

South Dakota Board of Social Work Examiners

dss.sd.gov/licensingboards/social.aspx

810 N. Main Street, Suite 298

Spearfish, SD 57783

Phone: 605.642.1600

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Email: proflic@rushmore.com



DRAFT MEETING AGENDA TELECONFERENCE

South Dakota Board of Social Work Examiners
June 11, 2020-12:00PM CDT/11:00AM MDT

Teleconference:

The public is invited to attend the meeting via teleconference. Please call the switchboard at 605-224-1125, key in the access code 0906644#. For assistance please call (605) 773-3011.

Member Listing:

1. Karen Chesley, CSW-PIP, President
2. Michael Forgy, CSW-PIP, Secretary/Treasurer
3. Todd Herrboldt, CSW-PIP, Member
4. Jennifer Gray, CSW-PIP, Member
5. Sharon Stratman, SW, Member
6. Abby Rehorst, Lay Member
7. Cindy Steele, Lay Member
8. Vicki Isler, Ed.D., BCBA-D-Applied Behavior Analyst Committee
9. Amber Bruns, MS, BCBA-Applied Behavior Analyst Committee
10. Lisa Stanley, DVM, Lay Member-Applied Behavior Analyst Committee

Purpose: The Board protects the health and safety of the consumer public by licensure of qualified persons, enforcement of the statutes, rules and regulations governing the practice of social work, including the appropriate resolution of complaints.

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1. Call to Order/Welcome and introductions-Chesley
 2. Roll Call-Chesley
 3. Corrections or additions to the agenda
 4. Approval of the agenda
 5. Public Comment at 12:05 p.m.- *5 minutes for the public to address the Board*
 6. Approval of the minutes from April 9, 2020
 7. FY Financial Update
 8. Telehealth-Executive Orders
 9. Examination requirements-Executive Order
 10. Online renewals
 11. Schedule next meeting/Conference systems
 12. Executive Session Pursuant to SDCL 1-25-2
 - a. Complaints/investigations
 - b. #268
 13. CSW-PIP Contract Approvals
 14. CSW-PIP Applicant Approvals-Report
 15. Vote on testing approval for applicant #2020-3

16. Any other business coming in between date of mailing and date of meeting
17. Adjourn

DRAFT

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OFFICIAL BOARD MINUTES

Teleconference

April 9, 2020-12:00PM CDT

Members Present: Karen Chesley, President
Michael Forgy, Secretary/Treasurer
Todd Herrboldt, Member
Jennifer Gray, Member
Sharon Stratman, Member

Members Absent: Abby Rehorst, Lay Member
Cindy Steele, Lay Member

Others Present: Carol Tellinghuisen, Executive Secretary; Jill Lesselyoung, Executive Assistant, Brooke Tellinghuisen Geddes, Executive Assistant, Amber Bruns, Lisa Stanley, Vicki Isler, ABA Advisory Committee Members; Quincy Kjerstad, Assistant Attorney General; Marilyn Kinsman, Brenda Tidball-Zeltinger, DSS, Dave Mendel, NASW SD

Call to Order/Welcome and Introductions: President Chesley called the meeting to order at 12:02PM CDT.

Roll Call: Chesley requested Lesselyoung call the roll. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes. A quorum was present.

Corrections or additions to the agenda: Chelsey requested to move the next meeting date prior to executive session.

Approval of the agenda: Stratman made a motion to approve the agenda with the requested correction. Forgy seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Public Comment: Chesley called for any comments from the public. There were no public comments.

Approval of the Minutes from Board meeting January 30, 2020: Stratman made a motion to approve the minutes from January 30, 2020. Forgy seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

FY Financial Update: Lesselyoung reported fiscal year to date figures as of February 29, 2020: revenue of \$106,348.64, expenses of \$67,826.83, and cash balance of \$229,323.15.

Telehealth-Coronavirus: Lesselyoung advised the Board's website was updated with the latest information on the executive order allowing out of state licensees for social work to practice through April 12th. In addition, there are links provided to SD DOH, CDC, ASWB and NASW. Tellinghuisen advised HIPPA has guidance available relating to telehealth. Herrboldt advised practitioners are HIPPA compliant but there have been some concerns regarding platforms that clients may be accessing. Tellinghuisen updated from the administrator's forum from ASPPB that other states are experiencing some issues but mainly overall positive practice from out of state telehealth practitioners.

Dual Licensure: Chesley, Tellinghuisen and Lesselyoung participated in the follow up meeting with DSS in February to discuss dual licensure. Tellinghuisen reiterated that ASWB owns the social work examinations and their exam company does not allow other professions to take their exams except for the social work associate. The Counselor's Board will follow up with their examination company for testing allowances. Kinsman advised she is waiting on further documentation from the Counselors Board regarding education crossover. Chesley had researched the educational requirements on behalf of social workers and the Board office forwarded to Kinsman for review. The Board will wait for further information from DSS on the subject.

