

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

Minutes: March 9, 2017

Public Board Meeting

1. **Pierre - Public DDN site:** CAP A, 500 E. Capitol Ave., Room B12, Pierre, SD 57501
2. **Rapid City - Public DDN site:** Rapid City Dept. of Transportation (DOT), 2300 Eglin St., Rapid City, SD 57703
3. **Board Conference Room:** 101 N. Main Ave., Suite 215, Sioux Falls, SD 57104

Thursday, March 9, 2017 – 9:00 am (CDT)

Boards Members:

Present: Kevin Bjordahl, MD; Mr. Corey Brown; Walter Carlson, MD; Mr. Richard Hainje; Laurie Landeen, MD; Brent Lindbloom, DO; Jennifer May, MD; Elmo Rosario, MD

Absent: Dr. Jeffrey Murray

Board Staff:

Present: Margaret Hansen, PA-C; Mr. Tyler Klatt; Ms. Jane Phalen; Ms. Misty Rallis

Counsel:

Present: Assistant AG Steven Blair (Board), Assistant AG William Golden (Staff)

Attendees providing testimony:

Ste. 215: Ms. Brittany Wangsness – LazaDerm, Sioux Falls, SD

Tammie Soberg – Dimensions Salon, Sioux Falls, SD

Laura McElroy – Laura Mac Beauty, Sioux Falls, SD

The meeting was a public meeting and other individuals may have been present.

Dr. Walter Carlson, president of the Board, called the meeting to order at 9:00 am (CST). Roll was called and a quorum was confirmed. Dr. Carlson welcomed the new Board members Mr. Corey Brown, Mr. Richard Hainje, and Dr. Jennifer May.

Consent Agenda:

- March 9, 2017 agenda
- December 1, 2016 Board meeting minutes
- November 15, 2016 through February 15, 2017 new licensure list
- Advisory Committee Business
- Financial report
- Docket review

A motion for unanimous approval of the consent agenda was ratified by roll call vote (May/unanimous).

- Closed physician hearings – Physician hearings are confidential until final action is taken pursuant to SDCL 36-4-31.5. The assigned board member does not participate in discussion or vote.
 - Ramon A. Morales, DO: A motion to approve the Stipulation and Agreement, if Dr. Morales agrees with the correction of a scrivener's error, and issue the conditioned license to Dr. Morales was ratified by roll call vote (Carlson/unanimous).
 - Joseph P. Riley, DO: A motion to approve the Consent Agreement for Reprimand with Stipulations was ratified by roll call vote (Brown/unanimous) Dr. Bjordahl was recused from the vote.
- The Executive Director Report was accepted for information
- 9:55 am (CST) Public Hearing on Petition for Declaratory Ruling - Microblading:
 - Written comments were provided by Laura McElroy, Alicia B. Collura, Tammie Soberg, Graham Oey, Kimberly Hester, Fallon Deutsch, and Brittany Wangsness. Testimony was provided by Laura McElroy, Brittany Wangsness, and Tammie Soberg. A motion to continue this hearing to the June 8, 2017 Board meeting in order to prepare

Findings of Fact and Conclusions of Law to be presented to the Board were ratified by roll call vote (Lindbloom/unanimous).

- 10:50 am (CST) Public Hearing on Proposed Administrative Rules numbered §§ 20:63:01, 20:63:02, and 20:63:03:
 - No written or public comments were received and no testimony was offered. A motion to amend the proposed rules to include any Legislative Research Council comments related to style and form was ratified by roll call vote (May/unanimous). A motion to adopt the proposed rules as amended was ratified by roll call vote (Brown/unanimous). The next step in the rules process is a review by the Interim Rules Review Committee.

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- Draft Language for proposed administrative rules:
 - Disciplinary action taken by another state licensing authority: A motion to approve the language and move forward in the process was ratified by roll call vote (Bjordahl/Unanimous)
 - Supervision by spouses: Discussion centered on the board's existing ability to monitor this effectively through ethics rules and supervisory agreements; a motion to proceed accordingly was ratified by roll call vote (Landeem/unanimous)
 - 11:05 am (CST) Executive session: a motion to enter executive session pursuant to SDCL 1-25-2(1) (3) (4) {personnel issues, consult with legal counsel, address contracts and negotiations} was ratified by roll call vote (Lindbloom/unanimous)

The meeting adjourned at 1:15 pm (CST).