

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

391J0386

SENATE HEALTH AND HUMAN SERVICES COMMITTEE ENGROSSED NO. **SB 131** - 02/04/2004

Introduced by: Senators Duenwald and Ham-Burr and Representatives Miles, Bradford, Glenski, Hennies, Klaudt, Michels, and Van Norman

1 FOR AN ACT ENTITLED, An Act to revise the hours of supervision required for certification
2 as a licensed professional counselor - mental health.

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

4 Section 1. That § 36-32-42 be amended to read as follows:

5 36-32-42. The board shall certify an applicant as a LPC-MH if the applicant fulfills the
6 following requirements:

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

8 (2) Completes a master's, specialist, or doctoral degree with an emphasis in mental health
9 counseling from a counseling program approved by the Council for Accreditation of
10 Counseling and Related Educational Programs as listed in the Directory of
11 Accredited Programs, July 1991, or an equivalent program as demonstrated by
12 studies in the following areas:

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



1 health;

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

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

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

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

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

20 (3) Completes ~~three~~ two years of clinical experience and supervision under a licensed
21 mental health professional after receiving a master's degree. The supervising mental
22 health professional must hold the highest level of licensure within that supervisor's
23 profession. Clinical experience must consist of two thousand hours of direct client
24 contact in a clinical setting. Supervision must consist of one hundred ~~fifty~~ hours of

1 ~~direct, face-to-face~~ supervision, at least fifty hours of which shall be face-to-face. The
2 balance may be face-to-face or by telephone conferencing or interactive video
3 conferencing. However, any telephone conferencing or interactive video conferencing
4 must be secure such that reasonable precautions have been taken to ensure that the
5 conference will not be intercepted or listened to by unauthorized persons;

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

8 Section 2. That chapter 36-32 be amended by adding thereto a NEW SECTION to read as
9 follows:

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

18 Section 3. That chapter 36-32 be amended by adding thereto a NEW SECTION to read as
19 follows:

20 Any person pursuing certification as a licensed professional counselor or a licensed
21 professional counselor - mental health who filed a supervision plan before July 1, 2004, may
22 submit a revised supervision plan in accordance with this Act. The period of time during which
23 the person accumulated clinical experience and received qualifying supervision and the actual
24 hours of clinical experience completed and supervision received before July 1, 2004, shall be

1 credited to the person's revised supervision plan. The board shall accept the period of time and
2 the actual hours in the revised plan if the period of time and the actual hours are in accord with
3 section 2 of this Act.