



South Dakota BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

Annual Report FY2015

A summary of Board activities from July 1, 2014 to June 30, 2015.

BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS FY2015 ANNUAL REPORT

ABOUT THE BOARD



South Dakota Board of Medical and Osteopathic Examiners

101 N. Main Ave., Suite 301 and 215 Sioux Falls, SD 57104

Phone 605-367-7781

Fax 605-367-7786

www.sdbmoe.gov

sdbmoe@state.sd.us

The Board of Medical and Osteopathic Examiners (Board) protects the health and welfare of the state's citizens by ensuring that qualified medical health care professionals are licensed to practice in South Dakota.

The Board licenses and regulates over 9,000 licenses within fourteen different medical categories. The Board also co-regulates medical professions with the Board of Nursing.

The Board supports and promotes the Health Professionals Advocacy Program which administers a program to advocate for and monitor the recovery and/or rehabilitation of impaired healthcare providers.

The Board has significant authority over licensees and establishing regulations by proposing legislation or adopting administrative rules.

The Board meets quarterly or more often as needed and the meetings are open to the public. The meeting

agenda is posted to the Board website, sdbmoe.gov, and on the front door of the Board office building.

The Board has nine volunteer members appointed by the Governor: six allopathic physicians or doctors of medicine (MD) and one osteopathic physician or doctor of osteopathic medicine (DO), and two non-physicians.

All final decisions are made by the full Board. The Board uses advisory committees, panels, and the board staff to assist with recommendations for final decisions. The advisory committees are approved by the full Board. The Board employs a professional staff comprised of an executive director and support staff to assist the Board in the regulation of its licensees.

The Board is administratively assigned to the South Dakota Department of Health. The Board does not receive a general fund appropriation. It is funded solely with the fees collected from licensing and other services provided by the Board.

MEMBERS OF THE BOARD



Kevin L. Bjordahl, MD



Deb K. Bowman



Walter O. Carlson, MD,
MBA; Vice President



Mary S. Carpenter,
MD: President



David K. Erickson, MD



Laurie B. Landeen, MD



Brent J. Lindbloom,
DO; Secretary



David E. Lust, JD



Jeffrey A. Murray, MD

The Board has nine volunteer members: six allopathic physicians, or doctors of medicine (MD), and one osteopathic physician, or doctor of osteopathic medicine (DO), and two non-physician or lay person members (*defined in statute as "...users of the services regulated by the board. One lay member may be a nonphysician health care professional licensed by the board"*). All of the Board members are appointed by the Governor. Term limits were enacted by statute in 2005. Members may serve on the board for a three year term with the possibility of two reappointments for a nine year total term limit. In the event of a resignation or death, a board member may be appointed to complete an unexpired term prior to being appointed to their first three year term. Members receive per diem and expenses that follow state reimbursement policies. Annual officer elections are held at a May or June board meeting. Board member biographies are available on the Board's website: www.sdbmoe.gov

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BOARD MEMBER

Mary Carpenter, MD
Winner, SD

Walter Carlson, MD
Sioux Falls, SD

Brent Lindbloom, DO
Pierre, SD

Kevin Bjordahl, MD
Milbank, SD

Deb Bowman
Pierre, SD

David Erickson, MD
Sioux Falls, SD

Laurie Landeen, MD
Sioux Falls, SD

David Lust, JD
Rapid City, SD

Jeffrey Murray, MD
Sioux Falls, SD

*Appointed to complete term of
John Vander Woude, MD

**APPOINTMENTS and
REAPPOINTMENTS**

2006, 2013

2011, 2014

2003, 2014

2013

2014

2006, 2013

2013

2015

2012*, 2015

**CURRENT TERM
EXPIRATION DATES**

October 30, 2016

October 30, 2017

October 30, 2017

October 30, 2015

October 30, 2016

October 30, 2015

October 30, 2016

October 30, 2018

October 30, 2017

JUNE 2014 -2015 OFFICERS

Mary Carpenter, MD, President

Walter Carlson, MD, Vice President

Brent Lindbloom, DO, Secretary

ELECTED – RE-ELECTED

Acting President 2012,
2013, 2014

2013, 2014

2013, 2014

EXPIRES

June 2015

June 2015

June 2015



June 2014 Federation of State Medical Board (FSMB) and CEO President Humayun J. Chaudhry, DO; Board Executive Director Margaret B. Hansen, PA-C; FSMB Liaison Director Jon Thomas, MD; Board member Jeffrey A. Murray, MD; Board member Bernie W. Christenson; Board member Deborah K. Bowman; Board member Laurie B. Landeen, MD; SDBMOE Vice President Walter O. Carlson, MD; Board Secretary Brent J. Lindbloom, DO; Board member David K. Erickson, MD; and Board member Kevin L. Bjordahl, MD.

