

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.

20:59:01:04.01. 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>.

20:59:04:01.01. 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.

20:59:04:07. 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.

20:59:04:09. 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.

20:59:05:01. Supervision of a social work associate. The supervision of a social work associate by a licensed social worker or licensed certified social worker 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, ~~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.

20:59:05:09. 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 ~~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, ~~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>.