.

AUTHORS SUBJECT TO CHANGE

AN ACT ***to amend*** 457.03 (2) of the statutes; **relating to:** rules defining unprofessional conduct by marriage and family therapists, professional counselors, and social workers and suspension of a portion of a rule of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board.

Analysis by the Legislative Reference Bureau

This bill prohibits the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board from promulgating any rule that establishes as unprofessional conduct employing or promoting any intervention or method that has the purpose of attempting to change a person's sexual orientation or gender identity, including attempting to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender.

This bill is introduced as required by s. 227.26 (2) (f), stats., in support of the action of the Joint Committee for Review of Administrative Rules in suspending section MPSW 20.02 (25), Wis. Adm. Code, a rule of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board on January 12, 2023.

The suspended rule provided that unprofessional conduct related to the practice of marriage and family therapists, professional counselors, and social workers includes employing or promoting any intervention or method that has the purpose of attempting to change a person's sexual orientation or gender identity,

including attempting to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender.

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

SECTION 1. 457.03 (2) of the statutes is amended to read:

457.03 **(2)** Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, promulgate rules establishing a code of ethics to govern the professional conduct of certificate holders and licensees. The rules shall specify the services included within the practice of social work, advanced practice social work, or independent social work that an individual who is certified under this chapter as a social worker, advanced practice social worker, or independent social worker may perform and the degree of supervision, if any, required to perform those services. The rules promulgated under this subsection may not establish as unprofessional conduct employing or promoting any intervention or method that has the purpose of attempting to change a person's sexual orientation or gender identity, including attempting to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender.

SECTION 2. MPSW 20.02 (25) of the administrative code is repealed.

SECTION 3. Effective date.

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

(END)