Clinical Social Work Supervision by a non-social work professional: Tellinghuisen advised discussion was held at the dual licensure meeting regarding the Counselors accepting a CSW-PIP for a supervisor and wondered if the Board would consider allowing the highest-level counselor to supervise the CSW-PIP candidate. The Board discussed in some rural areas in the past it had been difficult to find a supervisor. Herrboldt stated, with access via technology it is not currently an issue to have a CSW-PIP supervise the social work candidate. The Board expressed concerns about changing supervision requirements at this time.

ASWB Spring Education Meeting April 23-25, Chicago: The meeting is postponed and being combined with the 2020 Annual Meeting of the Delegate Assembly, November 19-21, in Scottsdale, AZ.

Recommendation for 2020 ASWB elections: Members are encouraged to submit any recommendations for the ASWB Board of Directors directly to ASWB. Mel Harrington, South Dakota, is going off the Board of Directors and South Dakota wants to thank him for his excellent service. Tellinghuisen advised that Dwight Hymans is now Chief Operating Officer and she believes his leadership will prove invaluable for ASWB.

Records Retention: The Board discussed the current records retention policy specifically the retention of expired licensee files and complaints both substantiated and unsubstantiated. The Board office will prepare revisions for Board review and consideration. The final draft will be forward to Kinsman by June 5.

Legislative Update: Lesselyoung advised HB1276, an act to provide for a review of occupational regulation was tabled for this session but is expected to be re-submitted at a future date in some form. Board members voiced concerns regarding the exclusions of criminal records section and other parts. Tellinghuisen advised that we will be looking at this subject to be addressed again at next session.

Schedule next meeting date: The next meeting is set for June 11, 2020 at 11:00AM MDT/12:00PM CDT via teleconference.

Executive Session Pursuant to SDCL 1-25-2: Herrboldt made a motion to enter executive session at 11:53AM. Gray seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes. Isler, Bruns, Stanley, Tidball-Zeltinger, Kinsman and Mendel exited the meeting. Gray made a motion to exit executive session at 12:16PM. Stratman seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Complaints/Investigations:

#267-Chesley recommended a stipulation for consideration in the matter of Jeff Hurst, CSW-PIP. Forgy made a motion to accept the stipulation for Mr. Hurst. Gray seconded the motion. **MOTION PASSED** by roll call vote. Chesley, abstain; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

#268-Herrboldt reported pending.

#269-Herrboldt recommended to dismiss due to lack of substantive evidence. Forgy made a motion to dismiss due to lack of substantive evidence. Chesley seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, abstain; Gray, yes; Stratman, yes.

CSW-PIP Supervision Contracts:

Applicant #2020-2: Chesley made a motion to not approve until applicant applies with an appropriate supervisor. Herrboldt seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Herrboldt made a motion to approve the following contracts. Forgy seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Waitman, A.: Supervision with Zimmerman beginning January 21, 2020.

Madigan, E.: Supervision with Hill beginning March 17, 2020.

Berry, R.: Supervision with Tobin beginning March 16, 2020.

Sandberg, T.: Supervision with Hopp beginning March 1, 2020.

Wilcox, K.: Supervision with DeSmet beginning March 2, 2020.

Taylor, A.: Supervision with Ling beginning February 17, 2020.

Johnson, J.: Supervision with Sedlacek beginning March 30, 2020.

Van't Hul: Supervision with Roberts/McFarland beginning January 27, 2020.

Janovy, B.: Supervision with Karley beginning February 21, 2020.

Steffen, L.: Supervision with Kachena beginning March 5, 2020.

Burnette, C.: Supervision with Finch beginning April 1, 2020.

Scherr, S.: Supervision with McClintock beginning March 31, 2020.

CSW-PIP Applicant Approvals:

To expedite licensure, the Board had agreed to have Chesley review and approve the out of state applicants for licensure prior to the Board meeting. The following applicants were approved for licensure:

Broden, R.

Munsterteiger, E.

Buckingham, K.

Fredsall, L.

Larson, T.

Any other business coming in between date of mailing and date of meeting: There was no other business.