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EXECUTIVE DIRECTOR'S REPORT

The Board members and staff are committed to protecting the health and welfare of the state's citizens by assuring that only qualified medical professionals are licensed to practice in South Dakota. The regulatory responsibilities of the Board include enforcement of statutes, administrative rules, and practice standards.

Through effective and efficient licensure, the Board protects the public by ensuring that these practitioners have the education, training, and skill to practice safely. By adopting and enforcing regulations, the Board responds to complaints from patients, issues regarding competency, and reports from medical entities, facilities, and other sources. The Board will impose sanctions against licensees who practice below the standards of care or act unprofessionally.

The Board currently administers over 9,200 active licensees in 14 healthcare professions, corporations and limited liability companies within South Dakota. The Board co-regulates advanced practice nurses with the South Dakota Board of Nursing. The Board's administrative functions include the issuance, renewal, and maintenance of over thirty (30) different license types including: licenses, permits, registrations, and certificates. Additional functions include the inspection and investigation of complaints regarding licensees.

From July 1, 2014 to June 30, 2015:

- A total of 1163 new licenses were issued.
- A total of 455 complaint files were opened. The Board places great emphasis on completing timely and fair investigations that result in appropriate action.
- Ten (10) administrative rules were adopted to define what constitutes a conflict of interest or a potential conflict of interest related to hearings held by the Board of Medical and Osteopathic Examiners, and to add a code of ethics to the existing rules for the professionals regulated by the Board.
- The Board held the following public meetings: four (4) regular meetings, one (1) teleconference meeting, one (1) declaratory rule hearing, and one (1) administrative rules hearing.
- There were four (4) administrative law hearings held during the year and the Board made final decisions on the recommendations during one of the public meetings mentioned above.
- OUTREACH EFFORTS: Make life easier for our customers.
 - Education: The executive director and staff continue to meet and provide outreach to medical schools, residency programs, healthcare recruiters, clinic managers, health system administrators, state regulatory boards, and associations as well as with the Board's licensees.
 - In-office assistance for applications: 1,089, requests for "renewal and general questions"
 - Phone and general email totals: 28,640
 - Training Meetings for Academic Program Directors & Coordinators, Healthcare Systems Recruiters, Board & Advisory Members: 1,671

Much has been accomplished in the past year. The Board and its staff continue to seek ways to improve, strengthen, and enhance services provided to the public and licensees. The Board and its staff remain committed to public protection and excellent customer service for South Dakota citizens.

More information about the Board's work is available in the agendas, minutes, reports and website documents.



