SOUTH DAKOTA STATE BOARD OF EXAMINERS FOR COUNSELORS & MARRIAGE AND FAMILY THERAPISTS
Via Teleconference
Friday, June 12, 2020 – 10:00 AM CDT

Proposed Meeting Agenda

1) Call to Order
2) Approval of Agenda
3) Open Forum: 5 minutes for the public to address the Board
4) Approval of Minutes: April 17, 2020
5) Financial Report as of May 31, 2020
6) Executive Session (Pursuant to SDCL 1-25-2 (3) for consideration of proposed contested cases or contractual matters)

7) Old Business
   a. Order in the Matter of the Licensed Professional Counselor Plan of Supervision Application of Wendy Lohan
   b. COVID-19 Update
   c. Database Update
   d. Implementation of Senate Bill 18 and Senate Bill 19

8) New Business
   a. Office Update
   b. Administrative Rule Changes

9) Announcements
10) Adjourn
President Rice Brinkworth called the meeting to order at 9:06 am central and determined a quorum.

Board Members Present via Videoconference: Lynell Rice Brinkworth, Tiffany Butler, Sherry Bartels, Roswitha Konz, Cheryl Hartman, Woody Schrenk, Bobbi Brown, Jeff Wangen and Seth Olson

Board Members Absent: None

Others Present via Videoconference: Jennifer Stalley, Executive Secretary; Karen Cudmore, administrative staff; Erin Handke, Assistant Attorney General; Marilyn Kinsman, Department of Social Services; and Brenda Tidball-Zeltinger, Department of Social Services

Motion to approve the proposed agenda by Hartman. Seconded by Butler. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schrenk, Brown, Wangen and Olson voted aye. Motion carried.

Rice Brinkworth asked for comments from the public. There were no comments offered.

Motion to approve the meeting minutes of February 14, 2020 by Schrenk. Seconded by Konz. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schrenk, Brown, Wangen and Olson voted aye. Motion carried.

Motion to accept the financial report as of April 4, 2020 by Konz. Seconded by Butler. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schrenk, Brown, Wangen and Olson voted aye. Motion carried.

Motion to go into executive session for consideration of contested cases and contractual matters at 9:14 am by Butler. Seconded by Schrenk. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schrenk, Brown, Wangen and Olson voted aye. Motion carried.

Rice Brinkworth declared the Board out of executive session at 10:05 am.

Motion to dismiss complaint 2019-05 by Butler. Seconded by Konz. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Wangen and Olson voted aye. Schrenk and Brown were recused. Motion carried.
The Department of Social Services provided an update to the Board. Kinsman introduced Brenda Tidball-Zeltlinger to the Board. Tibal-Zeltlinger is taking over Amy Iversen-Pollreisz’s duties at the Department. Tidball-Zeltlinger introduced herself and provided an update on her role at the Department. Kinsman will continue as the Board’s primary contact for the Department. Kinsman noted the date for records retention changes has been moved to June 5th. Tidball-Zeltlinger updated the Board on the use of Department legal staff to provide general counsel services to the Board moving forward.

Stalley provided the Board with an update on the Board’s legislation. Senate Bill 18 and 19 passed and become law on July 1st. The administrative rules of the Board need to be revised to comport with the changes in the law. Stalley discussed the process for making administrative rule changes with the Board.

Rice Brinkworth appointed Rice Brinkworth. Butler and Schenk to be a taskforce to help with identifying changes in administrative rules to be considered by the Board at the next Board meeting.

Motion to add a Board meeting on August 14, 2020 to serve as a Board meeting and public hearing for proposed administrative rule changes by Butler. Seconded by Hartman. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schenk, Brown, Wangen and Olson voted aye. Motion carried.

Stalley provided an office update, including the list of new licensees since the last meeting, Olson’s resignation from the Board, discussions with other Department of Social Services boards concerning similar licenses, and the status of the database project. Stalley also introduced Karen Cudmore, as a new staff person serving the Board.

The Board discussed the implications of COVID-19 on licensure requirements. The Board noted Governor Noem’s executive order 2020-04 directing state agencies to do everything reasonably possible to assist effort to respond to and recover from the COVID-19 emergency.

Motion by Hartman to allow for the approval of plan of supervision applications for a professional counselor without passage of the National Counselors Examination as a prerequisite of approval of a plan of supervision application until September 1, 2020, due to COVID-19 impacts to national testing agencies. Seconded by Butler. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schenk, Brown, Wangen and Olson voted aye. Motion carried.

Motion by Butler to allow for the approval of plan of supervision applications for a marriage and family therapist without passage of the National Examination in Marital and Family Therapy as a prerequisite of approval of a plan of supervision application until September 1, 2020, due to COVID-19 impacts to national testing agencies. Seconded by Konz. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schenk, Brown, Wangen and Olson voted aye. Motion carried.

Motion by Schenk to renew the contract with Midwest Solutions for executive and administrative services with a 2% increase in the contract. Seconded by Hartman. The Board

Motion to sign a letter of engagement for legal services from Carlon Law Office at a rate of $125 per hour by Konz. Seconded by Hartman. The Board voted by roll call. Rice Brinkworth, Butler, Bartels, Konz, Hartman, Schrenk, Brown, Wangen and Olson voted aye. Motion carried.

The Board thanked Olson for his service to the Board.

The Board’s next meeting is scheduled for June 12th at 10:00 am (central) by teleconference.


The Board adjourned at 10:47 am.

Respectfully Submitted,

__________________________________
Jennifer Stalley, Executive Secretary
## Remaining Authority by Object/Subobject

**Expenditures current through 05/30/2020 12:21:04 PM**

**SOCIAL SERVICES -- Summary**

**FY 2020 Version -- AS -- Budgeted and Informational**

**FY Remaining: 8.8%**

<table>
<thead>
<tr>
<th>Subobject</th>
<th>Operating</th>
<th>Expenditures</th>
<th>Encumbrances</th>
<th>Commitments</th>
<th>Remaining AVL</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMPLOYEE SALARIES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101030 Board &amp; Comm Mbr Fees</td>
<td>3,079</td>
<td>3,900</td>
<td>0</td>
<td>0</td>
<td>-821</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>3,079</td>
<td>3,900</td>
<td>0</td>
<td>0</td>
<td>-821</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>EMPLOYEE BENEFITS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5102010 Oasi-employer's Share</td>
<td>312</td>
<td>301</td>
<td>0</td>
<td>0</td>
<td>11</td>
<td>3.5</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>312</td>
<td>301</td>
<td>0</td>
<td>0</td>
<td>11</td>
<td>3.5</td>
</tr>
<tr>
<td><strong>51 Personal Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>3,391</td>
<td>4,201</td>
<td>0</td>
<td>0</td>
<td>-810</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>TRAVEL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5203030 Auto-priv (in-st.) Hr/te</td>
<td>4,331</td>
<td>2,404</td>
<td>0</td>
<td>0</td>
<td>1,927</td>
<td>44.5</td>
</tr>
<tr>
<td>5203100 Lodging/in-state</td>
<td>1,507</td>
<td>288</td>
<td>0</td>
<td>0</td>
<td>1,219</td>
<td>80.9</td>
</tr>
<tr>
<td>5203120 Incidental-travel-in St.</td>
<td>0</td>
<td>20</td>
<td>0</td>
<td>0</td>
<td>-20</td>
<td>0.0</td>
</tr>
<tr>
<td>5203130 Non-employ. Travel-in St.</td>
<td>1,100</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,100</td>
<td>100.0</td>
</tr>
<tr>
<td>5203140 Meals/taxable/in-state</td>
<td>112</td>
<td>32</td>
<td>0</td>
<td>0</td>
<td>80</td>
<td>71.4</td>
</tr>
<tr>
<td>5203150 Non-taxable Meals/in-st</td>
<td>450</td>
<td>272</td>
<td>0</td>
<td>0</td>
<td>178</td>
<td>39.6</td>
</tr>
<tr>
<td>5203260 Air-comm-out-of-state</td>
<td>2,000</td>
<td>617</td>
<td>0</td>
<td>0</td>
<td>1,383</td>
<td>69.2</td>
</tr>
<tr>
<td>5203280 Other-public-out-of-state</td>
<td>180</td>
<td>51</td>
<td>0</td>
<td>0</td>
<td>129</td>
<td>71.7</td>
</tr>
<tr>
<td>5203300 Lodging/out-state</td>
<td>2,024</td>
<td>428</td>
<td>0</td>
<td>0</td>
<td>1,596</td>
<td>78.9</td>
</tr>
<tr>
<td>5203320 Incidental-out-state</td>
<td>75</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>75</td>
<td>100.0</td>
</tr>
<tr>
<td>5203330 Non-employ Travel-out-st.</td>
<td>1,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,000</td>
<td>100.0</td>
</tr>
<tr>
<td>5203350 Non-taxable Meals/out-st</td>
<td>700</td>
<td>92</td>
<td>0</td>
<td>0</td>
<td>608</td>
<td>86.9</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>13,479</td>
<td>4,204</td>
<td>0</td>
<td>0</td>
<td>9,275</td>
<td>68.8</td>
</tr>
<tr>
<td><strong>CONTRACTUAL SERVICES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5204020 Dues &amp; Membership Fees</td>
<td>1,550</td>
<td>1,400</td>
<td>0</td>
<td>0</td>
<td>150</td>
<td>9.7</td>
</tr>
<tr>
<td>5204050 Computer Consultant</td>
<td>0</td>
<td>15,037</td>
<td>27,600</td>
<td>0</td>
<td>-42,637</td>
<td>0.0</td>
</tr>
<tr>
<td>5204080 Legal Consultant</td>
<td>7,000</td>
<td>2,996</td>
<td>0</td>
<td>0</td>
<td>4,004</td>
<td>57.2</td>
</tr>
<tr>
<td>5204090 Management Consultant</td>
<td>54,605</td>
<td>60,918</td>
<td>6,582</td>
<td>0</td>
<td>-12,895</td>
<td>0.0</td>
</tr>
<tr>
<td>5204160 Workshop Registration Fee</td>
<td>1,550</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,550</td>
<td>100.0</td>
</tr>
<tr>
<td>5204200 Central Services</td>
<td>82</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>82</td>
<td>100.0</td>
</tr>
<tr>
<td>5204201 Central Services</td>
<td>1,584</td>
<td>2,317</td>
<td>0</td>
<td>0</td>
<td>-733</td>
<td>0.0</td>
</tr>
<tr>
<td>5204204 Central Services</td>
<td>0</td>
<td>163</td>
<td>0</td>
<td>0</td>
<td>-163</td>
<td>0.0</td>
</tr>
<tr>
<td>5204207 Central Services</td>
<td>521</td>
<td>828</td>
<td>0</td>
<td>0</td>
<td>-307</td>
<td>0.0</td>
</tr>
<tr>
<td>5204360 Advertising-newspaper</td>
<td>300</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>300</td>
<td>100.0</td>
</tr>
<tr>
<td>5204460 Equipment Rental</td>
<td>750</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>750</td>
<td>100.0</td>
</tr>
<tr>
<td>5204510 Rents-other</td>
<td>3,300</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3,300</td>
<td>100.0</td>
</tr>
</tbody>
</table>
## Remaining Authority by Object/Subobject

