

**DRAFT**

**Origin date 05.25.2018-CT**

**Revise date 07.05.2018**

ADMINISTRATIVE RULES

of

SOUTH DAKOTA

Cite as ARSD \_\_\_\_\_

ARTICLE 20:59  
SOCIAL WORKERS

Published By  
South Dakota Legislative Research Council

Printed September 11, 2017



**ARTICLE 20:59****SOCIAL WORKERS**

Chapter	
20:59:01	Application for licensure.
20:59:02	Academic and equivalency requirements.
20:59:03	Procedure, Repealed.
20:59:04	Continuing education.
20:59:05	Supervision.
20:59:06	Examinations.

**CHAPTER 20:59:01****APPLICATION FOR LICENSURE**

Section	
20:59:01:01	Definitions.
20:59:01:02	Application forms.
20:59:01:02.01	Information required.
20:59:01:03	Repealed.
20:59:01:03.01	Transferred.
20:59:01:04	Repealed.
20:59:01:04.01	Additional information required to engage in private, independent practice of social work.
20:59:01:05 and 20:59:01:06	Transferred.
20:59:01:07	References.
20:59:01:07.01	Notarization of application and transcripts.
20:59:01:08	Fees.
20:59:01:09	Repealed.
20:59:01:10	Fee schedule for applications.
20:59:01:10.01	Fee schedule for endorsement without examination.
20:59:01:10.02	License renewal fees.
20:59:01:10.03	No reimbursement before expiration of license.
20:59:01:10.04	No refund of license fees.
20:59:01:10.05	Duplicate license fee.
20:59:01:10.06	Examination and reexamination fee.
20:59:01:10.07	Late fee.
20:59:01:10.08	Repealed.
20:59:01:11	Certificates.
20:59:01:12	Repealed.
20:59:01:13	Application disposition.
20:59:01:14	Verification of licensure for the public.
20:59:01:15 to 20:59:01:17	Repealed.
20:59:01:18 to 20:59:01:22	Transferred.

**20:59:01:01. Definitions.** Terms used in this chapter mean:

- (1) "Board," the South Dakota Board of Social Work Examiners;
- (2) "CSW-PIP candidate," the person who is seeking a license as a certified social worker in private, independent practice (CSW-PIP);
- (3) "Private, independent practice," includes any act of contracting directly with clients for clinical services, consultation, supervision, or educational services; billing clients for services, receiving direct payment from clients, or acts implying that an individual is licensed as, or in private practice as, a Certified Social Worker-Private, Independent Practice (CSW-PIP);
- (4) "Supervision," the action or process of watching over or directing the activities of a social work associate, a person applying for a license as a social worker under the equivalency option, or a person applying for a license as a certified social worker in private, independent practice;
- (5) "Supervision agreement," the written agreement signed by the supervisor and the CSW-PIP candidate and approved by the board identifying the settings within which the CSW-PIP candidate is to practice, making the supervisor responsible for the supervision, defining or describing the agreed functions, not inconsistent with the law, that the CSW-PIP candidate will perform, and containing any other information as required by the board;
- (6) "Supervisor," a person who has experience in, is active in the field of specialization of, and oversees a social work associate, ~~a person applying for a license as a social worker under the equivalency option,~~ or a person applying for a license as a certified social worker in private, independent practice, and who provides at least four hours per month of contact in evaluating the associate's or applicant's performance.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002; 33 SDR 50, effective September 25, 2006.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-1, 36-26-10, 36-26-12, 36-26-15, 36-26-17, 36-26-29.

**20:59:01:02. Application forms.** Applications shall be made on a form provided by the board.

**Source:** 2 SDR 82, effective June 14, 1976; transferred from § 20:59:01:05, 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-13, 36-26-29.

