

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PROFESSIONAL COUNSELING SECTION OF THE MARRIAGE AND FAMILY THERAPY,  
PROFESSIONAL COUNSELING, AND SOCIAL WORK EXAMINING BOARD

IN THE MATTER OF THE	:
APPLICATION OF	:
	:
DAVID O’KEEFE,	:
APPLICANT	:

FINAL DECISION AND ORDER

The parties in this matter under § 227.44, Wis. Stats. and s. RL 1.04, Wis. Admin. Code, and for purposes of review under § 227.53, Wis. Stats., are:

David O’Keefe  
1940 Strong’s Avenue, Apt. C  
Stevens Point, WI 54481

Professional Counseling Section  
1400 East Washington Avenue  
Madison, WI 53703

**PROCEDURAL HISTORY**

David O’Keefe filed an application for a professional counselor training certificate on or about August 25, 2006. The Professional Counselor Section reviewed his application at its meeting on October 31, 2006, and denied his request for a training certificate. A Notice of Denial was sent to Mr. O’Keefe on or about November 9, 2006. Mr. O’Keefe subsequently requested a hearing on his denial.

A hearing in the above-captioned matter was held on January 30, 2007, before the Professional Counseling Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board. Mr. O’Keefe appeared in person, *pro se*.

The Professional Counseling Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, having held a hearing on the application for a professional counselor training certificate for David O’Keefe and having considered the entire record in this matter, makes the following Findings of Fact, Conclusions of Law, and Order.

## **FINDINGS OF FACT**

1. David O'Keefe applied for a professional counselor training certificate on or about August 25, 2006.
2. One of the requirements in Wisconsin for both the professional counselor training certificate and professional counselor license is the completion of a master's or doctoral degree in professional counseling. Having an equivalent academic program to professional counseling is also permitted. Equivalent programs must include a supervised counseling practicum, a counseling theory course, and multiple courses in various counseling subjects.
3. Mr. O'Keefe has not successfully completed the required coursework, including multiple three-credit academic coursework in at least six out of eight topic areas.

## **CONCLUSIONS OF LAW**

1. The Professional Counseling Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board has jurisdiction in this matter pursuant to §§ 15.405 (7c) (c) and 457.10, Wis. Stats.
2. Mr. O'Keefe, by not having completed the requirements as set forth in § MPSW 14.01, Wis. Admin. Code, has not met the criteria for a professional counselor training certificate.

## **ORDER**

**NOW THEREFORE IT IS HEREBY ORDERED** that the application of David O'Keefe for a professional counselor training certificate is **DENIED**.

## **OPINION**

Section 457.12, Wis. Stats., sets forth the criteria for licensure as a professional counselor in Wisconsin. Among the requirements for licensure as found in s. 457.10 (2) (b), Wis. Stats., is that an applicant must have either received a master's or doctorate degree in professional counseling or its equivalent from a program approved by the Professional Counseling Section (Section). An academic program is the equivalent of a master's degree in professional counseling if it meets the criteria set forth in s. MPSW 14.01, Wis. Admin. Code, including at least three (3) semester hours or four (4) quarter hours academic credit in a counseling theory course, and at least one course of at least three (3) semester hours or four (4) quarter hours academic credit in six defined subject areas, with a minimum of 42 semester hours or 63 quarter hours of academic credit in counseling. Additionally, under s. RL 1.08 (4), Wis. Admin. Code, an applicant has the burden of proof to show the credentialing authority, in this case, the Professional Counseling Section, that he has met the eligibility requirements for the credential.

Mr. O'Keefe has failed to meet his burden. One of the requirements for obtaining either the professional counselor training certificate or a professional counselor license is the completion of a master's or doctoral degree in professional counseling or an acceptable equivalent program. Mr. O'Keefe has not completed the essential coursework in order to satisfy the equivalency requirements, including, for instance, a counseling theory course, and the many other required academic counseling courses. In reviewing Mr. O'Keefe's application again, the Section determined that he had not successfully met those criteria and, as a result, has not met the requirements for the professional counselor training certificate. His application for the training certificate has therefore been denied.

## **APPEAL INFORMATION**

The applicant's right to request rehearing and for judicial review are set forth in the enclosed "Notice of Appeal Information".

Dated this 6<sup>th</sup> day of February, 2007, at Madison, Wisconsin.

STATE OF WISCONSIN  
PROFESSIONAL COUNSELING SECTION

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Susan Putra, P.C.  
Chairperson