Margaret B. Hansen, PA-C, MPAS, CMBE
Executive Director

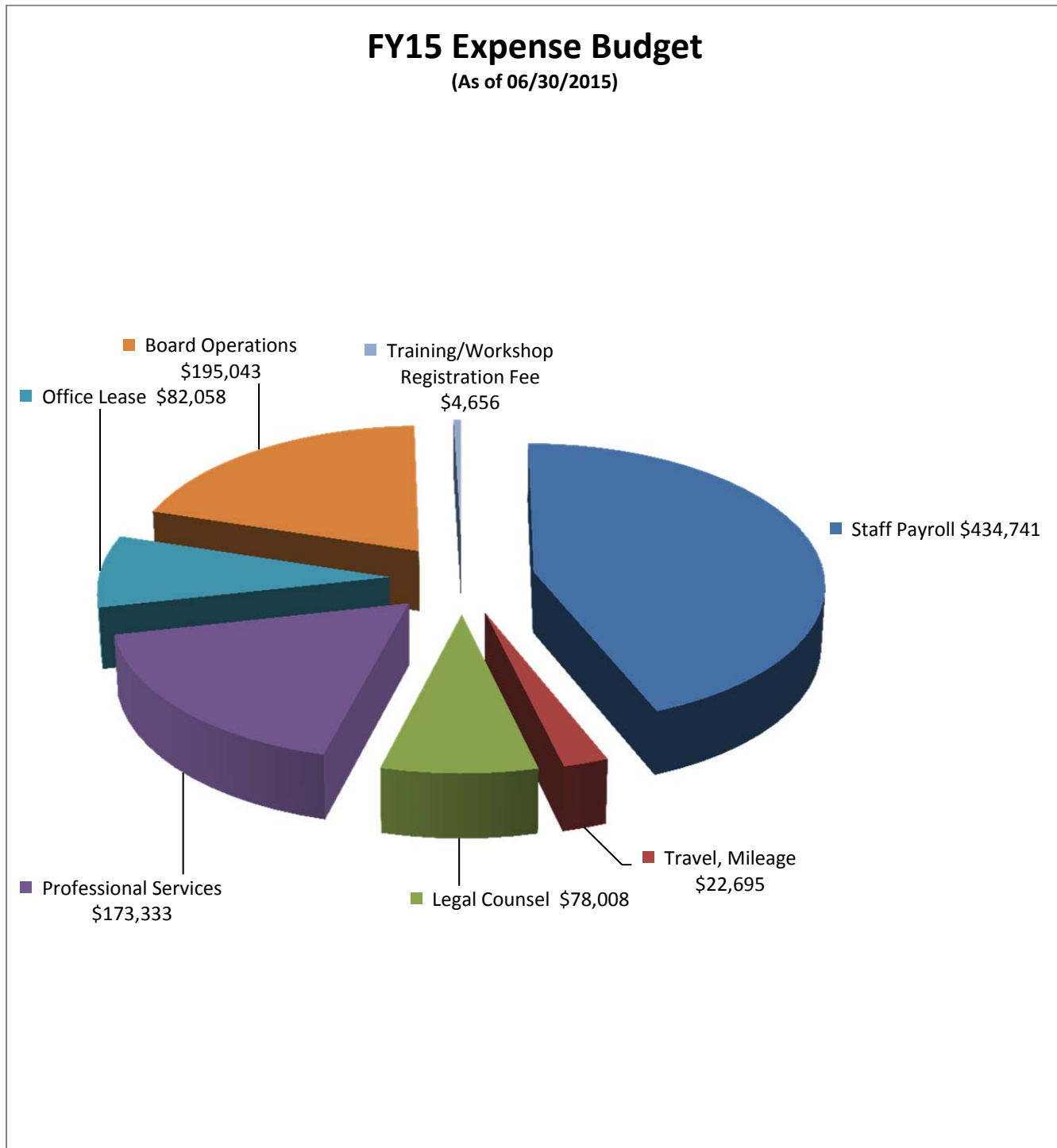
www.sdbmoe.gov

101 N Main Ave Ste 301 Sioux Falls SD 57104

Office 605-367-7781 Cell 605-941-2800

Email: Margaret.Hansen@state.sd.us

FY2015 EXPENSE BUDGET



The Board of Medicine’s expense budget for Fiscal year 2015 (July 1, 2014 through June 31, 2015) is \$1,011,493. The FY2015 anticipated revenue is \$1,185,750.

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2014 MEETING SCHEDULE

MEETINGS

- March 13
- June 12
- September 11
- December 4

TELECONFERENCES

- January 23
- April 28
- April 28

The screenshot shows the website for the South Dakota Board of Medical & Osteopathic Examiners. The header includes the state seal, the board's name, and contact information for Margaret B. Hansen, Executive Director. The main navigation menu is on the left, with 'Meeting Minutes' selected. The 'Meeting Minutes' section lists five dates: December 4, 2014; September 11, 2014; June 12, 2014; April 28, 2014; March 13, 2014; and January 23, 2014. A right-hand sidebar contains various links such as 'Board of Medicine Home', 'Forms and Helpful Links', 'Laws and Rules', 'Licensee Look-Up', 'Online Verifications', 'Board Actions', 'Board Information', 'Statements', and 'Complaints'.

South Dakota Board of Medical & Osteopathic Examiners
Margaret B. Hansen, PA-C, MPAS, Executive Director
101 N Main Ave, Suite 301
Sioux Falls, SD 57104
605-367-7781

Quick Links
○ [Home](#)
○ [Account Login](#)
○ [Licensee Look-Up](#)

Feedback
[Provide Feedback](#)

Search

[Home](#)

Board Information

[Board Members](#) [Board Staff](#) [Board Meeting Info](#) **[Meeting Minutes](#)**

Meeting Minutes

- [December 4, 2014](#)
- [September 11, 2014](#)
- [June 12, 2014](#)
- [April 28, 2014](#)
- [March 13, 2014](#)
- [January 23, 2014](#)

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CONTESTED CASE HEARINGS

Pursuant to South Dakota Administrative Rules, an applicant for a license, permit, registration, or certificate issued by the board may file a petition for hearing at any time during the processing of an application. The executive secretary may file a petition for hearing to initiate a disciplinary proceeding against a licensee. A petition for hearing shall be signed by the petitioner and contain the following information: the name and address of the applicant or licensee, the basis for the request for hearing, narration of the applicable statutes or regulations for which the petitioner is requesting board action, and the relief requested by the petitioner.

Upon receipt of a petition for hearing, the board president may appoint an examiner to conduct the contested case hearing, or may schedule the contested case hearing before the board, as authorized by applicable statutes. All petitions for hearing shall be filed with the executive secretary; who shall maintain the record of contested case proceedings held before the board.

