



2026 South Dakota Legislature

House Bill 1145

Introduced by: **Representative** Rehfeldt

1 **An Act to clarify provisions related to the licensure of certified social workers in**
 2 **private, independent practice and establish an alternative to the licensure**
 3 **examination.**

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

5 **Section 1. That § 36-26-13 be AMENDED:**

6 **36-26-13.** The board shall issue a license as a certified social worker in private,
 7 independent practice, a certified social worker, a social worker, or a social work associate.

8 **Section 2. That § 36-26-17 be AMENDED:**

9 **36-26-17.** No person may engage in the private, independent practice of social
 10 work unless ~~he~~ the person is licensed by the board as a certified social worker in private,
 11 independent practice. A person seeking this license must:

- 12 (1) ~~Is~~ Be licensed under this chapter as a certified social worker;
- 13 (2) ~~Has had~~ Have two years of experience under appropriate supervision in the field of
 14 specialization in which the applicant will practice ~~(e.g., psychotherapy, community~~
 15 ~~organization, or planning);~~ and
- 16 (3) ~~Has passed~~ Pass an examination prepared by the board for this purpose, or meet
 17 the additional professional experience requirements set forth in section 3 of this
 18 Act; and
- 19 (4) Submit an application to the board, accompanied by the fee authorized in § 36-26-
 20 19.

21 A person who obtains licensure as a certified social worker in private, independent
 22 practice without passing the examination required by this section is not eligible to
 23 participate in the Social Work Licensure Compact set forth in chapter 36-26A.

24 **Section 3. That a NEW SECTION be added to chapter 36-26:**

1 If a person applying for licensure as a certified social worker in private, independent
2 practice has failed the examination required by § 36-26-17 on or after January 1, 2021,
3 the person may submit evidence to the board of having completed at least three thousand
4 hours of professional experience. The professional experience must:

5 (1) Be in addition to any other supervised experience required for licensure;

6 (2) Be supervised by a:

7 (a) Certified social worker in private, independent practice, licensed in
8 accordance with this chapter; or

9 (b) Another type of licensed health care practitioner affiliated with the mental
10 health profession, and approved by the board in rules promulgated in
11 accordance with chapter 1-26;

12 (3) Occur after the person is licensed as a certified social worker; and

13 (4) Be completed within the ten-year period immediately preceding the date of
14 application.

15 **Section 4. That § 36-26-29 be AMENDED:**

16 **36-26-29.** ~~The board may~~ shall promulgate rules pursuant to chapter 1-26 ~~that to~~
17 set standards for professional practice, and establish the procedure for the licensure,
18 eligibility, continuing education, supervision, and examination ~~for~~ of certified social
19 workers, social workers, ~~and~~ social work associates, and certified social workers in private,
20 independent practice.

21 **Section 5.** This Act is effective beginning January 1, 2027.