**20:59:01:02.01. Information required.** Evidence of qualification for licensure shall be based on information given on the application form and on any additional information the board considers necessary for clarification of submitted material. Any person seeking licensure must include with the application the following information:

- (1) Type of biennial license;

## SOCIAL WORKERS

20:59

- (2) Name, address, social security number, telephone number, and date of birth of applicant;
- (3) Name of employer, address, telephone number, and past employment history;
- (4) Name of social work supervisor, license number, telephone number, and address;
- (5) Name and location of any college or university attended; and
- (6) Signed releases of information for state boards and current and past supervisors and employers.

The applicant must also show evidence of successful completion of the examination, if required, and payment of the fees required pursuant to §§ 20:59:01:10 and 20:59:01:10.01.

**Source:** 2 SDR 82, effective June 14, 1976; transferred from § 20:59:01:06, 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002; 33 SDR 50, effective September 25, 2006.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-13, 36-26-14, 36-26-15, 36-26-16, 36-26-17, 36-26-18.

**20:59:01:03. Social worker applicants.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:01:03.01. Transferred to § 20:59:02:03.03.**

**20:59:01:04. Certified social worker with independent practice application.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:01:04.01. Additional information required to engage in private, independent practice of social work.** A licensed certified social worker desiring to engage in the private, independent practice of social work shall include with the application the information requested by §§ 20:59:01:02.01, 20:59:01:07, and 20:59:01:07.01 and the following information:

(1) The fields of specialization in which the licensed certified social worker intends to practice or is already practicing;

(2) The places and dates covering a total of 24 months during which the licensed certified social worker worked under supervision as defined in §§ 20:59:05:02 to 20:59:05:11, inclusive, in a social work capacity. The supervisor shall submit to the board a written statement certifying the following:

- (a) The supervisor's educational and practical background in the area of specialization;
- (b) The length, frequency, and focus of supervision;
- (c) The licensed certified social worker's professional competence in the area of specialization;

(d) The licensed certified social worker's adherence to the "NASW Code of Ethics" as approved by the ~~2008 NASW Delegate Assembly~~ ~~1996 NASW Delegate Assembly~~ and revised by the NASW Delegate Assembly in 2017.

(e) Verification of employment in a social work position. An employer verification affidavit must be submitted verifying each place of employment during the required supervision; and

(3) The name, address, and license number of the supervisor or supervisors.

**Source:** 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 22 SDR 57, effective October 16, 1995; 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002; 44 SDR 42, effective September 11, 2017.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17, 36-26-32.

**Reference:** "NASW Code of Ethics," as approved by the ~~2008 NASW Delegate Assembly~~, ~~1996 NASW Delegate Assembly~~ and revised by the NASW Delegate Assembly in 2017. National Association of Social Workers, Washington, DC. Copies may be obtained free of charge from the Board of Social Work Examiners, ~~132 East Illinois~~, 810 N. Main Street #298, Spearfish, SD 57783 or at ~~www.naswde.org/pubs/code/code.asp~~. <https://www.socialworkers.org/about/ethics/code-of-ethics>

**20:59:01:05. Transferred to § 20:59:01:02.**

**20:59:01:06. Transferred to § 20:59:01:02.01.**

**20:59:01:07. References.** Each applicant shall submit three letters of reference and include the name, occupation, complete address, and telephone number of those three individuals. Each reference must be engaged in social work or a field related to social work.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-29.

**20:59:01:07.01. Notarization of application and transcripts.** Applications must be notarized. Applicants are responsible for having official college transcripts sent from the college to the board.

**Source:** 2 SDR 82, effective June 14, 1976; transferred from § 20:59:01:18, 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-29.

**20:59:01:08. Fees.** Application fees for a biennial license shall be remitted to the board in the form of a cashier's check, personal check, certified check, or money order made payable to the South Dakota Board of Social Work Examiners. The board may not take any action on any application for license until the fee is received.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

Revised through September 11, 2017

**Law Implemented:** SDCL 36-26-19.

**20:59:01:09. Fee schedule without examination.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:01:10. Fee schedule for applications.** The fee for application for a biennial license is as follows:

- (1) Certified social worker authorized to engage in private, independent practice, \$210;
- (2) Certified social worker, \$170;
- (3) Social worker, \$130; and
- (4) Social work associate, \$90.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 6 SDR 38, effective October 24, 1979; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 33 SDR 50, effective September 25, 2006; 34 SDR 101, effective October 24, 2007.