Contested case hearings shall be conducted in accordance with SDCL [1-26](#). The parties to a hearing are the executive secretary and the applicant or licensee. A board member who has participated in investigation of the matter before the board shall disqualify himself from all deliberations and decisions. If the board hears the proceeding, it shall issue a final decision and require the parties to submit proposed findings of fact and conclusions of law for consideration at the board's next meeting. If a hearing examiner hears the proceeding, the examiner shall issue a proposed decision including findings of fact and conclusions of law. The examiner shall serve the proposed decision upon the board and the parties. The board shall issue a final decision to accept, reject, or modify the findings, conclusions, and decisions of the examiner. The board shall issue a notice of decision, accompanied by the final board decision and findings of fact and conclusions of law, to the applicant or licensee and executive secretary. The applicant or licensee may appeal a final board action to circuit court, and ultimately to the supreme court of South Dakota.

| | |
|---------------------------------------|------|
| | 2015 |
| Administrative Hearings | 4 |
| Hearings before the Board of Medicine | 18 |

ACTIONS OF THE BOARD OF MEDICINE

| | FY 2015 |
|--|---------|
| Stipulation and Agreement | 4 |
| Consent Agreement- Voluntarily Surrender License | 2 |
| Findings of Fact, Conclusions of Law and Recommendation for Fitness to Practice Evaluation | 2 |
| Findings of Fact, Conclusions of Law and Recommendation for Monitoring | 1 |
| Findings of Fact, Conclusions of Law and Recommendation for Denial of Application | 1 |
| Consent Agreement for Revocation of license | 1 |
| Consent Agreement with Reprimand | 3 |
| Consent Agreement with Letter of Concern | 1 |
| Applications withdrawn under investigation | 2 |
| License reinstated without restrictions | 1 |

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ADMINISTRATIVE RULES

The Board of Medical and Osteopathic Examiners administrative rules, which have the weight of law, are found in Articles 20:47, 20:52, 20:61, 20:63, 20:64, 20:66, 20:70, 20:78, 20:82, 20:83 of the South Dakota Administrative Code. Before the Board can adopt a new rule or amend an existing rule, the intended action item must be publicly noticed and reviewed at a public hearing. The proposed change is also subject to review by the Interim Rules Review Committee.

These amendments were noticed and adopted by the Board in FY2015:

- **PHYSICIANS AND SURGEONS - CHAPTER 20:47:08 ETHICS.** The proposed rule will adopt the Code of Medical Ethics of the American Medical Association 2012-2013 edition in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **PHYSICIAN ASSISTANTS – CHAPTER 20:52:02 ETHICS.** The proposed rule will adopt the American Academy of Physician Assistants Guidelines for Ethical Conduct for the Physician Assistant Profession, 2013 in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **ATHLETIC TRAINERS – CHAPTER 20:63:04 ETHICS.** The proposed rule will adopt the Board of Certification Standards of Professional Practice, 2006 in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **OCCUPATIONAL THERAPY AND OCCUPATIONAL THERAPY ASSISTANTS – CHAPTER 20:64:05 ETHICS.** The proposed rule will adopt the American Occupational Therapy Association Occupational Therapy Code of Ethics and Standards, 2010 in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS – CHAPTER 20:66:02 ETHICS.** The proposed rule will adopt the Code of Ethics of the American Physical Therapy Association, 2010 in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **RESPIRATORY CARE PRACTITIONERS – CHAPTER 20:70:03 ETHICS.** The proposed rule will adopt the Statement of Ethics and Professional Conduct of the American Association for Respiratory Care, 2012 in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS – SECTION 20:78:05:09 BOARD MEMBER CONFLICT OF INTEREST.** The proposed rule will define relationships which constitute a conflict of interest for Board members involved in hearings of the Board of Medical and Osteopathic Examiners. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS – SECTION 20:78:05:10 BOARD MEMBER POTENTIAL CONFLICT OF INTEREST.** The proposed rule will define relationships which constitute a potential conflict of interest for Board members involved in hearings of the Board of Medical and Osteopathic Examiners. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**
- **GENETIC COUNSELORS – ARTICLE 20:82.** The proposed rules will establish a new article in the administrative rules for genetic counselors. The proposed rule includes three chapters: Definitions, Licensure Requirements, and Ethics.

