

STATE OF SOUTH DAKOTA
DEPARTMENT OF SOCIAL SERVICES

BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF APPLICATION)	SWE 18-01
OF CHARLES HUYCK FOR)	FINDINGS OF FACT AND
RENEWAL OF LICENSURE AS A)	CONCLUSIONS OF LAW
CERTIFIED SOCIAL WORKER)	

The above-captioned matter came before the Board of Social Work Examiners (“the Board”) on Tuesday, August 20, 2019. Charles Huyck appeared personally without an attorney. Assistant Attorney General Quincy Kjerstad also appeared, representing the State. Board members and staff were present. The Board being otherwise fully informed of the facts and issues pertinent to this matter issues the following:

FINDINGS OF FACT

1. An administrative hearing concerning the above-captioned matter was held April 24, 2018, in Pierre, Dakota.
2. The hearing officer issued proposed Findings of Fact, Conclusions of Law, and a recommendation to the Board that Huyck undergo a mental examination before being issued a license.
3. The Board adopted the hearing officer’s Findings of Fact and Conclusions of Law.
4. The hearing officer’s Findings of Fact and Conclusions of Law are incorporated into these Findings of Fact and Conclusions of Law by reference.
5. Huyck has requested a renewal of his license to practice as a certified social worker in private independent practice in South Dakota.
6. The Board ordered Huyck to undergo a mental-health examination by a competent medical examiner on September 25, 2018. The Board warned that

a failure to submit to that mental examination would result in a denial of Huyck's request for renewal of licensure as a Certified Social Worker.

7. The Board informed Huyck that it arranged a mental-health examination with a professional in Rapid City, South Dakota. That correspondence was sent by certified mail on November 8, 2018. The postal service was unable to forward that letter.
8. The Board then electronically mailed that correspondence to Huyck on December 10, 2018. Huyck responded to that email.
9. Huyck never submitted himself to a mental-health examination as ordered by the Board.
10. The State of Michigan's Department of Licensing and Regulatory Affairs filed a complaint against Huyck. That complaint alleged Huyck violated Michigan's laws regarding his licensure in that state.
11. Michigan revoked Huyck's license to practice as a licensed master's social worker on December 26, 2017.
12. To the extent any of the foregoing are improperly designated and are instead conclusions of law, these findings are hereby redesignated and incorporated herein as conclusions of law.

CONCLUSIONS OF LAW

1. The Board of Social Work Examiners is empowered to protect the public by setting standards of qualification, education, training, and experience for each person engaging in the practice of social work. It promotes high standards of professional performance for any person engaged in the profession of social work.
2. SDCL 36-26-32(5) allows the Board to demand an examination of a licensee by a competent medical examiner.
3. A failure to submit to an examination shall serve as immediate grounds for the Board to deny an application for licensure.
4. Huyck failed to submit to mental-health examination ordered by the Board of Social Work Examiners.
5. That failure to submit to a mental-health examination constitutes a ground for the Board to deny Huyck's application to renew his license.

6. SDCL 36-26-32(11) provides that the Board may deny any application for licensure to practice as a certified social worker when that applicant's license to practice social work in another state is revoked.
7. Michigan revoked Huyck's license to practice social work.
8. That revocation constitutes a ground for the Board to deny Huyck's application to renew his license.
9. To the extent any of the foregoing are improperly designated and are instead findings of fact, these conclusions are hereby redesignated and incorporated herein as findings of fact.

ORDER

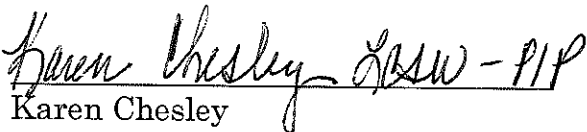
IT IS ORDERED that these Findings of Fact and Conclusions of Law are hereby adopted by the Board and incorporated into this Order.

IT IS FURTHER ORDERED that Charles Huyck's request for renewal of licensure as a Certified Social Worker in Private Independent Practice is DENIED.

Huyck may appeal the decision of the Board within 30 days.

Dated this 29th day of October, 2019

BOARD OF SOCIAL WORK EXAMINERS


Karen Chesley
Board President