

Who May File a Complaint?

Anyone who thinks a SD-licensed psychologist, psychological assistant, or trainee/resident working under a SD psychologist's license has acted illegally, unprofessionally, or unethically may file a complaint with the SD Board of Examiners of Psychologists.

What Types of Complaints Does the Board Handle?

Complaints under the SD Board of Examiners of Psychologist's jurisdiction include the following behavior by a psychologist, psychological assistant, etc.:

- sexual contact with a patient, even if consensual
- violating the patient's confidentiality
- providing services for which the individual has not been trained or licensed
- drug abuse
- fraud or other crimes
- false advertising
- paying or accepting payment for patient referral
- serving in multiple roles; for example, having social relationships with patients, lending them money, employing them, etc.
- unprofessional, illegal, unethical, or negligent acts

What Types of Complaints Are Outside the Board's Jurisdiction?

RESPONSE: The Board has no authority over the following:

- fee or billing disputes
- general business practices
- personality conflicts
- persons who are licensed by other boards (for example, physicians, nurses, dentists, clinical social workers; marriage, family, and child counselors; educational psychologists; psychiatrists; or psychiatric technicians)
- Complaints that fall within another SD Board's jurisdiction will be referred to the appropriate board and you will be notified.

Can I File an Anonymous Complaint?

An anonymous complaint can certainly be submitted to the SD Board of Examiners of Psychologists and any complaint received will be reviewed;

however, follow-up to anonymous complaints may be impossible unless the submission contains adequate documented evidence of the allegations made. Thus, anonymous complaints likely limit the Board's ability to fully investigate and respond to the complaint in the same manner as a complaint by an identified individual. The Board could also not guarantee that the psychologist will not be able to identify you from the nature of the complaint.

Should I Report Unlicensed Practice to the Board?

Yes. If you have evidence that an unlicensed person is participating in activities that require a license (e.g., claiming to be a psychologist but do not have a license to practice as a psychologist in SD), you should report the individual to the Board. The Board will investigate the allegations and, if sufficient evidence is found, will forward the information to the local District Attorney for criminal prosecution.

How Will My Complaint Be Processed?

The board has a set complaint procedure it follows in response to receipt of a complaint. That complaint procedure is outlined in this chart.

[Flow Chart](#)

The board office will notify complainants of receipt of the complaint. There is no set timeframe of how long a complaint investigation will take, as this largely depends on the nature of the complaint and the responsiveness of those involved in the complaint. If you have questions regarding the complaint process or wish to discuss the possibility of filing a complaint, you may call the Board office at (605) 642-1600. Note: Everyone has the right to file a complaint without fear of harassment. If you feel you are being harassed by the licensee/ registrant you have complained about, you should notify the Board immediately.