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The Licensure Requirements chapter includes a section on fees for licensure and the Ethics chapter will adopt the Code of Ethics of the National Society of Genetic Counselors, 2006 in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**

- **NUTRITION AND DIETETICS – ARTICLE 20:83.** The proposed rules will establish a new article in the administrative rules for nutritionists and dietitians. The proposed rule includes three chapters: Definitions, Licensure Requirements, and Ethics. The Licensure Requirements chapter includes a section on fees for licensure and the Ethics chapter will adopt the American Dietetic Association Commission on Dietetic Registration Code of Ethics for the Profession of Dietetics, 2009 in order to standardize the ethical expectations of licensees and assist in potential disciplinary proceedings. **NOTICED 3/11/15 | ADOPTED 4/20/15 | EFFECTIVE 5/21/15**

LEGISLATION

The Board of Medical and Osteopathic Examiners will amend existing laws or establish new laws that are relevant to the professions regulated by the board.

This legislation was approved in 2015:

SENATE BILL 63 – The purpose of this legislation was to adopt the Interstate Medical Licensure Compact

INTERSTATE MEDICAL LICENSURE COMPACT

Special Board Meeting July 21, 2015 Summary:

The BMOE held a special board meeting July 21st and appointed board member Dr. Mary S. Carpenter and executive director Margaret Hansen as South Dakota's commissioners to the Interstate Medical Licensure Compact Commission which will be organized this year. On March 11th, Governor Dugaard signed legislation allowing South Dakota to join the compact



DBMOE member Deb Bowman, SDBMOE President Mary Carpenter, MD, SDBMOE Executive Director Margaret Hansen, SDAHO CEO Scott Duke, Susan Sporrer of the South Dakota Department of Health; SDSMA lobbyists Dean Krogman and Justin Bell, Sen. Deb Soholt, Secretary of Health Kim Malsam-Rysdon, Rep. Scott Munsterman, Nick Kotzea of Sanford Health with Gov. Dennis Dugaard after signing SB 63.

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Interstate Medical Licensure Compact Press Conference

BMOE executive director Margaret Hansen was an invited panel participant for a press conference regarding the Interstate Medical Licensure Compact at the National Press Club in Washington DC on June 24, 2015. The press conference included representatives of state medical boards, policymakers and health care leaders speaking about the new Interstate Medical Licensure Compact and its impact on the U.S. health care system.



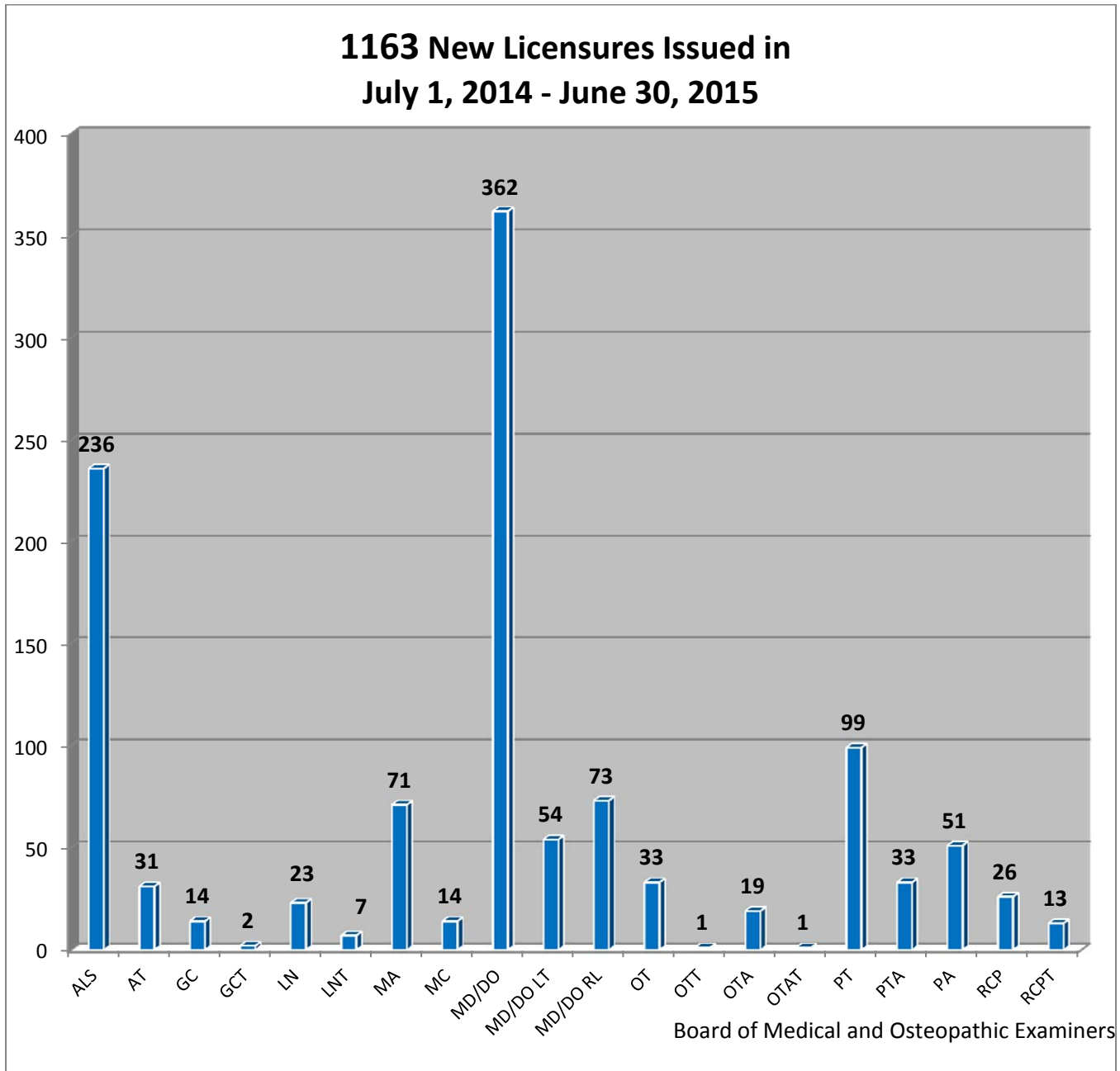
Utah State Representative Raymond Ward, MD, Minnesota Board member Jon Thomas, South Dakota BMOE executive director Margaret Hansen, Wyoming Medical Board executive director Kevin Bohnenblust and moderator Paul Larson.

