

AN ACT

ENTITLED, An Act to revise certain provisions related to social work licensure.

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

Section 1. That § 36-26-15 be amended to read as follows:

36-26-15. The board shall issue a license as a social worker to an applicant who:

- (1) Has a baccalaureate degree in a social work or social welfare program accredited by the council on social work education; and
- (2) Has passed an examination prepared by the board for this purpose; or
- (3) Has been granted licensure or applied and met qualifications under this section prior to July 1, 2015.

Section 2. That § 36-26-32 be amended to read as follows:

36-26-32. The board may deny, revoke, suspend, or cancel any license or application for licensure to practice as a certified social worker, social worker, or social work associate and may take such other disciplinary or corrective action as the board deems appropriate upon any one or more of the following grounds:

- (1) The licensee or applicant is guilty of fraud in the practice of social work or fraud or deceit in the licensee's admission to the practice of social work;
- (2) The licensee or applicant has been convicted during the past five years of a felony. The conviction of a felony shall be the conviction of any offense, which if committed within the State of South Dakota would constitute a felony under the laws thereof;
- (3) The licensee or applicant is engaged in the practice of social work under a false or assumed name and has not registered that name pursuant to chapter 37-11, or is impersonating another practitioner of a like or different name;
- (4) The licensee or applicant is addicted to the use of intoxicating liquors, narcotics or

stimulants to such an extent as to incapacitate him or her from the performance of his or her professional duties;

- (5) The physical or mental condition of the licensee or applicant is determined by a competent medical examiner to be such as to jeopardize or endanger those who seek relief from the licensee or applicant. A majority of the board may demand an examination of the licensee or applicant by a competent medical examiner selected by the board at the board's expense. If the licensee or applicant fails to submit to the examination, this shall constitute immediate grounds for suspension of the licensee's license or denial of the application for licensure;
- (6) The licensee or applicant has been found in violation of the code of ethics of the National Association of Social Workers;
- (7) Obtaining or attempting to obtain a license, certificate, or renewal thereof by bribery or fraudulent representation;
- (8) Knowingly making a false statement in connection with any application under this chapter;
- (9) Knowingly making a false statement on any form promulgated by the board in accordance with this chapter or the rules promulgated under this chapter;
- (10) The licensee or applicant has violated any provision of this chapter or the rules promulgated under this chapter; and
- (11) Cancellation, revocation, suspension, or refusal to renew a certificate, license, or permit to engage in the practice of social work in any other state for any cause.

Section 3. That § 36-26-38 be amended to read as follows:

36-26-38. The secretary-treasurer of the board shall keep a record by entering the name of each person who has been granted a license pursuant to the provisions of this chapter, the license number,

and the date the license was issued or renewed. The record may be admitted as evidence in any court. The original records of the board shall be kept at the office of the secretary-treasurer of the board. The secretary-treasurer shall furnish any person requesting a copy of any record, certified by the secretary-treasurer, upon payment of a fee of twenty-five cents per page.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1013

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. 1013

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