**General Authority:** SDCL 36-26-19, 36-26-29.

**Law Implemented:** SDCL 36-26-19.

**20:59:01:10.01. Fee schedule for endorsement without examination.** Fees for endorsement application for a license without examination are as follows:

- (1) Certified social worker authorized to engage in private, independent practice, \$210;
- (2) Certified social worker, \$170;
- (3) Social worker, \$130; and
- (4) Social work associate, \$90.

**Source:** 4 SDR 82, effective June 6, 1978; 6 SDR 38, effective October 24, 1979; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002; 33 SDR 50, effective September 25, 2006; 34 SDR 101, effective October 24, 2007.

**General Authority:** SDCL 36-26-19, 36-26-29.

**Law Implemented:** SDCL 36-26-18, 36-26-19.

**20:59:01:10.02. License renewal fees.** Fees for biennial renewal of a license are as follows:

- (1) Certified social worker authorized to engage in private, independent practice, \$210;
- (2) Certified social worker, \$170;
- (3) Social worker, \$130; and
- (4) Social work associate, \$90.

**Source:** 4 SDR 82, effective June 6, 1978; 6 SDR 38, effective October 24, 1979; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 33 SDR 50, effective September 25, 2006; 34 SDR 101, effective October 24, 2007.

**General Authority:** SDCL 36-26-23, 36-26-29.

**Law Implemented:** SDCL 36-26-23, 36-26-27.

**20:59:01:10.03. No reimbursement before expiration of license.** A licensee who applies for a different license issued by the board prior to the expiration of the license presently held shall not be reimbursed for any fees paid.

**Source:** 2 SDR 82, effective June 14, 1976; transferred from § 20:59:01:19, 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-19, 36-26-23, 36-26-29.

**20:59:01:10.04. No refund of license fees.** The board shall not refund license fees to licensees or applicants.

**Source:** 3 SDR 81, effective May 29, 1977; transferred from § 20:59:01:20, 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 17 SDR 88, effective January 1, 1991.

**General Authority:** SDCL 36-26-19.

**Law Implemented:** SDCL 36-26-19.

**20:59:01:10.05. Duplicate license fee.** The board shall issue a duplicate license upon receipt of a written request and a \$10 fee.

**Source:** 3 SDR 81, effective May 29, 1977; transferred from § 20:59:01:21, 4 SDR 82, effective June 6, 1978; repealed, 12 SDR 151, 12 SDR 155, effective July 1, 1986; readopted, 17 SDR 88, effective January 1, 1991.

**General Authority:** SDCL 36-26-19.

**Law Implemented:** SDCL 36-26-19.

**20:59:01:10.06. Examination and reexamination fee.** The fee for the initial examination and for each reexamination for the associate, bachelor, and master degree levels is \$255. The fee for the initial examination and for each reexamination for the clinical and advanced generalist practice levels is \$285. All examination fees are paid directly to the examining entity.

**Source:** 3 SDR 81, effective May 29, 1977; transferred from § 20:59:01:22, 4 SDR 82, effective June 6, 1978; 6 SDR 38, effective October 24, 1979; 10 SDR 138, effective June 20, 1984; repealed, 12 SDR 151, 12 SDR 155, effective July 1, 1986; readopted, 17 SDR 88, effective January 1, 1991; 22 SDR 57, effective October 16, 1995; 29 SDR 92, effective December 24, 2002; 36 SDR 208, effective June 30, 2010; 44 SDR 42, effective September 11, 2017.

**General Authority:** SDCL 36-26-19.

**Law Implemented:** SDCL 36-26-19.

**20:59:01:10.07. Late fee.** An applicant seeking to renew a license after forfeiture shall pay a late fee. The late fee is an additional 50 percent of the renewal fee.