Expenditures current through 05/30/2020 12:21:04 PM  
SOCIAL SERVICES -- Summary  
FY 2020  Version -- AS -- Budgeted and Informational  
FY Remaining:  8.8 %

<table>
<thead>
<tr>
<th>Subobject</th>
<th>Operating</th>
<th>Expenditures</th>
<th>Encumbrances</th>
<th>Commitments</th>
<th>Remaining AVL</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0891 Board of Counselor Examiners - Info</td>
<td>5204530  Telecommunications Srvcs</td>
<td>1,100</td>
<td>949</td>
<td>0</td>
<td>0</td>
<td>151</td>
</tr>
<tr>
<td></td>
<td>5204590  Ins Premiums &amp; Surety Bds</td>
<td>2,270</td>
<td>1,721</td>
<td>0</td>
<td>0</td>
<td>549</td>
</tr>
<tr>
<td></td>
<td>5204960  Other Contractual Service</td>
<td>0</td>
<td>34</td>
<td>0</td>
<td>0</td>
<td>-34</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>74,612</td>
<td>86,363</td>
<td>34,182</td>
<td>0</td>
<td>-45,933</td>
</tr>
</tbody>
</table>

### SUPPLIES & MATERIALS

<table>
<thead>
<tr>
<th>Subobject</th>
<th>Operating</th>
<th>Expenditures</th>
<th>Encumbrances</th>
<th>Commitments</th>
<th>Remaining AVL</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td>5205020 Office Supplies</td>
<td>0</td>
<td>479</td>
<td>0</td>
<td>0</td>
<td>-479</td>
<td>0.0</td>
</tr>
<tr>
<td>5205028 Office Supplies</td>
<td>400</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>400</td>
<td>100.0</td>
</tr>
<tr>
<td>5205310 Printing-state</td>
<td>0</td>
<td>567</td>
<td>0</td>
<td>0</td>
<td>-567</td>
<td>0.0</td>
</tr>
<tr>
<td>5205328 Printing-commercial</td>
<td>1,350</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,350</td>
<td>100.0</td>
</tr>
<tr>
<td>5205350 Postage</td>
<td>2,000</td>
<td>2,095</td>
<td>0</td>
<td>0</td>
<td>-95</td>
<td>0.0</td>
</tr>
<tr>
<td>5205390 Food Stuffs</td>
<td>150</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>150</td>
<td>100.0</td>
</tr>
<tr>
<td>Subtotal</td>
<td>3,900</td>
<td>3,141</td>
<td>0</td>
<td>0</td>
<td>759</td>
<td>19.5</td>
</tr>
</tbody>
</table>

### Operating

<table>
<thead>
<tr>
<th>Subobject</th>
<th>Operating</th>
<th>Expenditures</th>
<th>Encumbrances</th>
<th>Commitments</th>
<th>Remaining AVL</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td>5204530 Telecommunications Srvcs</td>
<td>1,100</td>
<td>949</td>
<td>0</td>
<td>0</td>
<td>151</td>
<td>13.7</td>
</tr>
<tr>
<td>5204590 Ins Premiums &amp; Surety Bds</td>
<td>2,270</td>
<td>1,721</td>
<td>0</td>
<td>0</td>
<td>549</td>
<td>24.2</td>
</tr>
<tr>
<td>5204960 Other Contractual Service</td>
<td>0</td>
<td>34</td>
<td>0</td>
<td>0</td>
<td>-34</td>
<td>0.0</td>
</tr>
<tr>
<td>Subtotal</td>
<td>74,612</td>
<td>86,363</td>
<td>34,182</td>
<td>0</td>
<td>-45,933</td>
<td>0.0</td>
</tr>
</tbody>
</table>

### Total

<table>
<thead>
<tr>
<th>Subobject</th>
<th>Operating</th>
<th>Expenditures</th>
<th>Encumbrances</th>
<th>Commitments</th>
<th>Remaining AVL</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td>5204530 Telecommunications Srvcs</td>
<td>1,100</td>
<td>949</td>
<td>0</td>
<td>0</td>
<td>151</td>
<td>13.7</td>
</tr>
<tr>
<td>5204590 Ins Premiums &amp; Surety Bds</td>
<td>2,270</td>
<td>1,721</td>
<td>0</td>
<td>0</td>
<td>549</td>
<td>24.2</td>
</tr>
<tr>
<td>5204960 Other Contractual Service</td>
<td>0</td>
<td>34</td>
<td>0</td>
<td>0</td>
<td>-34</td>
<td>0.0</td>
</tr>
<tr>
<td>Subtotal</td>
<td>74,612</td>
<td>86,363</td>
<td>34,182</td>
<td>0</td>
<td>-45,933</td>
<td>0.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Subobject</th>
<th>Operating</th>
<th>Expenditures</th>
<th>Encumbrances</th>
<th>Commitments</th>
<th>Remaining AVL</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td>5205020 Office Supplies</td>
<td>0</td>
<td>479</td>
<td>0</td>
<td>0</td>
<td>-479</td>
<td>0.0</td>
</tr>
<tr>
<td>5205028 Office Supplies</td>
<td>400</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>400</td>
<td>100.0</td>
</tr>
<tr>
<td>5205310 Printing-state</td>
<td>0</td>
<td>567</td>
<td>0</td>
<td>0</td>
<td>-567</td>
<td>0.0</td>
</tr>
<tr>
<td>5205328 Printing-commercial</td>
<td>1,350</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,350</td>
<td>100.0</td>
</tr>
<tr>
<td>5205350 Postage</td>
<td>2,000</td>
<td>2,095</td>
<td>0</td>
<td>0</td>
<td>-95</td>
<td>0.0</td>
</tr>
<tr>
<td>5205390 Food Stuffs</td>
<td>150</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>150</td>
<td>100.0</td>
</tr>
<tr>
<td>Subtotal</td>
<td>3,900</td>
<td>3,141</td>
<td>0</td>
<td>0</td>
<td>759</td>
<td>19.5</td>
</tr>
<tr>
<td>Subtotal</td>
<td>91,991</td>
<td>93,708</td>
<td>34,182</td>
<td>0</td>
<td>-35,899</td>
<td>0.0</td>
</tr>
<tr>
<td>Total</td>
<td>95,382</td>
<td>97,909</td>
<td>34,182</td>
<td>0</td>
<td>-36,709</td>
<td>0.0</td>
</tr>
<tr>
<td>COMPANY CENTER ACCT</td>
<td>BALANCE</td>
<td>DR/CR</td>
<td>CENTER DESCRIPTION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------</td>
<td>-------</td>
<td>-----------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6503 0891000648 1140000</td>
<td>114,427.62 DR</td>
<td></td>
<td>BOARD OF COUNSELOR EXAMINERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COMPANY/SOURCE TOTAL 6503 648</td>
<td>114,427.62 DR *</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COMP/BUDG UNIT TOTAL 6503 0891</td>
<td>114,427.62 DR **</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUDGET UNIT TOTAL 0891</td>
<td>114,427.62 DR ***</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### AVAILABLE FUNDS

**AS OF: 05/31/2020**

**FY YEAR REMAINING:** 8.5%

**PAY DAYS REMAINING:** 2

**DATE 05/30/2020**

### BUDGET UNIT NAME

**BOARD OF COUNSELOR EXAMINERS**

<table>
<thead>
<tr>
<th>Comp</th>
<th>Original Appropriation</th>
<th>Appropriation Transfers</th>
<th>Year-to-Date Appropriations</th>
<th>Year-to-Date Appropriations Encumbrances</th>
<th>Year-to-Date Appropriations Expenditures</th>
<th>Available Appropriations</th>
<th>Cash Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>6503-I</td>
<td>95,382.00</td>
<td>0.00</td>
<td>0.00</td>
<td>34,181.55</td>
<td>97,908.27</td>
<td>36,707.82-</td>
<td>114,427.62</td>
</tr>
<tr>
<td><strong>BUDGETED TO</strong></td>
<td><strong>95,382.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>34,181.55</strong></td>
<td><strong>97,908.27</strong></td>
<td><strong>36,707.82-</strong></td>
<td></td>
</tr>
<tr>
<td><strong>ALL COMP TO</strong></td>
<td><strong>95,382.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>34,181.55</strong></td>
<td><strong>97,908.27</strong></td>
<td><strong>36,707.82-</strong></td>
<td></td>
</tr>
</tbody>
</table>

