

**67:16:41:01. Definitions.** Terms used in this chapter mean:

- (1) "Certified social worker - PIP," an individual certified under SDCL 36-26-17;
- (2) "Certified social worker - PIP candidate," an individual as defined in § 20:59:01:01 who is licensed as a certified social worker under SDCL 36-26-14 and is working toward becoming a certified social worker - PIP under an approved supervision agreement as required by § 20:59:05:05;
- (3) "Clinical nurse specialist," an individual who is licensed under SDCL 36-9-85 to perform the functions contained in SDCL 36-9-87;
- (4) "Collateral contact," telephone or face-to-face contact with an individual other than the recipient receiving treatment to plan appropriate treatment, to assist others in responding therapeutically regarding the recipient's difficulty or illness, or to link the recipient, family, or both to other necessary and therapeutic community support;
- (5) "Diagnostic assessment," a written comprehensive evaluation of a set of symptoms which indicate a diagnosis of a mental disorder and which meet the requirements of § 67:16:41:04;
- (6) "Family," a unit of two or more persons related by blood or by past or present marriage. A family may also include other individuals living either in the same household with the recipient, individuals who will reside in the home in the future, or individuals who reside elsewhere only if the individual's participation is necessary to accomplish treatment plan goals and are considered an essential and integral part of the family unit identified in the treatment plan;
- (7) "Group," a unit of at least two but no more than ten individuals who, because of the commonality and the nature of their diagnoses, can derive mutual benefit from psychotherapy and it can be demonstrated to be medically necessary for the individuals to jointly participate in order to accomplish treatment plan goals through a group psychotherapy session;
- (8) "Licensed professional counselor - mental health" "LPC-MH," an individual certified under SDCL 36-32-41 to 36-32-43, inclusive;
- (9) "Licensed professional counselor working toward a mental health designation," an individual who is licensed as a licensed professional counselor under SDCL 36-32-13 and is working toward a mental health designation under the supervision required by SDCL 36-32-42;
- (10) "Licensed marriage and family therapist," an individual licensed under SDCL 36-33-9 or 36-33-18;
- (11) "Mental disorder," an organic disorder of the brain or a clinically significant disorder of thought, mood, perception, orientation, or behavior;

(12) "Mental health services," nonresidential psychiatric or psychological diagnostic and treatment that is goal-oriented and designed for the care and treatment of an individual having a primary diagnosis of a mental disorder;

(13) "Mental health treatment," goal-oriented therapy designed for the care and treatment of an individual having a primary diagnosis of a mental disorder;

(14) "Psychologist," for services provided in South Dakota, a person licensed under SDCL 36-27A-12 or 36-27A-13; for services provided in another state, a person licensed as a psychologist in the state where the services are provided. For purposes of the medical assistance program, a person practicing under SDCL 36-27A-11 is specifically excluded;

(15) "Psychotherapy," the face-to-face treatment of a recipient through a psychological or psychiatric method. The treatment is a planned, structured program based on a primary diagnosis of mental disorder and is directed to influence and produce a response for a mental disorder and to accomplish measurable goals and objectives specified in the recipient's individual treatment plan;

(16) "Psychotherapy session," a planned and structured face-to-face treatment episode between a mental health provider and one or more recipients; and

(17) "Treatment plan," a written, individual, and comprehensive plan which is based on the information and outcome of the recipient's diagnostic assessment and which is designed to improve the recipient's mental disorder.

**Source:** 22 SDR 6, effective July 26, 1995; 26 SDR 168, effective July 1, 2000; 37 SDR 53, effective September 23, 2010; 45 SDR 82, effective December 10, 2018.

**General Authority:** SDCL 28-6-1(1)(2)(4).

**Law Implemented:** SDCL 28-6-1(1)(2)(4).