



Licensing, Educator Advancement and Development

Information Bulletin

LEAD 24-003

August 2024

Date: Tuesday, August 6, 2024

To: Human Resource Directors, District Administrators, Other Interested Parties

From: Jennifer Kammerud, Director
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Subject: Clinically Trained Mental Health Professional License

This bulletin is meant to answer questions regarding the clinically trained mental health professional license that became available for the first time in August of 2024. Specific topics covered include:

- [What are the requirements for this license?](#)
- [What type of license is this license?](#)
- [What can someone with this license do?](#)
- [What is the role and scope of the clinically trained mental health professional license?](#)
- [Can someone with this license teach or substitute teach?](#)
- [I am social worker, should I apply for this license?](#)
- [Additional resources for more information.](#)

1. What are the requirements to be eligible for this license?

To be eligible for this license an applicant must hold:

- A master's degree in marriage and family therapy, mental health counseling, social work, or a similar field; and
- A valid clinical marriage and family therapy license, clinical professional counselor license, or clinical social worker license issued by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board.

In addition, the applicant in applying for the license must complete a background check with the Department of Public Instruction (DPI) and agree to:

- Store, safeguard, and dispose of client records in ways that maintain confidentiality and comply with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), [45 CFR 164.502](#); and
- Maintain accurate and adequate clinical and financial records in accordance with HIPAA, [45 CFR 164.502](#).ⁱ

2. What type of license is this license?

This license is issued pursuant to Wisconsin Administrative Code section PI 34.0375. It is a Tier I, two-year renewable license. It is not a license that advances to other tiers of licensure as it is not a teaching, pupil services, or administrative license. In the WISEstaff audit it is categorized as an “other” type license.

3. What can someone with this license do?

A license issued under this section authorizes the license holder to work as a clinically trained mental health professional within the scope of their underlying license issued by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board. This professional provides clinical mental health Tier 3 supports and interventions.

They may conduct clinical mental health practice in virtual or physical school settings as laid out below:

- Wisconsin Statutes § 457.01 (1n) “Clinical social work” means providing services without supervision for the diagnosis, treatment, and prevention of mental and emotional disorders in individuals, families, and groups, to restore, maintain, and enhance social functioning through treatment interventions that include psychosocial evaluation, counseling of individuals, families, or groups, referral to community resources, advocacy, facilitation of organizational change to meet social needs, and individual, marital, or group psychotherapy.
- Wisconsin Statutes § 457.01 (5) “Marriage and family therapy” means applying psychotherapeutic and marital or family systems theories and techniques in the assessment, marital or family diagnosis, prevention, treatment or resolution of a cognitive, affective, behavioral, nervous or mental disorder of an individual, couple or family.
- Wisconsin Statutes § 457.01 (6) “Professional counseling” means applying a combination of human development, rehabilitation and either psychosocial or psychotherapeutic principles, procedures or services that integrate a wellness, pathology and multicultural model of human behavior in order to assist an individual, couple, family, group of individuals, organization, institution or community to achieve mental, emotional, physical, social, moral, educational, spiritual, vocational or career development and adjustment through the lifespan of the individual, couple, family, group of individuals, organization, institution or community.

They may also:

- Provide mental health care coordination and wrap around supports for students and their families.

- Serve as members of multi-level systems of support intervention teams within school settings to provide mental health knowledge and support.
- Serve on crisis prevention and intervention teams.
- Provide professional development, coaching, and technical assistance to educators, families, and community members on mental health topics that are within the scope of their clinical training, expertise and experience.
- Provide related services documented in a student's Individualized Education Plan (IEP) for which they are trained and qualified to provide.

4. What is outside the role and scope of the clinically trained mental health professional license?

This is not a pupil services license. This license does not authorize someone to be a school social worker, school counselor or school psychologist. The former two roles are specifically prohibited as areas of practice with this license. [See Wis. Admin. Code § PI 34.0375(1).] School psychologist work is also prohibited due to the advanced degree and licensure requirements to practice in that field in schools. Professionals must adhere to state and federal statutes and policies, administrative rules, and school and district policies and practices. The following list includes activities that do not fall within the role or scope of the licensee, though it is not an exhaustive list.

Clinically Trained Mental Health Professionals may not:

- Conduct or interpret a special education assessment or evaluation.
- Act as the LEA representative for an IEP team meeting.
- Provide specially designed instruction for students with IEP.
- Lead social developmental histories for special education evaluations.
- Lead functional behavioral assessments or behavioral intervention plans for students.
- Lead a psychosocial educational group without a licensed dpi pupil services professional.
- Lead the development of an individual health plan or 504 plan.
- Determine educational programming decisions (e.g credit determination, class level placement or scheduling).
- Act as the point of contact for federal Every Student Succeeds Act educational stability for students in out-of-home care, act as the homeless liaison under McKinney Vento Homeless Assistance Act, or lead attendance improvement meetings with individual students and families.
- Coordinate a school-age parent program or provide instruction or services under Wis. Stat. (s) 115.92, although they may provide mental health therapy to school-age parents.
- Implement ongoing lessons in large group or classroom settings (including, but not limited to health, social emotional learning, careers) without a licensed pupil services professional present.
- Provide career readiness appraisal, advisement, and post-secondary planning and activities, including academic and career planning (acp) programming and coordination.
- Provide individual student academic planning and goal setting.

- Fulfill the requirement imposed on school boards in [Wis. Admin. Code § PI 8.01\(2\)\(e\)](#) to provide a program of guidance and counseling services for all pupils.
- Provide field supervision for practicum or intern students in school social work, school counseling, or school psychology programs.

If an individual holding the clinically trained mental health professional license wishes to perform work as a school counselor, school social worker, school counselor, or school psychologist they will need to apply for and receive the requisite license to perform those duties.

5. Can someone with this license teach or substitute teach?

No. Someone holding this license is not able to teach with this license. This license is not a teaching, pupil services, or administrative license. If an individual holding this license wishes to teach, they will need to meet requirements for a teaching license, apply for and receive the requisite license to perform those duties.

Because someone with this license necessarily holds an advanced degree they may apply separately for a short-term substitute teaching license in order to be a substitute teacher.

6. I am social worker, should I apply for this license?

If you are seeking to be a school social worker and are licensed social worker through the Department of Safety and Professional Services' Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board please see this [information bulletin](#) as to the steps you can take to become a licensed school social worker. The clinically trained mental health professional license does not authorize you to be a school social worker or perform those duties.

7. Where can I find more information?

- Submitting licensing questions
<https://dpi.wi.gov/support/contact-us>
- PI 34 Administrative Code on licensure
https://docs.legis.wisconsin.gov/code/admin_code/pi/34.pdf
- Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board
<https://dsps.wi.gov/Pages/BoardsCouncils/MPSW/Default.aspx>

ⁱ DPI has no oversight authority with respect to the federal laws regarding student or client records (e.g., HIPPA, the Family Educational Rights and Privacy Act). Questions regarding compliance with these laws should be directed to your legal counsel. It is the sole responsibility of school districts to ensure its employees' compliance with the requirements of these federal laws.