### TOTAL BUDGETED:

<table>
<thead>
<tr>
<th>Object of Expenditure</th>
<th>Amount</th>
<th>Expenditure Budgeted</th>
<th>Expenditure Year-to-Date</th>
<th>Expenditure Year-to-Date Commitments</th>
<th>Expenditure Year-to-Date Encumbrances</th>
<th>Expenditure Year-to-Date Expenditures</th>
<th>Budget Year-to-Date</th>
<th>Pct AVL</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101 EMPLOYEE SALARIES</td>
<td>3,079.00</td>
<td>0.00</td>
<td>0.00</td>
<td>720.00</td>
<td>3,900.00</td>
<td>821.00-</td>
<td>0.0</td>
<td></td>
</tr>
<tr>
<td>5102 EMPLOYEE BENEFITS</td>
<td>312.00</td>
<td>0.00</td>
<td>0.00</td>
<td>55.08</td>
<td>300.80</td>
<td>11.20</td>
<td>3.6</td>
<td></td>
</tr>
<tr>
<td>5203 TRAVEL</td>
<td>13,479.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>4,203.03</td>
<td>9,275.97</td>
<td>68.8</td>
<td></td>
</tr>
<tr>
<td>5204 CONTRACTUAL SVCS</td>
<td>74,612.00</td>
<td>0.00</td>
<td>34,181.55</td>
<td>6,095.26</td>
<td>86,363.76</td>
<td>45,933.31-</td>
<td>0.0</td>
<td></td>
</tr>
<tr>
<td>5205 SUPPLIES &amp; MATRLS</td>
<td>3,900.00</td>
<td>0.00</td>
<td>0.00</td>
<td>198.05</td>
<td>3,140.68</td>
<td>759.32</td>
<td>19.5</td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>95,382.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>34,181.55</strong></td>
<td><strong>7,068.39</strong></td>
<td><strong>97,908.27</strong></td>
<td><strong>36,707.82-</strong></td>
<td><strong>0.0</strong></td>
<td></td>
</tr>
</tbody>
</table>

### BREAKOUT BY COMPANY:

#### COMPANY 6503-I PROFESSIONAL & LICENSING BOARDS

<table>
<thead>
<tr>
<th>Company</th>
<th>Original Appropriation</th>
<th>Appropriation Transfers</th>
<th>Year-to-Date Appropriations</th>
<th>Year-to-Date Appropriations Encumbrances</th>
<th>Year-to-Date Appropriations Expenditures</th>
<th>Available Appropriations</th>
<th>Cash Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>51010000 EMPLOYEE SALARIES</td>
<td>3,079.00</td>
<td>0.00</td>
<td>0.00</td>
<td>720.00</td>
<td>3,900.00</td>
<td>821.00-</td>
<td>0.0</td>
</tr>
<tr>
<td>51020000 EMPLOYEE BENEFITS</td>
<td>312.00</td>
<td>0.00</td>
<td>0.00</td>
<td>55.08</td>
<td>300.80</td>
<td>11.20</td>
<td>3.6</td>
</tr>
<tr>
<td>52030000 TRAVEL</td>
<td>13,479.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>4,203.03</td>
<td>9,275.97</td>
<td>68.8</td>
</tr>
<tr>
<td>52040000 CONTRACTUAL SVCS</td>
<td>74,612.00</td>
<td>0.00</td>
<td>34,181.55</td>
<td>6,095.26</td>
<td>86,363.76</td>
<td>45,933.31-</td>
<td>0.0</td>
</tr>
<tr>
<td>52050000 SUPPLIES &amp; MATRLS</td>
<td>3,900.00</td>
<td>0.00</td>
<td>0.00</td>
<td>198.05</td>
<td>3,140.68</td>
<td>759.32</td>
<td>19.5</td>
</tr>
<tr>
<td><strong>PS SUBTOTALS</strong></td>
<td><strong>3,391.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>775.08</strong></td>
<td><strong>4,200.80</strong></td>
<td><strong>809.80-</strong></td>
<td><strong>0.0</strong></td>
</tr>
<tr>
<td><strong>OE SUBTOTALS</strong></td>
<td><strong>91,991.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>34,181.55</strong></td>
<td><strong>6,293.31</strong></td>
<td><strong>93,707.47</strong></td>
<td><strong>35,898.02-</strong></td>
<td><strong>0.0</strong></td>
</tr>
<tr>
<td><strong>COMPANY 6503-I TOT</strong></td>
<td><strong>95,382.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>34,181.55</strong></td>
<td><strong>7,068.39</strong></td>
<td><strong>97,908.27</strong></td>
<td><strong>36,707.82-</strong></td>
<td><strong>0.0</strong></td>
</tr>
<tr>
<td>CENTER</td>
<td>COMP</td>
<td>ACCOUNT</td>
<td>DESCRIPTION</td>
<td>CURRENT MONTH</td>
<td>YEAR-TO-DATE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
<td>---------</td>
<td>-------------</td>
<td>---------------</td>
<td>-------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>6503</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5101</td>
<td>EMPLOYEE SALARIES</td>
<td>720.00</td>
<td>3,900.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5203</td>
<td>PERSONAL SERVICES</td>
<td>775.08</td>
<td>4,200.80 **</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5204</td>
<td>TRAVEL</td>
<td>4,203.03</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5205</td>
<td>SUPPLIES &amp; MATERIALS</td>
<td>198.05</td>
<td>3,140.68 *</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5206</td>
<td>OPERATING EXPENSES</td>
<td>6,095.26</td>
<td>86,363.76 *</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5207</td>
<td>CONTRACTUAL SERVICES</td>
<td>109.05</td>
<td>567.20</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5208</td>
<td>INSURANCE &amp; CABLES</td>
<td>96.49</td>
<td>1,720.89</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5209</td>
<td>OFFICE SUPPLIES</td>
<td>89.00</td>
<td>1,998.41</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For Period Ending: 05/31/2020
<table>
<thead>
<tr>
<th>COMPANY NO</th>
<th>COMPANY NAME</th>
<th>ACCOUNT NUMBER</th>
<th>DOCUMENT NUMBER</th>
<th>POSTING DATE</th>
<th>SHORT NAME</th>
<th>VENDOR NUMBER</th>
<th>VENDOR GROUP</th>
<th>AMOUNT</th>
<th>DR/CR</th>
</tr>
</thead>
<tbody>
<tr>
<td>6503</td>
<td>PROFESSIONAL &amp; LICENSING BOARDS</td>
<td>0891000648</td>
<td>CGEX200428</td>
<td>05/01/2020</td>
<td></td>
<td></td>
<td></td>
<td>540.00</td>
<td>DR</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0891000648</td>
<td>CGEX200513</td>
<td>05/15/2020</td>
<td></td>
<td></td>
<td></td>
<td>180.00</td>
<td>DR</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5101</td>
<td>EMPLOYEE SALARIES</td>
<td>CGEX200428</td>
<td>05/01/2020</td>
<td>41.31</td>
<td>DR</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5102</td>
<td>EMPLOYEE BENEFITS</td>
<td>CGEX200513</td>
<td>05/15/2020</td>
<td>13.77</td>
<td>DR</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0891000648</td>
<td>20SC081003-APR</td>
<td>05/13/2020</td>
<td></td>
<td>MIDWESTSOL</td>
<td>12199902</td>
<td>775.08</td>
<td>DR</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5204</td>
<td>CONTRACTUAL SERVICES</td>
<td></td>
<td>05/20/2020</td>
<td>6,293.31</td>
<td>DR</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0891000648</td>
<td>20531000</td>
<td>CD004022</td>
<td>05/20/2020</td>
<td>CD004022</td>
<td>109.05</td>
<td>DR</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0891000648</td>
<td>20535000</td>
<td>MS004034</td>
<td>05/31/2020</td>
<td>MS004034</td>
<td>6,095.26</td>
<td>DR</td>
<td></td>
</tr>
</tbody>
</table>
Whereas, An outbreak of the severe respiratory disease, COVID-19, which is caused by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected across the world, including the United States; and,

Whereas, The World Health Organization and the Centers for Disease Control and Prevention ("CDC") have declared the COVID-19 outbreak a public health emergency and pandemic; and,

Whereas, The CDC has issued guidance to all state and local governments and all citizens recommending preparedness, nonessential travel, social distancing, and other mitigation strategies impacting many sectors of daily life to prevent the spread and guard against the COVID-19 outbreak; and,

Whereas, South Dakota has confirmed cases of COVID-19, making this a public health emergency posing a danger to public health and safety in all of South Dakota; and,

Whereas, A state of emergency has been declared by Executive Order 2020-04 on March 13, 2020, which has been extended by Executive Order 2020-15, and continues to currently exist within the State of South Dakota until its expiration on May 31, 2020, unless sooner terminated or extended; and,

Whereas, Strict compliance with the statutory and regulatory requirements for health care provider applicants to submit proof of completing examination requirements prior to licensure by their respective state licensing Board will prevent, hinder or delay necessary actions to cope with this emergency in all counties of our state, as the exam are being delayed or cancelled; and

Whereas, Strict compliance with the statutory and regulatory requirements for social work and behavioral health care provider applicants to submit proof of completing examination requirements prior to licensure by their respective state licensing Board will prevent, hinder or delay necessary actions to cope with this emergency in all counties of our state, as the exam are being delayed or cancelled;

NOW, THEREFORE, I, KRISTI NOEM, Governor of the State of South Dakota, by the authority vested in me by the Constitution and the Laws of this State, including but not limited to SDCL 34-48A-5(4), do hereby order and direct the following:

Section 1 Proof of Passing Examination. I temporarily suspend the statutory provisions of SDCL 36-4-11, 36-4-17, 36-4-17.1, 36-4A-8, 36-6A-44, 36-6A-44.2, 36-10-30, 36-10-35.1, 36-24-17.3, and 36-31-6, and the regulatory provisions of ARSD 20:47:03:03 and 20:84:03:01 requiring applicants to submit proof of completing examination requirements to prevent delaying licensure during the emergency. Physicians, physician assistants, dentists, dental hygienists, physical therapists, physical therapist assistants, audiologists, occupational therapists, occupational therapy assistants, and medical assistants who are granted a license without having submitted the proof of examination pursuant to this Executive Order shall submit proof of examination to their respective state licensing Board by November 30, 2020.

