

ARTICLE 20:59
SOCIAL WORKERS

Chapter

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CHAPTER 20:59:01
APPLICATION FOR LICENSURE

Section

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20:59:01:18	Transferred.
20:59:01:19	Transferred.
20:59:01:20	Transferred.
20:59:01:21	Transferred.
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~~ Certified social worker in private, independent practice 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~~ overseeing 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~~ CSW-PIP;

(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, and is active in the field of ~~specialization of~~ social work, and oversees a social work associate, 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~~
CSW-PIP.

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; 45 SDR 82, effective December 10, 2018.

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~~ form and fees. ~~Applications shall~~ An application for initial social work licensure or a renewal of a social work license must be made on a form provided by the board and accompanied by the fees required pursuant to §§ 20:59:01:10 and 20:59:01:10.01.

An application is not complete until the required documentation and fees are received by the board. The board must consider an application withdrawn if it remains incomplete one year after its initial submission.

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~~ 36-26-19, 32-36-32.

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;~~
- ~~—— (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~~
Repealed.

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.~~

20:59:01:04.01. 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 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~~
Repealed.

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; 45 SDR 82, effective December 10, 2018.

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

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

~~—— **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, 810 N. Main Street #298, Spearfish, SD 57783 or at <https://www.socialworkers.org/about/ethics/code-of-ethics>.~~

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~~
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; 29 SDR 92, effective December 24, 2002.

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

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

20:59:01:08. Fees. ~~Application fees for a biennial license shall~~ Any fee described in this chapter must be remitted to the board in the form of ~~a cashier's check, personal check, certified check, or money order~~ prescribed by the board and 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. Any fee paid by a licensee or applicant is nonrefundable.

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 36-26-19.

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~~ two hundred ten dollars;
- (2) Certified social worker, ~~\$170~~ one hundred seventy dollars;
- (3) Social worker, ~~\$130~~ one hundred thirty dollars; ~~and~~
- (4) Social work associate, ~~\$90~~ ninety dollars; and
- (5) Multistate license for the Social Work Licensure Compact, three hundred dollars.

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, 36-26A-1.

Law Implemented: SDCL 36-26-19, 36-26A-1.

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~~ two hundred ten dollars;
- (2) Certified social worker, ~~\$170~~ one hundred seventy dollars;
- (3) Social worker, ~~\$130~~ one hundred thirty dollars; ~~and~~
- (4) Social work associate, ~~\$90~~ ninety dollars; and
- (5) Multistate license for the Social Work Licensure Compact, three hundred dollars.

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~~ 36-26-19, 36-26-29, 36-26A-1.

Law Implemented: SDCL 36-26-23, ~~36-26-27~~ 36-26A-1.

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.~~ Repealed.

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~~ Repealed.

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.~~

20:59:01:10.06. 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.~~ Repealed.

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~~ fifty 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~~ 36-26-19.

Law Implemented: SDCL 36-26-19, 36-26-27.

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~~ 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; 29 SDR 92, effective December 24, 2002.

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

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

20:59:01:14. 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~~ 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; 29 SDR 92, effective December 24, 2002.

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

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

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 <u>the Council</u> on social work education <u>Social Work Education</u> .
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.

20:59:02:03.01. Programs approved by ~~council~~ the Council on ~~social work education~~ 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, 36-26-15.1.

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, <u>Repealed</u> .
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.

20:59:04:02. 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~~ thirty hours of continuing education taken within the previous ~~2-year~~ two-year license period. At least six of the thirty hours of continuing education must be on the subject of social work ethics.

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~~.

20:59:04:04. 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. A licensee must submit the waiver to the board at least thirty days prior to the expiration of the 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~~.

20:59:04:06. 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~~ Repealed.

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.~~

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 <u>certified social worker in private, independent practice</u> candidate.
20:59:05:03	Qualifications of supervisor of a CSW-PIP <u>certified social worker in private, independent practice</u> candidate.
20:59:05:04	Supervisor of a CSW-PIP <u>certified social worker in private, independent practice</u> candidate -- Practice setting.
20:59:05:05	CSW-PIP <u>Certified social worker in private, independent practice</u> candidate's supervisor's agreement requirements.
20:59:05:06	Out-of-state supervision of a CSW-PIP <u>certified social worker in private, independent practice</u> 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, <u>Repealed</u> .
20:59:05:10	Violation of supervisor responsibilities.
20:59:05:11	Repealed.
20:59:05:12	<u>Termination of a supervision agreement.</u>

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 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; 45 SDR 82, effective December 10, 2018.