Health Professionals Assistance Program

Since 1996, the South Dakota Health Professionals Assistance Program (HPAP) has assisted hundreds of healthcare providers with recovery and the ability to return to practice. HPAP believes that early intervention, and comprehensive accurate evaluations, combined with ongoing case management and support of treatment efforts, offers the best opportunity for successful outcomes. HPAP is a confidential program designed for regulated health professionals who hold, or are eligible to hold, licensure with the SD Board of Nursing, SD Board of Medical and Osteopathic Examiners, SD Board of Pharmacy and/or the SD Board of Dentistry. Services include general outreach, crisis intervention, informal assessment, treatment monitoring, and support for providers who need assistance.

For more information see: <http://www.mwhms.com/> for the South Dakota statutes see http://legis.sd.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Statute=36-2A&Type=Statute

Statistics



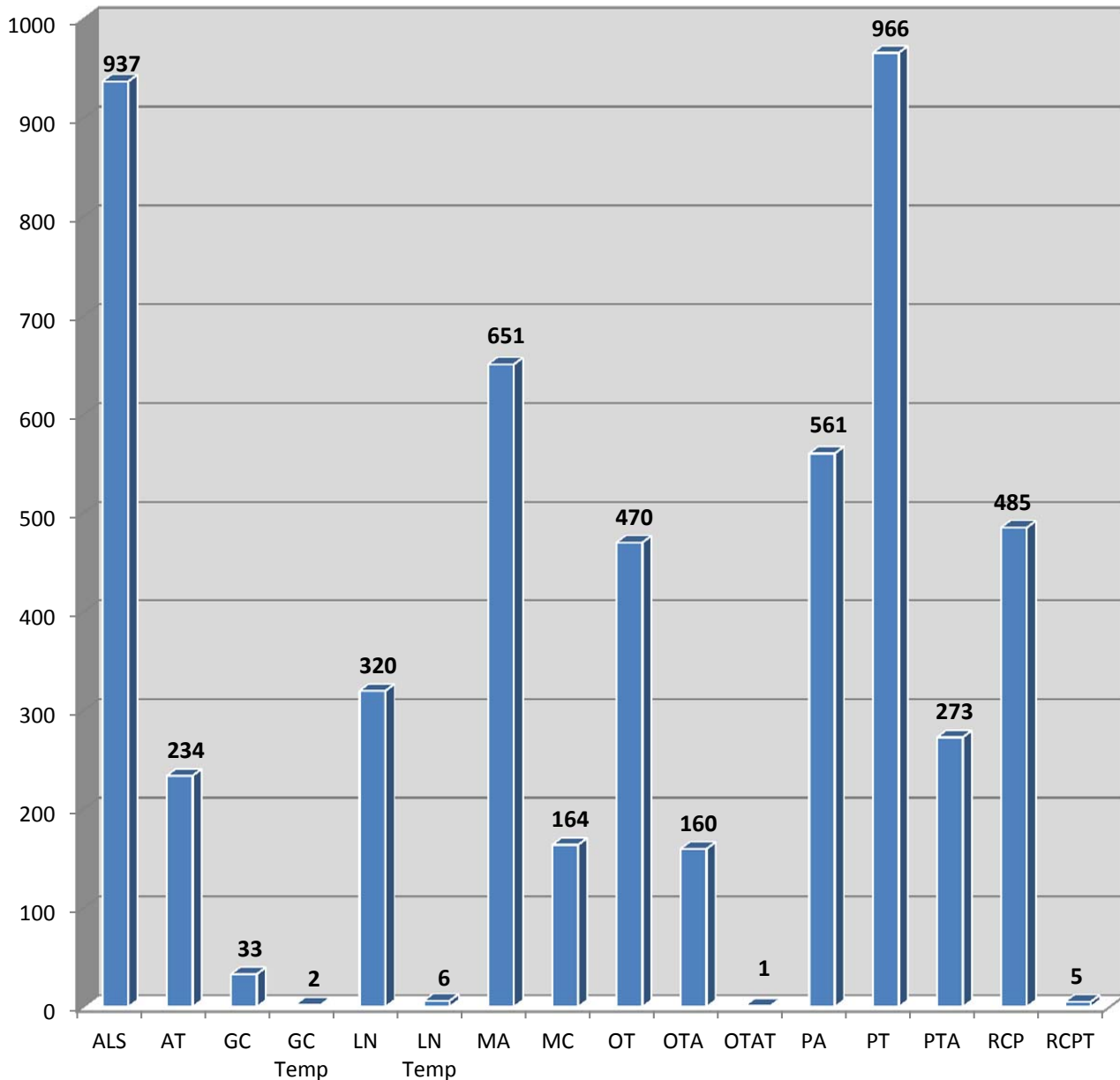
ALS – Advanced Life Support (EMT)
 AT – Athletic Trainer
 GC – Genetic Counselor
 GCT – Genetic Counselor Temp
 LN – Licensed Nutritionist
 LNT – Licensed Nutritionist Temp
 MA – Medical Assistant
 MC – Medical Corporation
 MD/DO – Medical License
 MD/DO LT – Physician Locums Tenens
 MD/DO RL – Resident License