Section 2 Proof of Passing Examination. I temporarily suspend the statutory provisions of SDCL 36-26-14, 36-26-15, 36-26-15.1, 36-26-16, 36-32-42 and the regulatory provisions of ARSD 20:47:03:03 and 20:84:03:01 requiring applicants to submit proof of completing examination requirements to prevent delaying licensure during the emergency. Effective July 1, 2020, I temporarily suspend the statutory provisions of SDCL 36-32-65 requiring applicants to submit proof of completing examination requirements to prevent delaying licensure during the emergency. Certified social workers, social workers, social work associates,
Certified addiction counselor, licensed addiction counselor, certified prevention specialist, licensed professional counselors-mental health, and licensed marriage and family therapists who are granted a license or plan of supervision without having submitted the proof of examination pursuant to this Executive Order shall submit proof of examination to their respective state licensing Board by November 30, 2020.

BE IT FURTHER ORDERED, This Executive Order shall be in effect immediately and shall continue for the duration of the state of emergency declared by Executive Order 2020-04 and extended by subsequent Executive Order 2020-15, unless sooner terminated or extended.

Dated in Pierre, South Dakota this 26th day of May 2020.

Kristi Noem
Governor of South Dakota

ATTEST:

Steve Barnett
Secretary of State
<table>
<thead>
<tr>
<th>Supervisor Last Name</th>
<th>Supervisor First Name</th>
<th>Last Name</th>
<th>First Name</th>
<th>License Category</th>
<th>POS #</th>
<th>Plan approved date</th>
<th>Plan end date</th>
<th>Applicant City</th>
<th>Applicant State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartmann</td>
<td>Gretchen</td>
<td>VanZuidam</td>
<td>Nicole</td>
<td>LMFT</td>
<td>11519</td>
<td>5/4/2020</td>
<td>5/4/2022</td>
<td>Corsica</td>
<td>SD</td>
</tr>
<tr>
<td>Coupland</td>
<td>Mary Ann</td>
<td>Cahill</td>
<td>Julia</td>
<td>LPC</td>
<td>20654</td>
<td>4/30/2020</td>
<td>4/30/2022</td>
<td>Mission</td>
<td>SD</td>
</tr>
<tr>
<td>Hartmann</td>
<td>Gretchen</td>
<td>Duncan</td>
<td>Joshua</td>
<td>LPC</td>
<td>20589</td>
<td>5/27/2020</td>
<td>5/27/2022</td>
<td>Sioux Falls</td>
<td>SD</td>
</tr>
<tr>
<td>Roduner</td>
<td>Amber</td>
<td>Ortmeier</td>
<td>Rebecca</td>
<td>LPC</td>
<td>20655</td>
<td>5/4/2020</td>
<td>5/4/2022</td>
<td>Rapid City</td>
<td>SD</td>
</tr>
<tr>
<td>Hartmann</td>
<td>Gretchen</td>
<td>Vernon</td>
<td>Caroline</td>
<td>LPC</td>
<td>20594</td>
<td>5/27/2020</td>
<td>5/27/2022</td>
<td>Sioux Falls</td>
<td>SD</td>
</tr>
<tr>
<td>Rindelaub</td>
<td>Kettie</td>
<td>Banley</td>
<td>Angela</td>
<td>LPC-MH</td>
<td>30583</td>
<td>5/27/2020</td>
<td>5/27/2022</td>
<td>Box Elder</td>
<td>SD</td>
</tr>
<tr>
<td>McIntosh</td>
<td>Molly</td>
<td>Domel</td>
<td>Alyssa</td>
<td>LPC-MH</td>
<td>30589</td>
<td>4/27/2020</td>
<td>4/27/2022</td>
<td>Sioux Falls</td>
<td>SD</td>
</tr>
<tr>
<td>Durkin</td>
<td>Ellen</td>
<td>Ekle</td>
<td>Jeff</td>
<td>LPC-MH</td>
<td>30613</td>
<td>4/14/2020</td>
<td>4/14/2022</td>
<td>Pierre</td>
<td>SD</td>
</tr>
<tr>
<td>Alten-Osmera</td>
<td>Christy</td>
<td>Richardson</td>
<td>Danny</td>
<td>LPC-MH</td>
<td>30618</td>
<td>5/27/2020</td>
<td>5/27/2022</td>
<td>Viborg</td>
<td>SD</td>
</tr>
<tr>
<td>Gislason</td>
<td>Emily</td>
<td>Tilstra</td>
<td>Katelyn</td>
<td>LPC-MH</td>
<td>30608</td>
<td>5/27/2020</td>
<td>5/27/2022</td>
<td>Brandon</td>
<td>SD</td>
</tr>
</tbody>
</table>
## New Licensees as of April 1, 2020

<table>
<thead>
<tr>
<th>License Type</th>
<th>Last Name</th>
<th>First Name</th>
<th>City</th>
<th>State</th>
<th>Date Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>LPC20656</td>
<td>Spitzer</td>
<td>Kristi</td>
<td>Leola</td>
<td>SD</td>
<td>5/13/2020</td>
</tr>
<tr>
<td>LPC20412</td>
<td>Bowen</td>
<td>Nicole</td>
<td>Colman</td>
<td>SD</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC20199</td>
<td>Colberg</td>
<td>Naomi</td>
<td>Marion</td>
<td>SD</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC7249</td>
<td>Huber</td>
<td>Laura</td>
<td>Surprise</td>
<td>AZ</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC20518</td>
<td>Laskowski</td>
<td>Megan</td>
<td>Rapid City</td>
<td>SD</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC20556</td>
<td>Nelson</td>
<td>Ellen</td>
<td>Sioux Falls</td>
<td>SD</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC20580</td>
<td>Richardson</td>
<td>Danny</td>
<td>Viborg</td>
<td>SD</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC20653</td>
<td>Good-Hinton</td>
<td>Autumn</td>
<td>Colorado Springs</td>
<td>CO</td>
<td>4/9/2020</td>
</tr>
<tr>
<td>LPC20542</td>
<td>Kelly</td>
<td>Holly Suzanne</td>
<td>Sioux Falls</td>
<td>SD</td>
<td>4/6/2020</td>
</tr>
<tr>
<td>LPC20532</td>
<td>Manley</td>
<td>Matthew</td>
<td>Canton</td>
<td>SD</td>
<td>4/6/2020</td>
</tr>
<tr>
<td>LPC-MH30617</td>
<td>Jones</td>
<td>Tiffany</td>
<td>Apopka</td>
<td>FL</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC-MH30547</td>
<td>Moe</td>
<td>Rachael</td>
<td>Sioux Falls</td>
<td>SD</td>
<td>5/4/2020</td>
</tr>
<tr>
<td>LPC-MH30615</td>
<td>Wright-Agard</td>
<td>Eugenia</td>
<td>Kissimmee</td>
<td>FL</td>
<td>4/29/2020</td>
</tr>
<tr>
<td>LPC-MH30544</td>
<td>Fazili</td>
<td>Sheeba</td>
<td>Sioux Falls</td>
<td>SD</td>
<td>4/3/2020</td>
</tr>
</tbody>
</table>

LMFT n/a
ARTICLE 20:68

LICENSED PROFESSIONAL COUNSELORS

Chapter

20:68:01 Licensing requirements.
20:68:02 Fees.
20:68:03 Academic and equivalency requirements and approved counseling programs.
20:68:04 Plan of supervision.
20:68:05 Examinations.
20:68:07 Continuing education.
20:68:08 Ethical standards.

CHAPTER 20:68:01

LICENSING REQUIREMENTS

Section

20:68:01:01 Definitions.
20:68:01:02 Application for licensed professional counselor. Application Requirements.
20:68:01:02.01 Repealed.
20:68:01:03 Repealed. Denial of application.
20:68:01:04 Licensure by reciprocity. Application for post graduate plan of supervision.
20:68:01:06 Application for professional counselor by endorsement – applicant licensed in another state.
20:68:01:07 Application for professional counselor temporary license – applicant licensed in another state.
20:68:01:08 Renewal of license – professional counselor license.
20:68:01:09 Application to inactivate license – professional counselor.
20:68:01:10 Application to reinstate expired license.

