

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS (BMOE)

June 20, 2024

Unapproved Draft Minutes

9:00 am (Central Time)

Public Board Meeting

NOTE: This meeting was held in a physically accessible place.

Unapproved Draft Minutes¹. Board votes by voice roll call.²

Board members present: Scott Blanchard DO, Maurice Chessmore MD, Mr. Richard Hainje, Aaron Shives MD, Rachel Sunne MD, Jennifer Tegethoff MD, Mrs. Suzanne Veenis

Board members absent: Christopher Diedrich MD, Heather Spies MD

Board staff present: Executive Director Ms. Margaret Hansen, Ms. Randi Sterling, Ms. Whitney Burrows

Counsel present: General Counsel to the Board: Deputy AG Steven Blair, Counsel to the Staff and Prosecutor: Assistant AG Alexis Tracy

Other parties may have been in attendance for this public meeting.

President Shives called the meeting to order at 9:07 am (Central time). Roll was called, and a quorum was confirmed. A motion for approval of the draft agenda was ratified by roll call vote (Tegethoff/Hainje/unanimous). A call for public comment pursuant to SDCL 1-25-1 was made and there was no public comment. President Shives called attention to the following documents: The Code of Conduct and Conflict of Interest Policy for Use by State Authority, Board, Commission, and Committee Members, and the BMOE member specific administrative rules: 20:78:05:09 Conflict of Interest and 20:78:05:10 Potential Conflict of Interest. A motion for unanimous approval of the consent agenda was ratified by roll call vote (Veenis/Sunne/unanimous).

An Advisory Committee Business report was given by Management Analyst Whitney Burrows: Since the last Board meeting there have been 4 advisory committee meetings: Athletic Trainers met twice and the Occupational Therapy and Advanced Life Support Personnel Committees each met once.

Dr. Suzanne Reuter was presented to the Board as a nominee to fill and complete the term for a vacant position on the Genetic Counselor Advisory Committee. A motion to approve Dr. Suzanne Reuter as a member to the Genetic Counselor Advisory Committee was ratified by roll call vote (Tegethoff/Hainje/unanimous).

The Advanced Life Support Advisory Committee met last week and discussed the EMT-I/85 level practice specifically regarding an inquiry as to whether I/85s can administer D50 via IV. The committee consensus was that I/85s and above can administer D50 and D10 via IV. The committee recommends the Board ratify an update to the practice document that D50 and D10 could be added to the EMT-I/85. A motion to approve this recommendation was ratified by roll call vote (Tegethoff/Hainje/unanimous).

Executive Director Hansen gave a legislative update and progress report of plans to implement the laws taking effect on July 1, 2024. The new data system will be central to this implementation as well as all administrative functions of the Board. There will be board member training at the September Board meeting.

Annual Election of SDBMOE Officers – A motion to approve the slate of Shives-President, Tegethoff-Vice President, Dietrich – Secretary (Veenis/Hainje/unanimous).

Physician Hearings (closed confidential session pursuant to SDCL 36-4-31.5) and the following board action was taken in the public meeting:

- Mark Richard Hager, MD – Motion to direct the staff to contact the physician regarding the Stipulation and Agreement was ratified by roll call vote (Chessmore/Blanchard/unanimous).
- Jack Leon-Max Mutnick, MD – Motion to accept Stipulation and Agreement with Reprimand was ratified by roll call vote (Tegethoff/Veenis/six Ayes/abstained: Hainje).
- Valerie A. Larson, MD – Motion to adopt the Stipulation and Agreement and to reinstate the medical license subject to the conditions included in the Board's Order was ratified by roll call vote (Tegethoff/Sunne/unanimous).
- Keith Aaron Ryan, MD - Motion to adopt the Stipulation and Agreement and to reinstate the medical license subject to the conditions included in the Board's Order was ratified by roll call vote (Veenis/Chessmore/unanimous).

¹ 1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.

² Format for motions, second and vote results: BMOE member Name (Making the motion/Second/Vote result is either unanimous or Yes: and No: results and abstentions noted by name)

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- Scott William Smith, MD – Motion to adopt the Stipulation and Agreement and enter an order for a voluntary surrender of license was ratified by roll call vote (Sunne/Veenis/unanimous).
- Lowell Ralph Amiotte Jr., MD – Motion to adopt the Stipulation and Agreement and enter an order for a voluntary surrender of license was ratified by roll call vote (Veenis/Sunne/six Ayes/abstained: Tegethoff).

A motion to enter executive session pursuant to SDCL 1-25-2(3) and 19-19-502 to consult with legal counsel was ratified by roll call vote (Sunne/Hainje/unanimous). Before the Board entered executive session, AAG Tracy left the meeting and with no further business, President Shives call the public meeting ended and adjourned at 12:05 PM Central.