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 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, 810 N. Main Street #298, Spearfish, SD 57783 or at <https://www.socialworkers.org/about/ethics/code-of-ethics>.~~

20:59:05:02. Supervision of a ~~CSW-PIP~~ certified social worker in private, independent practice 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~~ certified social worker in private, independent practice (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(2).

20:59:05:03. Qualifications of supervisor of a ~~CSW-PIP~~ certified social worker in private, independent practice candidate. The supervisor of a ~~CSW-PIP~~ certified social worker in private, independent practice (CSW-PIP) candidate must ~~be~~:

~~_____ (1) Be a certified social worker private, independent practice CSW-PIP,~~
psychologist, or psychiatrist ~~authorized to perform their profession~~ licensed in good standing
in South Dakota ~~and in good standing with the supervisor's respective licensing boards~~ for
at least two years;

~~_____ (2) Complete six hours of supervisor continuing education before submitting a~~
proposed supervision agreement; and

~~_____ (3) Complete three hours of supervisor continuing education every two years once~~
the supervisor begins supervision of any candidate.

~~_____ A supervisor may only supervise any number of a CSW-PIP candidates~~ candidate
upon ~~board authorization, if the board finds~~ finding 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(2).

20:59:05:04. Supervisor of a ~~CSW-PIP~~ certified social worker in private, independent practice candidate -- Practice setting. The supervisor of a ~~CSW-PIP~~ certified social worker in private, independent practice (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(2).

20:59:05:05. ~~CSW-PIP~~ Certified social worker in private, independent practice
candidate's supervisor's agreement requirements. A ~~CSW-PIP~~ certified social worker in private, independent practice (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~~ must 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(2).

If the board determines that the supervisor is not providing adequate supervision, the board may terminate the supervision agreement.

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(2).

20:59:05:06. Out-of-state supervision of a ~~CSW-PIP~~ certified social worker in private, independent practice candidate. Out-of-state supervision may satisfy all or some of 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 the board finding that the supervision received in the other state was substantially equivalent to that required under the rules for a South Dakota ~~CSW-PIP~~ certified social worker in private, independent practice 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(2).

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~~ certified social worker in private, independent practice (CSW-PIP) candidate shall work at least ~~30~~ thirty hours per week. The reports ~~shall~~ must document that the supervisor has provided the CSW-PIP candidate with 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~~ the supervision does not exceed one-half of the total supervision time in each six-month period;

(2) Part-time work of at least ~~18~~ eighteen 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~~ physically present with the CSW-PIP candidate, the supervisor must be available by telecommunications or technology; and

(4) The board may authorize ~~these~~ modifications in the method and frequency of supervision ~~that based upon the board determines appropriate based upon a board's~~ 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(2).

20:59:05:08. Professional and legal responsibilities to clients. Nothing in ~~these rules~~ this chapter diminishes the professional and legal responsibilities of either the supervisor or the ~~CSW-PIP~~ certified social worker in private, independent practice 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(2).

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 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 NASW Delegate Assembly in 2017 Repealed.~~

Source: 26 SDR 81, effective December 12, 1999; 29 SDR 92, effective December 24, 2002; 45 SDR 82, effective December 10, 2018.

~~———— **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, 810 N. Main Street #298, Spearfish, SD 57783 or at <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~~ this chapter is 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~~ this chapter is 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(2), ~~36-26-32~~.

20:59:05:12. Termination of a supervision agreement. If the board determines that the supervisor is not providing adequate supervision, the board may terminate the supervision agreement.

Source:

General Authority: SDCL 36-26-29.

Law Implemented: SDCL 36-26-17(2).

20:59:06:01. Examinations. An applicant must ~~submit~~ pass the board-prescribed examination ~~application and fee before an examination may be scheduled~~ provided by the Association of Social Work Boards.

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 36-26-14(2), 36-26-15(2), 36-26-15.1(2), 36-26-16(2), 36-26-17(3), 36-26-21.

CHAPTER 20:59:07

STANDARDS FOR PROFESSIONAL PRACTICE

Section

20:59:07:01 Standards for professional practice.

20:59:07:01. Standards for professional practice. An applicant, licensee, supervisee, or supervisor shall comply with the Code of Ethics of the National Association of Social Workers (NASW) as approved by the 1996 NASW Delegate Assembly and revised by the NASW Delegate Assembly in 2020.

Source:

General Authority: SDCL 36-26-29.

Law Implemented: SDCL 36-26-2.

Reference: Code of Ethics of the National Association of Social Workers, 2021 edition, National Association of Social Workers. Copies may be obtained free of charge from the Board of Social Work Examiners, 810 North Main Street #298, Spearfish, SD 57783 or at <https://www.socialworkers.org/about/ethics/code-of-ethics>.