Declaratory Ruling: As used in SDCL 36-32-13(3), the word "resides" includes an applicant for licensure who maintains a business presence in the State of South Dakota, in the form of an office that is used or will be used by the applicant for the purpose of or to facilitate in person meetings with clients. South Dakota Board of Counselor Examiners Declaratory Ruling dated April 15, 2004.

20:68:01:01. Definitions. Terms defined in SDCL chapter 36-32 have the same meaning when used in this article. Terms used in this chapter mean:
(1) "Board," the Board of Examiners for Counselors and Marriage and Family Therapists as defined in SDCL 36-32-1;

(2) "Supervisor," a person who is qualified under §§ 20:68:04:02 and 20:68:04:07, and is responsible for the direct training and evaluation of those applying for a counselor license;

(3) "Supervision," the process of directing and evaluating the activities of a person applying for a counselor license;

(4) "Counseling," as defined in SDCL 36-32-1(5);

(5) "CACREP," Council for Accreditation of Counseling and Related Educational Programs.


Reference: The CACREP office is located at 1001 N. Fairfax Street, Suite 510, Alexandria, VA 22314, and www.cacrep.org, or by calling 702-535-5990.

20:68:01:02. Application for licensed professional counselor. An applicant for licensure as a licensed professional counselor shall apply on a form provided by the board. The application form shall contain the following information:

(1) Name, mailing address, telephone number, date of birth, and social security number;

(2) A copy of a government issued photo ID;

(3) Official educational transcripts showing graduation from a CACREP program or a 48-hour master's degree in counseling or a related program which includes course work as described in subdivision 20:68:03:02(2);

(4) A statement of any criminal record, any previous application with the board, or any previous discipline including denial, revocation, or suspension of a previously held license;

(5) Documentation of 2,000 hours of supervised full-time experience in counseling as defined in SDCL 36-32-1(5), all of which was obtained subsequent to the granting of the master's degree in counseling, and which includes 800 hours of direct client contact, and which meets the supervision criteria as outlined in chapter 20:68:04;

(6) The application fee required by § 20:68:02:03; and

(7) Official verification of a passing score on the National Counselor Examination for Licensure and Certification described in § 20:68:05:01.

Application requirements. An application for a license, temporary license, renewal of license, inactive license, or reactivated license must be made in writing on a form prescribed by the board.
The applicable application fee must be submitted with the application. The application fee is non-refundable. The applicable license fee must also accompany the application. The licensee fee is refundable if the application is withdrawn or denied.

An applicant shall verify under the penalties of perjury that all the information submitted on an application is true and correct. An applicant who submits an application by use of the internet agrees the submission of the application serves as the applicant’s signature and verification of the information on the application. The applicant may be required to clarify, expand or provide additional information to fully evaluate all qualifications.

An application is not complete until the required documentation and fees are received by the board. The board may return an application that remains incomplete one year after the initial submission of the application. Materials received by the board from a third party may not be returned to the applicant. A returned application shall be considered withdrawn.


20:68:01:02.01. Application for licensed professional counselor -- Certain requirements waived. Repealed.

Source: 34 SDR 73, effective September 17, 2007; 42 SDR 97, effective January 4, 2016.


Denial of application. An application may be denied for failure to meet the applicable requirements for the license or based on the grounds outlined in SDCL 36-32-83. The board shall inform the applicant, in writing, of its reasons for denial. An applicant whose application is denied is entitled to a contested hearing pursuant to SDCL chapter 1-26.


20:68:01:04. Licensure by reciprocity. The applicant for licensure by reciprocity must hold an active professional counselor license and be in good standing with the state’s board that issued the current license. Applications may be secured from the board. Completed applications shall be accompanied by the fee required by § 20:68:02:03.

Application for post graduate plan of supervision. An applicant for a post graduate plan of supervision shall submit to the board:

(1) A completed application and application fee;
(2) Official educational transcripts from an accredited counseling program recognized by the board demonstrating a master’s or doctoral degree in counseling consisting of at least forty-eight credit hours;

(3) Official verification of a passing score on the National Counselor Examination administered by the National Board for Certified Counselors;

(4) Verification of the license number and status of the license from the applicable licensing board in each state where the applicant has been licensed to practice counseling, if applicable;

(5) The name and contact information of the applicant’s proposed supervisor;

(6) A statement of any criminal record, if applicable;

(7) A statement of any previous discipline, including denial, reprimand, revocation, or suspension of a previously held license; and

(8) A recent photograph.

A post graduate plan of supervision must be approved by the board prior to the applicant acquiring the supervision experience necessary to meet the licensure requirements of SDCL 36-32-64.

An application for a post graduate plan of supervision is required for each proposed supervisor. The application fee is waived for additional proposed supervisor applications submitted under this section.

A board approved post graduate plan of supervision is valid for two years from the date of issuance. An approved post graduate plan of supervision may only be renewed once. An application to renew a post graduate plan of supervision shall be submitted at least 30 days before the expiration of the approved post graduate plan of supervision.

An applicant may request an extension of an approved post graduate plan of supervision, in writing to the board, upon a showing of extenuating circumstances or undue hardship. A request for an extension must be made prior to the expiration of the approved post graduate plan of supervision.


Law Implemented: SDCL 36-32-13, 36-32-16.

Declaratory Ruling: South Dakota Board of Counselor Examiners rules and declares that an applicant for licensure by reciprocity pursuant to SDCL 36-32-16 and ARSD 20:68:01:04, is eligible for license by reciprocity when the applicant is licensed under the laws of a state or territory of the United States, and the applicant substantially meets the requirements of SDCL 36-32, even though the state under which the applicant is licensed may have allowed the applicant to obtain licensure based on requirements that are less than substantially the same requirements imposed by SDCL 36-32. Dated: September 25, 2006.
20:68:01:05. **Licensure denial.** The board shall inform the applicant in writing of its reasons for denial of licensure.

**Application for licensed professional counselor.** An applicant for a license to practice as a professional counselor shall submit to the board:

1. A completed application;
2. The applicable license fee;
3. Official educational transcripts from an accredited counseling program recognized by the board demonstrating a master’s or doctoral degree in counseling consisting of at least forty-eight credit hours;
4. Official verification of a passing score on the National Counselor Examination administered by the National Board for Certified Counselors;
5. Documentation of 2,000 hours of board approved supervision, as prescribed in this article, obtained subsequent to the granting of the applicant’s degree in counseling;
6. Verification of the license number and status of the license from the applicable licensing board in each state where the applicant has been licensed to practice counseling, if applicable;
7. A statement of criminal record, if applicable;
8. A statement of any previous discipline, including denial, reprimand, revocation, or suspension of a previously held license; and
9. A recent photograph.

**Source:** 18 SDR 67, effective October 16, 1991.

**General Authority:** SDCL 36-32-26.

**Law Implemented:** SDCL 36-32-13, 36-32-14.

20:68:01:06. **Application for professional counselor by endorsement – applicant licensed in another state.** An applicant licensed in another state for a minimum of three continuous years may apply for a license to practice counseling by submitting to the board:

1. A completed application and application fee;
2. The applicable license fee;
3. Official verification of a passing score on the National Counselor Examination administered by the National Board for Certified Counselors;
(4) Verification of a current license to practice counseling, in good standing, issued by another state licensing board for a continuous period of at least three years immediately preceding the application;

(5) Verification of an active practice, as defined in SDCL 36-32-67, during the three-year period immediately preceding the application;

(6) A statement of any criminal record, if applicable;

(7) A statement of any previous discipline, including denial, reprimand, revocation, or suspension of a previously held license; and

(8) A recent photograph.

General Authority: SDCL
Law Implemented: SDCL

20:68:01:07. Application for temporary license – applicant licensed in another state. An applicant licensed in another state for a minimum of three continuous years may apply for a temporary license to practice counseling by submitting to the board:

(1) A completed application and application fee;

(2) The applicable license fee;

(3) Verification of a current license to practice counseling, in good standing, issued by another state licensing board for a continuous period of at least three years immediately preceding the application;

(4) Verification of an active practice, as defined in SDCL 36-32-67, during the three-year period immediately preceding the application;

(5) A statement of any criminal record, if applicable;

(6) A statement of any previous discipline, including denial, reprimand, revocation, or suspension of a previously held license; and

(7) A recent photograph.

A temporary license automatically expires ninety days after the date of issuance or upon passage of the National Counselors Examination. An applicant may only be issued a temporary licenses two times.

General Authority: SDCL
Law Implemented: SDCL
20:68:01:08. Renewal of license – professional license. Each person licensed to practice counseling shall renew that license by November 30 of each even-numbered year by submitting to the board a completed application and the required renewal fee.

**General Authority:** SDCL 36-32-74.

**Law Implemented:** SDCL 36-32-74.

20:68:01:09. Application to inactivate a license – professional counselor. A licensee may apply to inactivate a professional counselor license by submitting to the board a completed application and the required fee. An inactivate license automatically expires four years after the date of inactivation unless reactivated by submitting an application demonstrating the requirements of SDCL 36-32-74.

**General Authority:** SDCL 36-32-74.

**Law Implemented:** SDCL 36-32-74.

20:68:01:10. Application to reinstate an expired license. An expired license may be reactivated, as prescribed by SDCL 36-32-75, by submitting to the board:

1. A completed application and the applicable license fees;
2. Proof of qualified continuing education for the period of expiration; and
3. Official verification of a passing score on the National Counselor Examination administered by the National Board for Certified Counselors after the date the original license expired.

