AN ACT

ENTITLED, An Act to revise certain provisions pertaining to the Board of Examiners of Counselors and Marriage and Family Therapists.

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

Section 1. That § 36-32-13.1 be repealed.

Section 2. That § 36-32-13.2 be repealed.

Section 3. That § 36-32-18 be amended to read as follows:

36-32-18. The board shall require an examination for licensure as a professional counselor or a professional counselor-mental health.

Section 4. That § 36-32-19 be amended to read as follows:

36-32-19. Any applicant failing to pass the examination for licensure is entitled to two reexaminations under the plan of supervision filed with the board.

Section 5. That § 36-32-19.1 be repealed.

Section 6. That § 36-32-41 be amended to read as follows:

36-32-41. A licensed professional counselor may apply to the board for licensure as a licensed professional counselor-mental health (LPC-MH). No person may use the designation LPC-MH unless the person is licensed pursuant to §§ 36-32-41 to 36-32-43, inclusive.

Section 7. That § 36-32-42 be amended to read as follows:

36-32-42. The board shall license an applicant as a LPC-MH if the applicant fulfills the following requirements:

(1) Obtains licensure under this chapter as a licensed professional counselor;

(2) Completes a master's, specialist, or doctoral degree with an emphasis in mental health counseling from a counseling program approved by the Council for Accreditation of Counseling and Related Educational Programs as listed in the Directory of Accredited

Programs, July 1991, or an equivalent program as demonstrated by studies in the following areas:

(a) The general principles and practices of etiology, diagnosis, treatment, and prevention of mental and emotional disorders and dysfunctional behavior, and the general principles and practices for the promotion of optimal mental health;

(b) The specific models and methods for assessing mental status and the identification of mental illness or abnormal, deviant, or psychopathologic behavior by obtaining appropriate behavioral data using a variety of techniques, including nonprojective personality assessments and achievement, aptitude, and intelligence testing, and translating findings into the Diagnostic and Statistical Manual categories, as adopted by the board by rules promulgated pursuant to chapter 1-26;

(c) The specific theories of psychotherapy for initiating, maintaining, and terminating therapy with a mentally and emotionally impaired client or a client with disabilities in a variety of settings using a variety of modalities, including crisis intervention, brief, intermediate, and long-term modalities;

(d) The basic classification, indications, and contraindications of the commonly prescribed psychopharmacological medications for the purpose of identifying the effects and side effects of prescribed psychotropic medications;

(e) The guidelines for conducting an intake interview and mental health history for planning and managing of client caseload; and

(f) The specific concepts and ideas related to mental health education, outreach, prevention, and mental health promotion;

(3) Completes two years of clinical experience and supervision under a licensed mental health professional after receiving a master's degree. The supervising mental health professional

must hold the highest level of licensure within that supervisor's profession. Clinical experience must consist of two thousand hours of direct client contact in a clinical setting. Supervision must consist of one hundred hours of direct supervision, at least fifty hours of which shall be face-to-face. The balance may be face-to-face or by telephone conferencing or interactive video conferencing. However, any telephone conferencing or interactive video conferencing must be secure such that reasonable precautions have been taken to ensure that the conference will not be intercepted or listened to by unauthorized persons; and

(4) Passes an examination approved by the board for the purpose of assessing an applicant's knowledge in the content areas of mental health counseling.

Section 8. That § 36-32-43 be amended to read as follows:

36-32-43. The board shall promulgate rules pursuant to chapter 1-26 regarding standards for professional practice, licensing, eligibility, continuing education, ethical standards, supervision, and examination of an applicant for and a holder of licensure as a licensed professional counselor-mental health. The board shall set fees pursuant to chapter 1-26 of not more than one hundred fifty dollars for examination, not more than seventy-five dollars for initial licensure, and not more than seventy-five dollars for annual renewal of licensure.

Section 9. That § 36-32-44 be amended to read as follows:

36-32-44. Supervision received in pursuit of licensure as a licensed professional counselor, if the supervising mental health professional holds the highest level of licensure within that supervisor's profession, and clinical experience consisting of direct client contact in a clinical setting accumulated in pursuit of licensure as a licensed professional counselor, may be applied to fulfill the licensing requirements of a licensed professional counselor--mental health. No more than fifty hours of such supervision and no more than one thousand hours of such clinical experience may be applied to the

licensing requirements of a licensed professional counselor--mental health.

Section 10. That § 36-32-45 be repealed.

Section 11. That § 36-33-11 be amended to read as follows:

36-33-11. The board shall require an examination for licensure.

Section 12. That § 36-33-12 be amended to read as follows:

36-33-12. Any applicant who fails an examination required by the board is entitled to three reexaminations under the plan of supervision filed with the board.

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I certify that the attached Act originated in the

SENATE as Bill No. 14

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Secretary of the Senate

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President of the Senate

Attest:

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Secretary of the Senate

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Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 14
File No. ____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State