

AN ACT

ENTITLED, An Act to authorize the Board of Social Worker Examiners to deny, suspend, or revoke applications for licensure or licenses under certain circumstances and repeal certain physical examination provisions.

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

Section 1. 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 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 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 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 2. That § 36-26-20 be repealed.

An Act to authorize the Board of Social Worker Examiners to deny, suspend, or revoke applications for licensure or licenses under certain circumstances and repeal certain physical examination provisions.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1029

\_\_\_\_\_  
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. 1029  
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