**General Authority:** SDCL 36-32-75.

**Law Implemented:** SDCL 36-32-75.

CHAPTER 20:68:02

FEES

Section
20:68:02:01. Remittance of fees. Application fees shall be remitted to the board in the form prescribed by the board of a personal check, cashier's check, certified check, or money order made payable to the state of South Dakota. The board shall take no action on any application for licensure until the fee is received.

**Source:** 18 SDR 67, effective October 16, 1991.

**General Authority:** SDCL 36-32-26.


20:68:02:03. Fee schedule. The fees applicable under this chapter are nonrefundable. The fee schedule is as follows:

1. Licensed professional counselor - Application fee, $100;
2. Initial license fee for licensed professional counselor, $100;
3. Annual license renewal fee for licensed professional counselor, $100.
4. Biennial license fee; $225;
5. Duplicate license, $20;
6. Reciprocity application fee, $100;
7. Late renewal fee, $50, in addition to the annual license renewal fee for licensed professional counselor;
8. Continuing education program application fee, $25;
9. License verification, $15;
10. Duplicate renewal card, $10.
11. Temporary license fee; $50;
12. Inactive license fee; $25.

Source: 18 SDR 67, effective October 16, 1991; 22 SDR 97, effective January 24, 1996; 25 SDR 85, effective December 22, 1998; 26 SDR 150, effective May 21, 2000; 28 SDR 51, effective October 14, 2001; 30 SDR 121, effective February 17, 2004; 34 SDR 73, effective September 17, 2007; 42 SDR 97, effective January 4, 2016.

20:68:02:04. No reimbursement before expiration of license. A licensed professional counselor who applies for a licensed professional counselor-mental health license prior to the expiration of the license presently held may not be reimbursed for any fees paid.


20:68:02:05. Eligibility deadline after notification. The board must be in receipt of the license fee within 30 days after notification of eligibility to become licensed.

Source: 22 SDR 97, effective January 24, 1996.

CHAPTER 20:68:03

ACADEMIC AND EQUIVALENCY REQUIREMENTS AND APPROVED PROGRAMS
20:68:03:01. Academic requirements. Academic requirements for licensed professional counselors to become a professional counselor must be completed at a university or college accredited by one of the following:

(1) The Middle States Association of Colleges and Secondary Schools;
(2) The New England State Association of Colleges and Secondary Schools;
(3) The North Central Association of Colleges and Secondary Schools;
(4) The Northwest Association of Colleges and Secondary Schools;
(5) The Southern Association of Colleges and Secondary Schools; or
(6) The Western College Association.

(1) Higher Learning Commission;
(2) Middle States Commission on Higher Education;
(3) New England State Association of Schools and Colleges Commission on Institutions of Higher Education;
(4) Northwest Commission on Colleges and Universities;
(5) Southern Association of Colleges and Schools Commission on Colleges; or
(6) Western Association of Schools and Colleges.

The applicant's postgraduate degree in counseling must be at least a forty-eight credit hour master's degree, educational specialist certificate or degree, or doctorate or doctoral degree.


20:68:03:02. Approved counseling program. Academic requirements to become a professional counselor must be completed through a board approved counseling program. An approved counseling program is as follows:

(1) A counseling program approved by the CACREP Council for Accreditation of Counseling and Related Educational Programs; or

(2) An organized sequence of study in the area of counseling that includes graduate coursework in each of the following areas:

(a) Counseling theory: including a study of basic theories, principles of counseling, and philosophical bases of the helping relationship;

(b) Counseling techniques: including individual counseling practices, methods, facilitative skills, and the application of these skills;
(c) Practicum: including a supervised training experience consisting of the provision of counseling to clients or groups seeking services from counselors;

(i) A practicum consists of no less than 100 hours, of which 40 hours are direct service;
(ii) Prior to the beginning of the practicum, the student must have completed a course in counseling theory and a course in counseling techniques;
(iii) The practicum must be under the direction of a graduate faculty member;
(iv) The supervisor's evaluation of the trainee's work shall take place through face-to-face contact;

(d) Internship: including an on-the-job experience in professional counseling under the tutelage of an on-site supervisor who is a licensed professional counselor or licensed mental health therapist. The supervised internship may be no less than 600 hours of which 240 hours must be in direct services;

(e) Human growth and development: including studies that provide a broad understanding of the nature and needs of an individual at all developmental levels. Emphasis is placed on psychological, sociological, and physiological approaches, human behavior (normal and abnormal), personality theory, and learning theory;

(f) Social and cultural foundations: including studies of change, ethnic groups, subcultures, changing roles of women, sexism, racism, ethnocentrism, urban and rural societies, population patterns, cultural mores, use of leisure time, and differing life patterns;

(g) Group: including the study of group dynamics, group processes, practices and methods of group counseling, supervised practice, facilitative skills, and theory and types of groups;

(h) Life-style and career development: including vocational-choice theory, relationship of career choice to life-style, sources of occupational and educational information, approaches to career decision-making processes, and career development exploration techniques;

(i) Appraisal of the individual: including the development of a framework for understanding the individual, methods of data-gathering and interpretation, case study approaches, individual and group psychological and educational testing, and the study of individual differences with consideration of ethnic, cultural, and gender factors;

(j) Research and evaluation: including statistics, research design, the development of research and demonstration proposals, and the development and evaluation of program objectives;

(k) Professional, legal, and ethical considerations: including the study of professional counseling organizations, codes of ethics, legal considerations, standards of preparation, certification and licensure, and the professional role identity of counselors.


20:68:03:05. Post degree completion of academic requirements for licensure — professional counselor. An applicant whose graduate degree in counseling is based on less than forty-eight approved credit hours, who did not complete the necessary supervised professional practicum as part of the degree program, or who did not complete coursework in the areas prescribed by 20:68:03:02(2) may complete the missing academic requirements if:

(1) No more than 12 semester credits may be completed post degree for purposes of meeting the academic requirements of 20:68:03:02(2);

(2) All necessary academic requirements must be completed through an approved university or college that meets the requirements of this chapter; and

(3) All necessary academic requirements must be taken and passed for credit.

Post degree completion of academic requirements for licensure must be completed and verified prior to the issuance of a post graduate plan of supervision.

20:68:03:06. Credit hour equivalency. For purposes of this chapter, 48 semester credit hours equal 72 quarter credit hours.

CHAPTER 20:68:04

SUPERVISION

Section 20:68:04:01:01 Definitions. Terms used in this chapter mean:

(1) “In person,” physically present in the same location and the same time;
(2) “Supervisor,” a supervisor who meets the requirements of this chapter and has been approved by the board to provide post graduate supervision to an approved supervisee;

(3) “Supervisee,” an applicant for licensure as a professional counselor who is acquiring necessary post graduate supervision hours for licensure under a board approved post graduate plan of supervision;

(4) “Synchronous,” interaction between an individual or group of people using what is seen and heard in person to communicate

**General Authority:** SDCL 36-32-26.
**Law Implemented:** SDCL 36-32-13(6), 36-32-26.

### 20:68:04:01. Plan of supervision

The supervisee and supervisor shall submit a completed plan of supervision on a form provided by the board along with official verification of a passing score on the National Counselor Examination for Licensure and Certification. The plan must be approved by the board prior to beginning the supervision experience.

If the supervisee changes supervisors, the supervisee shall submit a new plan of supervision within 30 days.

**Post graduate supervision requirements – professional counselor.** Post graduate supervision required for licensure as a professional counselor, as prescribed by SDCL 36-32-64, shall take place pursuant to a board approved plan of supervision and consist of the following:

1. A minimum of 1,000 hours of direct client contact. No more than two-hundred and fifty direct client contact hours may be acquired by counseling provided through electronic means, as prescribed by 20:68:06. All other direct client contact hours must be acquired in-person;

2. A minimum of 100 hours of supervision with a board approved supervisor. At least one hour of supervision must take place for every 20 hours of direct client contact by the supervisee. Supervision may be individual or with a group. For the purpose of this chapter, individual supervision is supervision between a supervisor and one or two supervisees. Group supervision is supervision between a supervisor and three or more supervisees. No more than 50 hours of the required supervision may be group supervision.

Supervision must include at least five hours of each of the following supervision methods:

1. Presentation and staffing of cases;
2. Critiquing of audio or video counseling;
3. Direct observations of the supervisee;
4. Co-counseling with the supervisee; and
5. Review of supervisee recordkeeping; and

Supervision may take place by electronic means, as prescribed by 20:68:06. Supervision by electronic means must be synchronous.
(3) A minimum of 900 hours of counseling related activities. For purposes of this chapter, a supervisee accumulates 55 minutes of counseling related activity for each hour of direct client contact performed.

Direct client contact hours and supervision hours shall be recorded on a form provided by the board. For the purpose of this chapter, only hours acquired with a board approved supervisor may be deemed compliant.


20:68:04:01. Exception to plan of supervision. The board may approve the supervised hours obtained subsequent to a master’s degree while residing outside South Dakota provided that training meets the supervision requirements pursuant to this chapter.

Recognition of supervision by a South Dakota licensing board – professional counselor. The board may recognize direct client contact hours acquired pursuant to supervision approved and overseen by another South Dakota licensing board. Such hours must meet the definition of counseling, as prescribed by SDCL 36-32-47(3), and must be documented as prescribed by this chapter.

Source: 34 SDR 73, effective September 17, 2007; 42 SDR 97, effective January 4, 2016.


20:68:04:01.02. Private practice not permitted. For supervisees beginning a plan of supervision after January 1, 2016, the supervisee may not practice counseling in private practice during the first two years of an approved plan of supervision.