**Source:** 6 SDR 38, effective October 24, 1979; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-27.

**20:59:01:10.08. Temporary license fee.** Repealed.



**Source:** 20 SDR 214, effective July 1, 1994; 44 SDR 42, effective September 11, 2017.

**20:59:01:11. Certificates.** Upon approval of licensure by the board, the board shall issue to the licensee a certificate of licensure and a license number for display in the licensee's principal place of practice.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-13, 36-26-24.

**20:59:01:12. Licensure denial.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; repealed, 29 SDR 92, effective December 24, 2002.

**20:59:01:13. Application disposition.** All applications and supporting papers submitted to the board become the property of the board.

**Source:** 2 SDR 82, effective June 14, 1976; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-29.

**20:59:01:14. Verification of licensure for the public.** The board shall supply verification of licensure status of any social worker licensed by the board to any person or organization requesting it.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-29.

**20:59:01:15. Changes or revisions.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 151, 12 SDR 155, effective July 1, 1986; repealed, 29 SDR 92, effective December 24, 2002.

**20:59:01:16. Nonpracticing applicants.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:01:17. Applicant may practice until next scheduled examination.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:01:18. Transferred to § 20:59:01:07.01.**

**20:59:01:19. Transferred to § 20:59:01:10.03.**

**20:59:01:20. Transferred to § 20:59:01:10.04.**

**20:59:01:21. Transferred to § 20:59:01:10.05.**

**20:59:01:22. Transferred to § 20:59:01:10.06.**

## CHAPTER 20:59:02

### ACADEMIC AND EQUIVALENCY REQUIREMENTS

#### Section

20:59:02:01	Academic requirements for social work associate.
20:59:02:02 and 20:59:02:03	Repealed.
20:59:02:03.01	Programs approved by council on social work education.
20:59:02:03.02	Repealed.
20:59:02:03.03	Repealed.
20:59:02:04	Repealed.
20:59:02:05	Repealed.
20:59:02:06	Repealed.
20:59:02:07	Transferred.

**20:59:02:01. Academic requirements for social work associate.** After January 1, 1986, academic requirements for a social work associate license in SDCL 36-26-16 must be completed at a junior college, college, or university accredited by a nationally recognized accrediting agency approved by the United States Department of Education. In addition, degrees granted before January 1, 1986, must have been completed when the institution was accredited by a nationally recognized accrediting agency approved the United States Department of Education.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-16.

**20:59:02:02. Qualifications for social work associate.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:02:03. Certified social worker and social worker academic requirements.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:02:03.01. Programs approved by council on social work education.** An applicant who graduated prior to July 1974 with a bachelor's degree in social work from a program

subsequently accredited by the Council on Social Work Education meets the academic requirements for licensure as a social worker.

**Source:** 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-15.

**20:59:02:03.02. Nonaccredited and nonapproved social work programs.** Repealed.

**Source:** 4 SDR 82, effective June 6, 1978; repealed, 12 SDR 186, effective May 25, 1986.

**20:59:02:03.03. Information required of equivalency applicants for a social worker license.** Repealed.

**Source:** 4 SDR 82, effective June 6, 1978; transferred from § 20:59:01:03.01, 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 22 SDR 57, effective October 16, 1995; 29 SDR 92, effective December 24, 2002; 44 SDR 42, effective September 11, 2017.

**20:59:02:04. Equivalent courses for social worker license.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 22 SDR 57, effective October 16, 1995; 29 SDR 92, effective December 24, 2002; 44 SDR 42, effective September 11, 2017.

**20:59:02:05. Field work experience as part of social worker equivalency.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 42, effective September 11, 2017.

**20:59:02:06. Evaluation of practice or experience.** Repealed.

**Source:** 2 SDR 82, effective June 14, 1976; 4 SDR 82, effective June 6, 1978; repealed, 12 SDR 186, effective May 25, 1986.