OT – Occupational Therapist
 OTT – Occupational Therapy Temp
 OTA – Occupational Therapy Assistant
 OTAT – Occupational Therapy Assistant Temp
 PT – Physical Therapist
 PTA – Physical Therapist Assistant
 PA – Physician Assistant
 PAT – Physician Assistant Temp
 RCP – Respiratory Therapy
 RCPT – Respiratory Therapy Temp

Board of Medical and Osteopathic
Examiners

Current Non-Physician Counts

(As of 06/30/2015)



ALS – Advanced Life Support (EMT)

AT – Athletic Trainer

GC – Genetic Counselor

LN – Licensed Nutritionist

MA – Medical Assistant

MC – Medical Corporation

OT – Occupational Therapist

OTA – Occupational Therapy Assistant

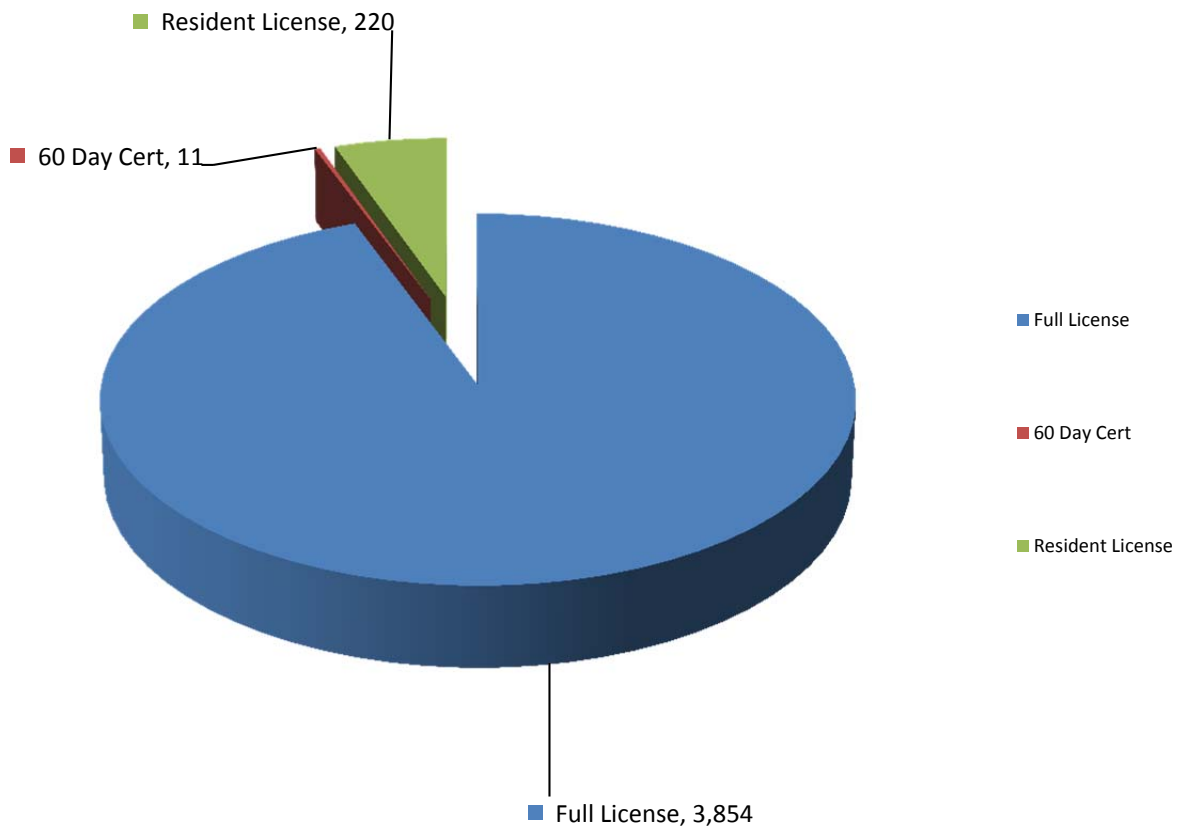
PA – Physician Assistant

PT – Physical Therapist

PTA – Physical Therapist Assistant

RCP – Respirator Care Practitioner

Current MD/DO Counts (As of 06/30/2015)



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| License Type: | FY13 | FY14 | FY15 |
|-------------------------------------|--------------|--------------|--------------|
| Advanced Life Support | 808 | 992 | 937 |
| Athletic Trainer | 179 | 218 | 234 |
| Genetic Counselor | 12 | 17 | 33 |
| Genetic Counselor Temp | 1 | 0 | 2 |
| Licensed Nutritionist | 290 | 316 | 320 |
| Licensed Nutritionist Temp | 5 | 3 | 6 |
| Medical Assistant | 607 | 575 | 651 |
| Medical Corporation | 174 | 165 | 164 |
| Medical License | 3,674 | 3,717 | 3,854 |
| Physician Locums Tenens | 13 | 9 | 11 |
| Resident License | 127 | 162 | 220 |
| Occupational Therapist | 458 | 464 | 470 |
| Occupational Therapy Temp | 1 | 0 | 0 |
| Occupational Therapy Assistant | 147 | 148 | 160 |
| Occupational Therapy Assistant Temp | 0 | 0 | 1 |
| Physical Therapist | 885 | 906 | 966 |