Personal counseling or therapy permitted as direct client contact hours. For the purpose of this chapter, a supervisee may count a maximum of 100 hours of personal counseling or therapy as direct client contact hours necessary to meet the requirements of 20:68:04:01. The personal counseling or therapy must be with a professional counselor, professional counselor-mental health, certified social worker-private independent practice, psychologist, or psychiatrist and is subject to verification by the board. Personal counseling or therapy may not be with the supervisee’s approved supervisor.

Source: 42 SDR 97, effective January 4, 2016.


20:68:04:02. Supervisor qualifications. A board approved supervisor shall must be licensed in South Dakota by the applicable state licensing board and meet at least one of the following qualifications:
(1) An Approved Clinical Supervisor (ACS) is credentialed as an Approved Clinical Supervisor by the Center for Credentialing & Education, Inc. and recognized by the National Board for Certified Counselors, Inc. (NBCC) and Affiliates;

(2) A licensed as a professional counselor, licensed professional counselor-mental health, licensed marriage and family therapist, certified social worker-private independent practice, licensed psychologist, or licensed psychiatrist, in good standing with the applicable state licensing board, who has been actively licensed for at least two years prior to the beginning of supervision and proof of at least four hours of qualified continuing education, pursuant to chapter 20:68:07, focused on supervision within two years prior to the date of application;

(3) A licensed as a professional counselor, licensed professional counselor-mental health, licensed marriage and family therapist, certified social worker-private independent practice, licensed psychologist, or licensed psychiatrist, in good standing with the applicable state licensing board, who has been actively licensed for at least one year and has evidence of completing 15 hours of supervision training pursuant to § chapter 20:68:07:09 within two years prior to the date of application before beginning supervision; or

(4) An approved clinical supervisor by the American Association for Marriage and Family Therapy approved clinical supervisor.

Approval as a supervisor is automatically revoked if the approved supervisor ceases to meet the qualification on which approval as a supervisor was granted or if the supervisor is subject to disciplinary action by the applicable state licensing board.


20:68:04:03. Supervision requirements. Supervision is an intensive, interpersonal, focused relationship in which an approved supervisor is designated to facilitate the development of the therapeutic competence of supervisees and shall consist of:

(1) At least 2,000 hours of post-graduate counseling experience as defined in SDCL 36-32-1(5) completed within five years of the first plan of supervision approval date, of which at least 800 hours is direct client contact and the remainder is counseling-related activities such as case notes, research, consulting, or counseling continuing education. Counseling-related activities do not include administrative tasks; and

(2) A minimum of one hour of supervision per week for each week worked for a total of at least 100 hours, of which at least 50 hours shall be face-to-face. The balance may be face-to-face, group, or by telephone conferencing or interactive video conferencing. However, any telephone or video conferencing must be secure such that reasonable precautions have been taken to ensure that the conference will not be intercepted or listened to by unauthorized persons.

Compliance shall be recorded on a supervision tracking form provided by the board.
For the purpose of this chapter, if a supervisor supervises one or two supervisees per session it is individual supervision, and if a supervisor supervises three or more supervisees, it is group supervision. No more than 50 percent of the required hours may be group supervision hours.


20:68:04:04. Multiple supervisors. If a supervisee has more than one approved supervisor during the same time period, the supervisee shall meet with at least one of the supervisors for a minimum of one hour each week worked. A supervisee may have more than one approved supervisor. Each supervisor is responsible for the supervision of the supervisee during the time an approved post graduate plan of supervision with the supervisor is in effect.

Source: 42 SDR 97, effective January 4, 2016.


20:68:04:05. Supervisor methods. A supervisor shall use, at a minimum, two of the four following supervision methods:

(1) The presentation and staffing of cases;
(2) The critiquing of audio or video counseling tapes;
(3) The direct observations of the supervisee; or
(4) Co counseling with the supervisee.

At a minimum, at least two of the four supervision methods must be used during the first six months of the supervision period.

The supervisor shall document evidence of complying with the requirements on a form provided by the board upon completion of the supervision experience.

Source: 42 SDR 97, effective January 4, 2016.


20:68:04:06. Supervisor duties. The supervisor shall ensure that—An approved supervisor is responsible for the meaningful supervision of a supervisee through an intensive, interpersonal, and focused relationship to facilitate the development of the supervisee during a period of post graduate supervision. An approved supervisor is responsible for ensuring:

(1) Client welfare is protected;
(2) The supervisee functions within the limits of the supervisee's competence;
(3) The training supervision occurs in activities relevant to the supervisee's position and academic background;
(4) The training supervision is designed to expand and improve skills in areas for which the supervisee has academic background but inadequate training; and

(5) That the training supervision covers theoretical approaches in the following areas:
   (a) Counseling psychotherapy techniques;
   (b) Appraisal, evaluation, and diagnostic procedures;
   (c) Treatment planning and implementation;
   (d) Case management and record keeping;
   (e) Professional identity and function; and
   (f) Professional ethics and standards of practice.

The supervisor and supervisee shall comply with the ACA Code of Ethics.

Source: 42 SDR 97, effective January 4, 2016.


20:68:04:07. Supervisor application. To be considered for board approved supervisor status, a licensee must submit:

(1) A completed application provided by the board;
(2) Verification of completing at least four hours of training in supervision pursuant to § 20:68:07 in the previous five years immediately preceding the submission of the application;
(3) Verification of liability insurance; and
(4) A full disclosure of all ethical complaint settlements.

An applicant to be an approved supervisor shall submit to the board:

(1) A completed application;
(2) Verification of qualification(s), as prescribed by this chapter, to be an approved supervisor;
(3) Verification of licensure, in good standing, by the applicable South Dakota state licensing board;
(4) A statement of any criminal record, if applicable;
(5) A statement of any previous discipline, including denial, reprimand, revocation, or suspension of a previously held license; and
(6) A recent photograph.

Source: 42 SDR 97, effective January 4, 2016.

20:68:04:08. Renewal of approved supervisor status. Approval as a supervisor is valid from the date of approval though November 30 of the next even-numbered year and is subject to renewal. An approved supervisor may renew status as an approved supervisor by submitting to the board a completed application and proof of at least four hours of qualified continuing education, pursuant to chapter 20:68:07, focused on supervision, acquired during the current continuing education cycle.

Failure to renew approval as a supervisor by November 30 of an even-numbered year automatically expires the approval and any post graduate plan of supervision authorized with the supervisor. A previously approved supervisor may be reinstated as an approved supervisor upon submission of an application and verification of qualifications, pursuant to this chapter, as of the date of the application.

Source: 42 SDR 97, effective January 4, 2016.

20:68:04:09. Completion or termination of post graduate plan of supervision. An approved supervisor shall notify the board, in writing, of the completion or termination of an approved post graduate plan of supervision within fourteen days of the completion or termination. The approved supervisor shall provide the supervisee with a completed verification of supervision hours, if applicable, within fourteen days of the completion or termination of the post graduate plan of supervision. Failure to notify the board of the completion or termination of a post graduate plan of supervision or failure to provide verification of supervision hours within the required time, without good cause, may be considered unprofessional conduct.

Source: 
General Authority: 
Law Implemented:

CHAPTER 20:68:05
EXAMINATIONS

Section 20:68:05:01 Examinations.

20:68:05:01. Examinations. The National Counselor Examination (NCE) is the national examination for licensed professional counselors approved by the board. An applicant shall provide official verification of passing the National Counselors Examination administered by the National Board for Certified Counselors. The applicant shall apply and pay fees directly to the National Board for Certified Counselors. A state examination testing competency in ethics, continuing education requirements, and state laws related to counseling may be required in addition to the national examination. The board shall notify eligible applicants of the time and place of the state examination.
CHAPTER 20:68:06

LICENSED PROFESSIONAL COUNSELOR—MENTAL HEALTH
(Repealed. 25 SDR 85, effective December 22, 1998.)

COUNSELING THROUGH ELECTRONIC MEANS

Section
20:68:06:01 Definitions. Terms in this chapter mean:

(1) “Electronic means,” any technology used to provide or receive counseling services;


Source:
General Authority:
Law Implemented:

20:68:06:02 Standards for counseling through electronic means. Counseling provided through electronic means shall adhere to the requirements of this article, HIPPA regulations, and the ethical requirements of 20:68:08. Failure to adhere to these regulations and requirements may be considered unprofessional conduct by the board subject to discipline.

Source:
General Authority:
Law Implemented:

CHAPTER 20:68:07

CONTINUING EDUCATION

Section
20:68:07:01 Definitions.
20:68:07:03 Continuing education requirements.
20:68:07:01. Definitions. Terms in this chapter mean:

(1) "Continuing education cycle," an academic course, workshop, clinic, forum, lecture, program, seminar, or other educational activity developed for the purpose of increasing or sustaining the proficiency of the licensee in the practice of counseling a two-year period that begins on December 1 of an even numbered year and ends on November 30 of the next even-numbered year;

(2) "Licensee," a person licensed to practice as a licensed professional counselor, a licensed professional counselor-mental health, or a licensed marriage and family therapist in this state;

(3) "Approved program," a continuing education program which meets the standards in § 20:68:07:08 and which has received the approval of the board;

(4) "Approved sponsor," a person or organization sponsoring continuing education activities which has been approved by the board as a sponsor pursuant to § 20:68:07:09;

(5) "In-house program," a program planned and presented by the licensee for the purpose of educating the staff in the same office;

(6) "Contact hour," 60 minutes of continuing education program.


20:68:07:02. Continuing education compliance period. The continuing education compliance period begins January 1 of each even numbered year and ends December 31 of each odd-numbered year. The first compliance period for a new licensee begins after the second renewal date.