**20:59:02:07. Transferred to chapter 20:59:06.**

## **CHAPTER 20:59:03**

### **PROCEDURE**

(Repealed. 4 SDR 82, effective June 6, 1978)

## **CHAPTER 20:59:04**

### **CONTINUING EDUCATION**

## Section

20:59:04:01	Definitions.
20:59:04:01.01	Courses eligible for continuing education credit -- Distance education.
20:59:04:02	Amount of continuing education required.
20:59:04:03	Repealed.
20:59:04:04	Waiver due to certified illness.
20:59:04:05	Repealed.
20:59:04:06	Continuing education obtained out-of-state.
20:59:04:07	Preparation or publication of a professional social work topic or paper.
20:59:04:08	Standards for approval of continuing education sponsor.
20:59:04:09	Standards for approval of continuing education programs.
20:59:04:10	Standards for approval of continuing education programs for agency administrators.

**20:59:04:01. Definitions.** Terms used in this chapter mean:

(1) "Academic credit hour," one semester credit hour earned at a junior college, college, or university accredited by a nationally recognized accrediting agency approved by the United States Department of Education;

(2) "Continuing education," postgraduate courses, either academic or nonacademic, related to the field of social work;

(3) "Continuing education sponsor," an educational institution, a professional association, or a business or governmental organization approved by the board under § 20:59:04:08 to award continuing education units for organized social work education; and

(4) "Continuing Education Unit (CEU)," 10 contact hours of participation in a noncredit organized continuing education program conducted by an approved sponsor.

**Source:** 3 SDR 81, effective May 29, 1977; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:01.01. Courses eligible for continuing education credit -- Distance education.**

The board may allow continuing education credit for academic credit courses taken at a junior college, college, or university accredited by a nationally recognized accrediting agency approved by the United States Department of Education, and for nonacademic workshops, seminars, conferences, lectures, and agency staff development training given by an approved continuing education sponsor. Courses for which continuing education credit is allowed must meet the standards in § 20:59:04:09 or 20:59:04:10. Staff development or activities of agencies which address procedural or administrative issues are ineligible. One academic credit hour is equal to 15 contact hours of participation in a noncredit continuing education program.

The licensee may not have more than ten hours of continuing education in the following: ~~distance or noncontact education through teleconferences, telecourses, or Internet courses; or independent or group study including listening to audio tapes, viewing video tapes, or preparing or~~

publishing a professional social work topic or paper as set forth in § 20:49:04:07, or reading professional books or articles.

**Source:** 12 SDR 186, effective May 25, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:02. Amount of continuing education required.** All licensees submitting applications for license renewal must include a copy of the original certificate of successful completion of 30 hours of continuing education taken within the previous 2-year license period.

**Source:** 3 SDR 81, effective May 29, 1977; 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 22 SDR 57, effective October 16, 1995; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:03. Registration of sponsor.** Repealed.

**Source:** 3 SDR 81, effective May 29, 1977; 4 SDR 82, effective June 6, 1978; repealed, 12 SDR 186, effective May 25, 1986.

**20:59:04:04. Waiver due to certified illness.** A licensee may apply for a waiver of the continuing education requirement if the licensee presents a physician's certified statement that the licensee was physically incapacitated to the extent that the licensee could not satisfy the requirement within the previous two-year license period.

**Source:** 3 SDR 81, effective May 29, 1977; 4 SDR 82, effective June 6, 1978; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:05. Exemption from continuing education requirements.** Repealed.

**Source:** 3 SDR 81, effective May 29, 1977; repealed, 4 SDR 82, effective June 6, 1978.

**20:59:04:06. Continuing education obtained out-of-state.** A licensee who has attended a workshop, seminar, or conference outside the state of South Dakota must submit validation by furnishing an agenda and certificate of attendance to the board.

**Source:** 3 SDR 81, effective May 29, 1977; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:07. Preparation or publication of a professional social work topic or paper.** A licensee who has prepared an academic social work course, a social work in-service training workshop, or a social work seminar, or who has published a social work article in a recognized professional journal may be allowed a maximum of ten hours of required continuing education hours set forth in § 20:59:04:02. The licensee must secure prior approval from the board by providing the

~~board with a written summary of the intent to present or publish and one letter of reference from a licensed social worker or certified social worker, verifying the intent.~~ Verification of completion of the presentation or of publication shall be submitted by the licensee on a form provided by the board.