| Physical Therapist Assistant | 237 | 251 | 273 |
| Physician Assistant | 507 | 530 | 561 |
| Physician Assistant Temp | 0 | 0 | 0 |
| Respiratory Therapy | 480 | 511 | 485 |
| Respiratory Therapy Temp | 3 | 9 | 5 |
| Total | 8,608 | 8,993 | 9,353 |

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The Board of Medicine is fortunate to have dedicated, competent personnel who take their jobs – and the Board’s mission – seriously. Every day, these men and women perform licensure and regulatory enforcement duties that enable the Board to protect the health of South Dakotans.

SOUTH DAKOTA BOARD OF MEDICAL & OSTEOPATHIC EXAMINERS

101 N Main Avenue, Suite 301
Sioux Falls, SD 57104

Hours: 8:00 a.m. to 5:00 p.m., Monday – Friday

Phone: 605-367-7781

Fax: 605-367-7786

Email: sdbmoe@state.sd.us

Website: www.sdbmoe.gov

ADMINISTRATION

Margaret B. Hansen, PA-C, MPAS, CMBE
Executive Director

Lisa Andersen
Secretary

Tyler Klatt, MPA
Management Analyst

Jane Phalen
Board Coordinator

ENFORCEMENT

Misty Rallis, RN
Board Investigator

LICENSURE

Elise Ellenz
Licensing Specialist

Michele Knorr
Licensing Specialist

Randi Sterling
Head Licensing and Business Specialist

SOUTH DAKOTA HEALTH PROFESSIONAL ASSISTANCE PROGRAM

Maria Eining
Program Coordinator

SOUTH DAKOTA ATTORNEY GENERAL’S OFFICE

William Golden, JD
Board staff attorney

Roxanne Giedd, JD
Board attorney

Steven Blair, JD
Board attorney

COVER ARTWORK: The medical team representing the Board’s regulated professions. *Shutterstock*



BMOE staff with Secretary of Health Malsam-Rysdon (left to right): Tyler Klatt, Lisa Andersen, Margaret Hansen, Kim Malsam-Rysdon, Michele Knorr, Randi Sterling, Misty Rallis, Elise Ellenz, (Jane Phalen, absent).