Forgy made a motion to adjourn at 1:02PM CDT. Stratman seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Respectfully submitted,



Carol Tellinghuisen
Executive Secretary

BOARD OF SOCIAL WORK EXAMINERS
 REVENUE SUMMARY
 FOR MONTH ENDING 04/30/20

COMP	ACCOUNT	BDGT YEAR	GRANT YEAR	CENTER	FUND SRC	SUB FUND	FISCAL YEAR	FISCAL MONTH	YTD AMOUNT	MTD AMOUNT
6503	4293000	0	0	0893000	719		2020	10	\$ 105,055.00	\$ 640.00
6503	4920045			0893000	719		2020	10	\$ 3,923.64	\$ -
									\$ 108,978.64	\$ 640.00

BOARD OF SOCIAL WORK EXAMINERS
 EXPENDITURE SUMMARY REPORT
 FOR MONTH ENDING 04/30/20

COMP	ACCOUNT	BDGT YEAR	GRANT YEAR	ACCOUNT DESCRIPTION	CENTER	FUND SRC	SUB FUND	FISCAL YEAR	FISCAL MONTH	YTD AMOUNT	MTD AMOUNT
6503	5203260	0	0	AIR-COMM-OUT-OF-STATE	0893000	719		2020	10	\$ 598.00	\$ -
6503	5203280	0	0	OTHER-PUBLIC-OUT-OF-STATE	0893000	719		2020	10	\$ 60.00	\$ -
6503	5203300	0	0	LODGING/OUT-OF-STATE	0893000	719		2020	10	\$ 644.64	\$ -
6503	5203350	0	0	NON-TAXABLE MEALS/OUT-ST	0893000	719		2020	10	\$ 186.00	\$ -
6503	5204020	0	0	DUES & MEMBERSHIP FEES	0893000	719		2020	10	\$ 250.00	\$ -
6503	5204080	0	0	LEGAL CONSULTANT	0893000	719		2020	10	\$ 237.00	\$ -
6503	5204090	0	0	MANAGEMENT CONSULTANT	0893000	719		2020	10	\$ 71,005.90	\$ 6,371.48
6503	5204510	0	0	RENTS-OTHER	0893000	719		2020	10	\$ 3,509.00	\$ 300.00
6503	5204530	0		TELECOMMUNICATIONS SRVCS	0893000	719		2020	10	\$ 64.00	\$ -
6503	5204530	0	0	TELECOMMUNICATIONS SRVCS	0893000	719		2020	10	\$ 62.00	\$ -
6503	5204590	0	0	INS PREMIUMS & SURETY BDS	0893000	719		2020	10	\$ 1,338.47	\$ 1,338.47
6503	5205320	0	0	PRINTING-COMMERCIAL	0893000	719		2020	10	\$ 1,894.38	\$ 249.68
6503	5205980	0	0	PROC CARD PURCH-APPROVED	0893000	719		2020	10	\$ 48.83	\$ -
6503	5101030	0	0	BOARD & COMM MBRS FEES	0893000	719		2020	10	\$ 900.00	\$ -
6503	5102010	0	0	OASI-EMPLOYER'S SHARE	0893000	719		2020	10	\$ 68.85	\$ -
6503	5204201	0	0	BFM CENTRAL SERVICES	0893000	719		2020	10	\$ 1,277.55	\$ -
6503	5204204	0	0	RECORDS MGMT SERVICES	0893000	719		2020	10	\$ 311.25	\$ 80.00
6503	5204207	0	0	HUMAN RESOURCES SERVICES	0893000	719		2020	10	\$ 520.37	\$ -
										\$ 82,976.24	\$ 8,339.63

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2020-26**

Whereas, An outbreak of the severe acute respiratory disease, COVID-19, which is caused by the person-to-person spread of the novel coronavirus, has been declared a public health emergency and pandemic by the World Health Organization and the Centers for Disease Control and Prevention (CDC); and,

Whereas, The President of the United States of America declared that the COVID-19 outbreak constitutes a national emergency; and,

Whereas, The CDC has issued guidance to all state and local governments and all citizens recommending preparedness, response, and mitigation to prevent community spread and guard against the COVID-19 outbreak; and,

Whereas, The State Emergency Operations Center and the National Guard have been activated to support the State's response to COVID-19, along with the activation of local emergency operations centers in several South Dakota counties and in the City of Sioux Falls; and,

Whereas, The impending threat of COVID-19 is a public health emergency requiring the State to deploy substantial resources, to involve every state agency to help mitigate the impact of COVID-19 on our state, and to implement the emergency powers of the governor to protect the health and safety of South Dakotans; and,

Whereas, A State of Emergency was declared by Executive Order 2020-04 to exist in all counties in the State of South Dakota on March 13, 2020 and was extended by Executive Order 2020-15 on April 9, 2020 which such declaration expires on May 31, 2020, unless extended in writing; and,

