AN ACT

ENTITLED, An Act to provide for the licensing of a professional counselor, professional counselor-mental health, or marriage and family therapist licensed in another state under certain circumstances and to declare an emergency.

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

Section 1. That § 36-32-16 be amended to read:

36-32-16. Notwithstanding the provisions of § 36-32-13, the board may issue a license to an applicant licensed to practice counseling in another state if the applicant demonstrates the following qualifications:

(1) Verification from the authority that issued the license that:

(a) The applicant is currently licensed and has been licensed by the authority for at least three years; and

(b) The applicant is in good standing with the authority;

(2) Verification from the applicant that the applicant has an active practice in the state of current licensure;

(3) Verification that the applicant passed the national counselor examination; and

(4) An absence of unprofessional conduct by the applicant.

For purposes of this section, the term, active practice, means the applicant accumulated at least one thousand five hundred hours of clinical experience in the three years immediately preceding the application.

Section 2. That chapter 36-32 be amended by adding a NEW SECTION to read:

Notwithstanding the provisions of § 36-32-42, the board may issue a license to an applicant licensed to practice mental health counseling in another state if the applicant demonstrates the following qualifications:

(1) Verification from the authority that issued the license that:

(a) The applicant is currently licensed and has been licensed for at least five years;

(b) The applicant has been licensed at the highest level of independent practice in the state for at least three years; and

(c) The applicant is in good standing with the authority;

(2) Verification from the applicant that the applicant has an active practice in the state of current licensure;

(3) Verification that the applicant passed the national counselors examination;

(4) Verification that the applicant passed the national clinical mental health counselor examination; and

(5) An absence of unprofessional conduct by the applicant.

For purposes of this section, the term, active practice, means the applicant accumulated at least one thousand five hundred hours of clinical experience in the three years immediately preceding the application.

Section 3. That § 36-33-18 be amended to read:

36-33-18. Notwithstanding the provisions of § 36-33-9, the board may issue a license to an applicant licensed to practice marriage and family therapy in another state if the applicant demonstrates the following qualifications:

(1) Verification from the authority that issued the applicant's license that:

(a) The applicant is currently licensed and has been licensed by the authority for at least five years;

(b) The applicant has been licensed at the highest level of independent practice in the state for at least three years; and

(c) The applicant is in good standing with the authority;

(2) Verification from the applicant that the applicant has an active practice in the state of current licensure;

(3) Verification that the applicant passed the national examination for marriage and family therapy; and

(4) An absence of unprofessional conduct by the applicant.

For purposes of this section, the term, active practice, means the applicant accumulated at least one thousand five hundred hours of clinical experience in the three years immediately preceding the application.

Section 4. That ARSD 20:68:01:04 be repealed.

Section 5. That ARSD 20:71:02:03 be repealed.

Section 6. That ARSD 20:73:01:03 be repealed.

Section 7. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to provide for the licensing of a professional counselor, professional counselor-mental health, or marriage and family therapist licensed in another state under certain circumstances and to declare an emergency.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1040

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Chief Clerk

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_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1040
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