**Source:** 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:08. Standards for approval of continuing education sponsor.** A sponsor for nonacademic continuing education in social work must meet the following standards to be approved by the board;

(1) The sponsoring organization must designate a professional staff person to administer and coordinate an organized schedule of continuing programs;

(2) The sponsoring organization must maintain administrative control of all program elements. Programs jointly sponsored by more than one organization must designate which organization will record and report CEUs to the licensee;

(3) The sponsoring organization must provide or arrange for educational facilities and instructional aids and equipment consistent with the educational content, format, and objectives of the continuing education; and

(4) An individual record of participation must be maintained by the sponsoring organization for a minimum of five years and made available to each participant upon request.

A sponsor shall apply for approval on a form provided by the board before giving programs.

**Source:** 12 SDR 168, effective May 25, 1986; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:09. Standards for approval of continuing education programs.** Continuing education programs in social work must meet the following standards to be approved by the board:

(1) The continuing education must be in a recognized field of social work or clearly related to social work. The continuing education must be related to practice, values, skills, and knowledge of social work;

(2) The program must be planned to meet educational needs of target group;

(3) A clear statement of goals must be prepared in advance for each program;

(4) Instructors must have education and experience in the area of the program they conduct;

(5) Specific performance requirements for CEU credit must be established;

(6) Participant registration must provide dates, course titles, and number of CEUs awarded for a permanent record of individual participation;

- (7) Evaluation procedures must be planned for and used to measure the effectiveness of the program design and operation; and
- (8) The program must be provided by an approved continuing education sponsor.

~~Continuing education program approval may be applied for on a form provided by the board.~~

**Source:** 12 SDR 168, effective May 25, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

**20:59:04:10. Standards for approval of continuing education programs for agency administrators.** Continuing education programs for agency administrators who are responsible for social work staff must enhance the practice, values, skills, and knowledge of administrators in the areas of administration, planning, and research related to human services and must meet the standards in subdivisions 20:59:04:09(2) to (8), inclusive.

Continuing education program approval for agency administrators may be applied for on a form provided by the board.

**Source:** 12 SDR 168, effective May 25, 1986.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-26, 36-26-29.

## CHAPTER 20:59:05

### SUPERVISION

#### Section

20:59:05:01	Supervision of a social work associate.
20:59:05:02	Supervision of a CSW-PIP candidate.
20:59:05:03	Qualifications of supervisor of a CSW-PIP candidate.
20:59:05:04	Supervisor of a CSW-PIP candidate -- Practice setting.
20:59:05:05	CSW-PIP candidate's supervisor's agreement requirements.
20:59:05:06	Out-of-state supervision of a CSW-PIP candidate.
20:59:05:07	Supervisor's reports and time of supervision.
20:59:05:08	Professional and legal responsibilities to clients.
20:59:05:09	Additional supervisor responsibilities.
20:59:05:10	Violation of supervisor responsibilities.
20:59:05:11	Repealed.

**20:59:05:01. Supervision of a social work associate.** The supervision of a social work associate by a licensed social worker ~~or~~ licensed certified social worker, licensed marriage and family therapist or licensed professional counselor-mental health must include at least four contact hours each month. The licensee is responsible for having the licensee's supervisor submit an annual report on a form provided by the board certifying the following:

- (1) The length and frequency of supervision;
- (2) The professional competence of the applicant; and

(3) The applicant's adherence to the "NASW Code of Ethics" as approved by the 1996 NASW Delegate Assembly and revised by the 1999 NASW Delegate Assembly in 2017.

**Source:** 4 SDR 82, effective June 6, 1978; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 22 SDR 57, effective October 16, 1995; 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-10, 36-26-32.