Whereas, This emergency continues to pose a danger to the public health and safety in all of South Dakota and impacts the daily lives of our citizens, health care systems, businesses, and the function of state and local governments; and,

Whereas, The CARES Act and federal law requires a State of Emergency to be in place to establish the Coronavirus Relief Fund and to make payments for specified purposes and expenditures related to COVID-19 for states and local governments:

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, do hereby declare that a state of emergency continues to exist within the State of South Dakota and hereby order and direct the following:

Section 1 Declaration. I do hereby declare that a State of Emergency continues to exist in all counties in the State of South Dakota, and I direct the plans and procedures of the State Emergency Operations Plan continue to be implemented. State agencies and departments are directed to utilize state resources and to do everything reasonably possible to assist efforts to respond to and recover from this emergency.

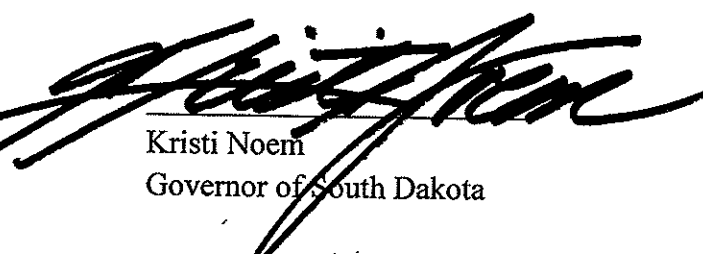
Section 2 Oversight. I direct and order that the South Dakota Department of Health, by and through the secretary, has continuing authority and oversight of measures to control and contain the spread of COVID-19, and other agencies to identify and utilize appropriate state personnel and resources for conducting necessary and ongoing incident related assessments.

Section 3 Resources. I direct and order the Department of Health and any other agency of the State of South Dakota to continue to seek and accept any funding or other resources from any entity, governmental or private, to treat, control, and stop the spread of COVID-19.

BE IT FURTHER ORDERED, This Executive Order shall be in effect immediately and shall continue until expiration on December 30, 2020, 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

South Dakota Board of Social Work Examiners

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TO: Social Work Applicant
FROM: The South Dakota Board of Social Work Examiners
DATE: June 1, 2020
RE: Executive Order 2020-25

Dear Applicant,

We want to inform you that executive order 2020-25 was signed by Governor Noem on May 26, 2020. This order temporarily suspends the regulatory provisions of statutes and administrative rules requiring applicants to submit proof of successfully completing examination requirements for certain licensed professions to prevent delays in licensure during the emergency. Included in this order are certified social workers, social workers, and social work associates.

Effective July 1, 2020 this order temporarily suspends the statutory provisions of SDCL36-32-65 requiring applicants to submit proof of completing an examination. The South Dakota Board of Social Work Examiners must obtain proof of successful passage of the exam from ASWB by November 30, 2020 for those who are granted a license without passage of this exam.

If you wish to be considered for a license under this order, we ask that you notify the Board office in writing. You must meet all of the other requirements for licensure and your application and supporting documentation and materials must be complete. You may send a letter to 810 N. Main Street, Suite 298 in Spearfish, SD 57783 or e-mail to proflic@rushmore.com.

We have enclosed a copy of this executive order for your reference.

Sincerely,

A handwritten signature in cursive script that reads 'Carol Tellinghuisen'.

Carol Tellinghuisen
Executive Secretary

Enclosure: Executive Order 2020-25

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2020-25**

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:

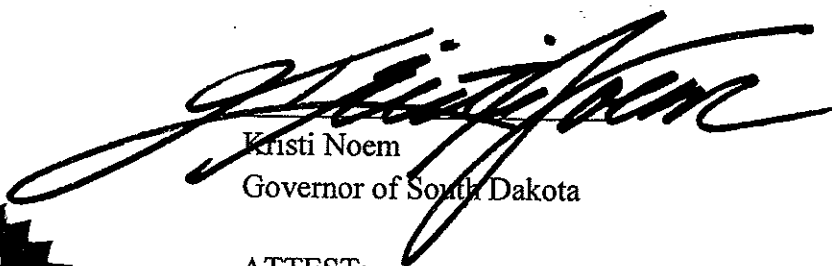
Section 1 Proof of Passing Examination. I temporarily suspend the statutory provisions of SDCL 36-4-11, 36-4-17, 36-4-17.1, 36-4A-8, 36-6A-44, 36-6A-44.2, 36-10-30, 36-10-35.1, 36-24-17.3, and 36-31-6, and the regulatory provisions of ARSD 20:47:03:03 and 20:84:03:01 requiring applicants to submit proof 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 20:59:01:02.01, 20:71:05:02, and 20:80:07:01 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,

ified 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

