2021 South Dakota Legislature

House Bill 1077

HOUSE STATE AFFAIRS ENGROSSED

Introduced by: The Committee on State Affairs at the request of the Office of the Governor

An Act to provide for licensure by endorsement for certain licensed professionals and occupations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That a NEW SECTION be added:

36-1C-1. Eligibility--Licensure by endorsement.

Notwithstanding any existing provisions related to licensure by endorsement or licensure by reciprocity in any applicable licensing statute, a licensing board shall issue a license, certificate, registration, or permit to an applicant to allow practice in this state if, upon application to the licensing board, the applicant satisfies all of the following conditions:

(1) Holds a current license, certificate, registration, or permit from another state, territory, or country and the licensing board determines that state's, territory's, or country's requirements are substantially equivalent to or exceed the requirements established in this state;

(2) Demonstrates competency in the profession or occupation through methods determined by the licensing board, including having completed continuing education or having experience in the profession or occupation for at least two of the five years preceding the date of the application under this section;

(3) Has not committed any act that constitutes grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that profession or occupation in this state unless the licensing board determines, in its discretion, that the act should not be an impediment to the granting of a license, certificate, registration, or permit to practice in this state;

(4) Is in good standing and has not been disciplined by the jurisdiction that issued the license, certificate, registration, or permit unless the licensing board determines,

in its discretion, that the discipline should not be an impediment to the granting of a license, certificate, registration, or permit to practice in this state; and

(5) Pays any fees established by the licensing board by rules promulgated pursuant to chapter 1-26.

Section 2. That a NEW SECTION be added:

36-1C-2. Provisional license--Duration.

A licensing board may issue a provisional license, certificate, registration, or permit to an applicant for licensure by endorsement while the applicant is satisfying remaining requirements for the licensure by endorsement as determined by the board. The holder of a provisional endorsement license issued under this section may practice until any of the following occurs:

(1) A license, certificate, registration, or permit is denied by the licensing board under this section;

(2) The expiration of the provisional endorsement license as established by the board by regulation; or

(3) The holder of the provisional endorsement license fails to comply with the terms of the provisional license.

Section 3. That a NEW SECTION be added:

36-1C-3. Application of chapter.

Nothing in this Act may be construed to override, supersede, or invalidate any compact or agreement already in place with regard to the regulation of any profession under title 36.

Section 4. That a NEW SECTION be added:

36-1C-4. Affected professions.

The provisions of this Act apply to those practitioners licensed pursuant to chapters 36-4, 36-4A, 36-4B, 36-4C, 36-9, 36-9A, 36-10, 36-10B, 36-11, 36-19, 36-26, 36-27A, 36-29, 36-31, 36-32, 36-33, 36-34, 36-37, 36-38, and 34-11.