**Reference:** "NASW Code of Ethics," as approved by the 1996 NASW Delegate Assembly and revised by the 1999 NASW Delegate Assembly in 2017, National Association of Social Workers, Washington, D.C. Copies may be obtained free of charge from the Board of Social Work Examiners, 432 E. Illinois, 810 N. Main Street #298, Spearfish, SD 57783 or at [www.naswde.org/pubs/code/code.asp](http://www.naswde.org/pubs/code/code.asp) <https://www.socialworkers.org/about/ethics/code-of-ethics>.

**20:59:05:02. Supervision of a CSW-PIP candidate.** The provisions of §§ 20:59:05:03 to 20:59:05:10, inclusive, apply to the qualifications of the supervisor providing supervision of a CSW-PIP candidate. Supervisors shall at all times assess the relationship of the CSW-PIP candidate and the clients, and shall evaluate the degree of supervision necessary and provide it even if it exceeds the minimum supervision set forth in § 20:59:05:07.

**Source:** 26 SDR 81, effective December 12, 1999.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17.

**20:59:05:03. Qualifications of supervisor of a CSW-PIP candidate.** The supervisor of a CSW-PIP candidate must be a certified social worker-private, independent practice, psychologist, or psychiatrist authorized to perform their profession in South Dakota and in good standing with the supervisor's respective licensing boards. A supervisor may supervise any number of CSW-PIP candidates upon board authorization, if the board finds that adequate supervision will exist under the proposed supervision agreement. A holder of a temporary permit or license may not supervise a CSW-PIP candidate.

**Source:** 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17.

**20:59:05:04. Supervisor of a CSW-PIP candidate -- Practice setting.** The supervisor of a CSW-PIP candidate shall primarily practice in the same practice area in which the CSW-PIP candidate will practice (i.e. psychotherapy, planning, community organization). However, an exception may be made for good cause.

**Source:** 26 SDR 81, effective December 12, 1999; 33 SDR 50, effective September 25, 2006.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17.



**20:59:05:05. CSW-PIP candidate's supervisor's agreement requirements.** A CSW-PIP candidate shall file with, and have approved by, the board a supervision agreement in the form specified by the board prior to beginning the supervision necessary to satisfy the requirements of SDCL subdivision 36-26-17(2). The board will approve the agreement if the agreement provides for adequate supervision. If the board determines that additional supervision is necessary, the board shall set forth the terms of the additional supervision to be included in the terms in the agreement.

If the CSW-PIP candidate's practice status changes for any reason, a new or amended supervision agreement must be submitted to and approved by the board before the change is permitted.

The CSW-PIP candidate shall notify the board if the CSW-PIP candidate no longer wishes to use the supervision under the supervision agreement to qualify under SDCL 36-26-17.

**Source:** 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17.

**20:59:05:06. Out-of-state supervision of a CSW-PIP candidate.** Out-of-state supervision may satisfy the supervisory requirements of SDCL 36-26-17 and these rules provided the out-of-state supervisor:

- (1) Was a licensed CSW-PIP, psychologist or psychiatrist, or its equivalent as determined by the board, in good standing with the supervisor's respective state licensing board during the entire period of supervision;
- (2) Provides evaluation forms or their equivalent and such other information as is requested by the board for the period of supervision so that the board may determine the quality of supervision; and
- (3) Provides evidence of supervision of at least as frequent contacts as set forth in §§ 20:59:05:02 and 20:59:05:07 in the same practice area in which the CSW-PIP candidate will practice.

If an out-of-state CSW-PIP candidate has received the CSW-PIP license or its equivalent from a state other than South Dakota, the board may waive the supervision requirements upon a finding that the supervision received in the other state was substantially equivalent to that required under the rules for a South Dakota CSW-PIP candidate.

**Source:** 26 SDR 81, effective December 12, 1999; 33 SDR 50, effective September 25, 2006.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17.