20:68:07:03. Continuing education requirements. During the continuing education compliance period, each licensee must complete at least 40 contact hours of approved continuing
education without duplicating the same course. Four of those contact hours shall be on the subject of counseling ethics. This shall be documented by a published program, title, or description. Approved supervisors shall complete four hours of counselor supervision education within the 40 contact hours. A licensee shall complete forty hours of qualified continuing education in each continuing education cycle. At least four of the continuing education hours shall be on the subject of counseling ethics. Continuing education required for renewal of a license shall be prorated in six month increments for a licensee granted an initial license during a continuing education cycle. Upon application for renewal, a licensee shall verify under penalties of perjury that all continuing education information provided on the application is true and correct. The licensee must supply sufficient detail to permit verification of the qualified continuing education if notified of an audit by the board.


20:68:07:04. Proof of compliance required. Compliance with the requirements for continuing education is a prerequisite for license renewal. Each licensee must submit copies of evidence satisfying the requirements of § 20:68:07:03 during the compliance period.

On the form which the board provides to show compliance with § 20:68:07:03, the licensee applying for renewal shall list the continuing education activities which the licensee participated in or attended, the amount of credit received for each program, and the date, location, and name of the approved provider which sponsored the program. Each licensee is responsible for retaining the original certificate or other record of credit from continuing education programs received from approved providers for at least five years for audit purposes as prescribed in § 20:68:07:18.

Record keeping. The licensee shall maintain records to verify continuing education used to renew a license. A license shall maintain verification records in the form of a completion certificate or other documents supporting evidence of completion. These records must be maintained for four years after the date of renewal of the license.


20:68:07:05. Notice of noncompliance. If the licensee does not submit the evidence required by § 20:68:07:04 at the time the application for renewal of the license is submitted, the board shall notify the licensee in writing. Unless an extension of time to meet the requirements of § 20:68:07:03 is granted or a waiver of the requirements is approved, the license shall be revoked as provided in § 20:68:07:18.


20:68:07:06. Sources of continuing education credit. The licensee may obtain hours of continuing education credit by attending and participating in continuing education courses,
workshops, clinics, forums, lectures, programs, seminars, distance learning programs, or other educational activities either previously approved by the board pursuant to § 20:68:07:09 or otherwise meeting the requirements in this chapter and approved by the board pursuant to § 20:68:07:08. A continuing education unit equals 10 contact hours and a semester of academic credit equals 15 contact hours.

Continuing education activities must be geared toward professionals and must focus on increasing knowledge or skills, or both, in the practice of counseling.

The licensee is responsible for financing the costs of continuing education.

Qualified continuing education. Qualified continuing education is an academic course, workshop, clinic, forum, lecture, program seminar, or other educational activity delivered for the purpose of increasing or sustaining the proficiency of the licensee in the practice of counseling, as defined in SDCL 36-32-47(3).

An academic semester credit equals fifteen continuing education hours and a quarter credit equals ten continuing education requirements hours.

No qualified continuing education may be repeated in consecutive continuing education cycles.


20:68:07:07. Restrictions on continuing education credit. A licensee may not receive more than eight contact hours during a continuing education compliance period for from qualified in-house programs.


20:68:07:08. Standards for approval. A continuing education course, workshop, clinic, forum, lecture, program, seminar, distance learning program, or other educational activity is qualified for approval by the board pursuant to this section, § 20:68:07:09, or § 20:68:07:10 if it meets the following requirements:

(1) It constitutes an organized program of learning which contributes directly to the professional competence of the licensee in serving the public;

(2) It relates to the practice of counseling;

(3) It is conducted by individuals considered experts in the subject matter of the program because of education, training, or experience; and

(4) It is accompanied by a paper, manual, or written outline which substantially pertains to the subject matter of the program.
20:68:07:09. Approval of sponsors. The board will accept continuing education credits for programs accredited, approved, or presented by the following national organizations:

(1) National Board for Certified Counselors (NBCC);
(2) American Psychological Association (APA);
(3) American Association of Marriage and Family Therapists (AAMFT);
(4) National Association of Social Workers (NASW);
(5) Commission on Rehabilitation Counselor Certification (CRCC);
(6) American Medical Association Physician's Recognition Award Category 1 Credit (AMA PRA Category 1 Credit); and
(7) Joint Commission for Accreditation of Health Care Organizations (JCAHCO).

Approved continuing education programs. The board will accept qualified continuing education programs accredited, approved, or presented by the following organizations or the organization’s state affiliate:

(1) American Association of Social Workers;
(2) American Association of Marriage and Family Therapists;
(3) American Medical Association;
(4) American Psychological Association;
(5) Commission on Rehabilitation Counselor Certification;
(6) Joint Commission for Accreditation of Health Care Organizations;
(7) National Board for Certified Counselors;
(8) South Dakota Board of Addiction and Prevention Professionals;
(9) South Dakota Board of Examiners for Psychologists;
(10) South Dakota Board of Social Work Examiners;
(11) South Dakota Association of Addiction and Prevention Professionals;
(12) South Dakota Corrections Association;
(13) South Dakota Counseling Association;
(14) South Dakota Department of Human Services;
(15) South Dakota Department of Social Services; or
(16) The state licensing board for counselors of another state.

The board may approve other qualified continuing education programs upon request. A licensee that desires approval of continuing education program may apply on a form approved by the board.

Source: 23 SDR 8, effective July 25, 1996; 25 SDR 85, effective December 22, 1998; 30 SDR 121, effective February 17, 2004; 34 SDR 73, effective September 17, 2007.


20:68:07:10. Prior approval of activities. An organization or presenter other than an approved sponsor which desires prior approval of a continuing education program of any nature shall apply to the board at least 30 days before the program is to be presented. The organization or presenter shall apply for approval on a form provided by the board. The application shall state the dates, subjects offered, total hours of instruction, names and qualifications of speakers, and other pertinent information. The board shall notify the applicant in writing of its decision within 30 days after receipt of the application.


20:68:07:11. Post approval of activities. An organization, presenter, or attendee seeking post approval of a program shall submit to the board, within 30 days after completion of the program its dates, subjects, instructors and their qualifications, the number of contact hours requested, and the fee required in § 20:68:02:03. Within 30 days after receipt of the application, the board shall advise the organization, presenter, or attendee in writing whether the program is approved and the number of contact hours allowed.


20:68:07:12. Review of programs — Reevaluation of sponsors. The board may monitor or review any continuing education program that has been approved by the board. If the board finds evidence of significant variation in the program presented compared to the program approved, the board may revoke the approval of the sponsor or approval of the continuing education program. The sponsor or program whose approval is revoked must apply for reapproval under § 20:68:07:09.

The board may at any time reevaluate an approved sponsor. After reevaluation, if the board finds there is a basis for consideration of revocation of the approval of a sponsor, the board shall give notice in writing to that sponsor of a hearing on the revocation of approval at least 30 days before the hearing.

Source: 23 SDR 8, effective July 25, 1996.


20:68:07:13. Credit for presentations and publications. A licensee who has prepared an academic counseling course, a counseling in-service training workshop, or a counseling seminar or who has written as first author a counseling article accepted for publication in a recognized professional journal is allowed a maximum of ten contact hours in each compliance period for each original presentation or publication. The licensee making a presentation in a course, workshop, or seminar must secure prior approval from the board by providing the board with a written summary of the intent to present on a form provided by the board 30 days prior to the presentation and one letter of reference from a licensed counselor that verifies the intent. Verification of completion of the presentation or the letter of acceptance to publish, must be submitted to the board by the licensee maintained by the licensee consistent with the requirements of this chapter.
20:68:07:14. Application for waiver of continuing education requirements. A licensee may request a waiver of the continuing education requirements by applying in writing to the board. The application shall contain the reasons for the request and supporting documentation. The board may waive any part or all of the continuing education requirements in § 20:68:07:03 for a two-year compliance period for the following reasons:

(1) The licensee served active duty in the armed forces of the United States during any part of the period since the license was issued or last renewed; or

(2) The licensee has an incapacitating illness or disability documented by a licensed physician.

The board may waive the continuing education requirements of this chapter upon a request, in writing, from a licensee, and a showing of good cause for the waiver of the continuing education requirements. Continuing education requirements may not be waived for more than one continuing education cycle.


20:68:07:17. Reinstatement of inactive license. An inactive practitioner seeking to reinstate a license which has not been renewed within two years must present evidence of having completed at least 20 contact hours of approved continuing education within the year preceding the application for reinstatement and pay the renewal fee for the current year, along with the late fee pursuant to § 20:68:02:03. This section does not apply to a revoked or suspended license.

20:68:07:18. Suspension or revocation of license. The board may suspend or revoke a license after the investigation or review, or both, of suspected noncompliance with this chapter. Upon request for renewal of the South Dakota license, the licensee is responsible for reasonable expenses incurred by the board or the board's representative relating to the investigation or review of the suspected noncompliance complaint, plus regular renewal fees.
The board may not renew a license for any person who has failed to comply with the requirements of this chapter. The board shall conduct audits to verify compliance of continuing education requirements.


CHAPTER 20:68:08

ETHICAL STANDARDS

Section 20:68:08:01. Ethical standards.

20:68:08:01. Ethical standards. A licensed professional counselor licensee, supervisee or supervisor shall comply with the ethical standards as set forth in the American Counseling Association Code of Ethics, as approved by ACA the American Counseling Association Governing Council.

Source: 28 SDR 51, effective October 14, 2001; 42 SDR 97, effective January 4, 2016.
Law Implemented: SDCL 36-32-29(10).