**20:59:05:07. Supervisor's reports and time of supervision.** After the supervision agreement is approved by the board as set forth in § 20:59:05:05, the supervisor shall submit reports every six months during the period of supervision to the board on a form supplied by the board. The CSW-PIP candidate shall work at least 30 hours per week. The reports shall document that the supervisor has provided a minimum of four hours of individual supervision per month of the CSW-PIP candidate, subject to the following:

- (1) Group supervision or consultation may be allowed instead of individual supervision if such supervision does not exceed one-half of the total supervision time in each six-month period;
- (2) Part-time work of at least 18 hours per week may satisfy the supervision requirement on the following schedule:

Hours Worked Per Week	Number of Years Required Supervision	Number of Monthly Hours
18-29	4	2
30 and above	2	4

- (3) When the supervisor is not in direct person contact with the CSW-PIP candidate, the supervisor must be available by telecommunications or technology;
- (4) The board may authorize those modifications in the method and frequency of supervision that the board determines appropriate based upon a finding of adequate supervision, training, and proficiency.

**Source:** 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002.  
**General Authority:** SDCL 36-26-29.  
**Law Implemented:** SDCL 36-26-17.

**20:59:05:08. Professional and legal responsibilities to clients.** Nothing in these rules diminishes the professional and legal responsibilities of either the supervisor or the CSW-PIP candidate toward the clients served.

**Source:** 26 SDR 81, effective December 12, 1999.  
**General Authority:** SDCL 36-26-29.  
**Law Implemented:** SDCL 36-26-17.

**20:59:05:09. Additional supervisor responsibilities.** A supervisor shall comply with the supervisor's ethical responsibilities as set forth in the "NASW Code of Ethics" as approved by the 1996 NASW Delegate Assembly and revised by the 1999 NASW Delegate Assembly in 2017. Each supervisor shall:

- (1) Have the necessary knowledge and skill to supervise appropriately and should only do so within the supervisor's area of knowledge and competence;
- (2) Set clear, appropriate, and culturally sensitive boundaries;
- (3) Not engage in any dual or multiple relationships with a CSW-PIP candidate in which there is a risk of exploitation or potential harm to the CSW-PIP candidate;
- (4) Evaluate a CSW-PIP candidate's performance in a manner that is fair, considerate, and equitable based on clearly enunciated criteria and shared with the CSW-PIP candidate; and

(5) Ensure that each CSW-PIP candidate is familiar with the Code of Ethics of the NASW as approved by the 1996 NASW Delegate Assembly and revised by the ~~1999~~ NASW Delegate Assembly in 2017.

**Source:** 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17.

**Reference:** "NASW Code of Ethics," as approved by the 1996 NASW Delegate Assembly and revised by the NASW Delegate Assembly in 2017, National Association of Social Workers, Washington, DC. Copies may be obtained free of charge from the Board of Social Work Examiners, ~~132 East Illinois,~~ 810 N. Main Street #298, Spearfish, SD 57783 or at [www.naswde.org/pubs/code/code.asp](http://www.naswde.org/pubs/code/code.asp) <https://www.socialworkers.org/about/ethics/code-of-ethics>.

**20:59:05:10. Violation of supervisor responsibilities.** A supervisor who willfully violates any of the supervisor's duties under these rules shall be subject to licensure discipline by the board. If the supervisor is licensed by another licensing board, the willful violation of the supervisor's responsibilities under these rules shall be reported to the supervisor's respective licensing board.

**Source:** 26 SDR 81, effective December 12, 1999.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-17, 36-26-32.

**20:59:05:11. Transition rules.** Repealed.

**Source:** 26 SDR 81, effective December 12, 1999; repealed, 33 SDR 50, effective September 25, 2006.

## CHAPTER 20:59:06

### EXAMINATIONS

Section

20:59:06:01 Examinations.

**20:59:06:01. Examinations.** An applicant must submit the examination application and fee before an examination may be scheduled.

**Source:** 2 SDR 82, effective June 14, 1976; transferred from § 20:59:02:07, 4 SDR 82, effective June 6, 1978; 10 SDR 138, effective June 20, 1984; 12 SDR 186, effective May 25, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 22 SDR 57, effective October 16, 1995; 29 SDR 92, effective December 24, 2002.

**General Authority:** SDCL 36-26-29.

**Law Implemented:** SDCL 36-26-21.