

# **SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS (BMOE)**

**March 12, 2020**

## **Public Board Meeting**

*(all votes will be by roll call)*

**The members of the public may listen to the meeting using one of the following options**

- 1. Appear in person in the Board Conference Room: 101 N. Main Ave., Suite 306, Sioux Falls, SD 57104**
- 2. Pierre DDN site: CAP A, 500 E. Capitol, Pierre, SD**
- 3. Rapid City DDN site: South Dakota School of Mines & Technology Public Room, 505 East Saint Joseph St., EEP Building Room 155, Rapid City, SD**
- 4. Live Streaming Audio: <http://www.sd.net/medex/>**

### Minutes

Board members present: Kevin Bjordahl MD; Christopher Dietrich, MD; Philip Meyer DO; Jeffrey Murray MD; Aaron Shives, MD; Mrs. Suzanne Veenis

Board members absent: Walter Carlson, MD, MBA; Mr. Richard Hainje; Laurie Landeen, MD

Board staff: Ms. Margaret Hansen, Mr. Tyler Klatt, Ms. Jane Phalen, Ms. Misty Rallis

Counsel: BMOE: Assistant AG Steven Blair, BMOE Staff: Assistant AG Caroline Srstka

Guests: Lacey Patnoe, RCP; Dr. Dan Heinemann, Dr. Clarissa Barnes, Ms. Mary Wolf, Mr. Mark East

This was a public meeting and other parties may have been in attendance.

Dr. Jeffrey Murray, BMOE president, called the meeting to order at 9:25 am (CDT). Roll was called, and a quorum was confirmed. President Murray called for public comment pursuant to SDCL 1-25-1. There was no public comment. President Murray referenced 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 (Meyer/Shives/unanimous)<sup>1</sup>.

A motion for approval of the appointment of Ms. Lacey Patnoe, RCP, to the Respiratory Care Practitioner advisory committee to the BMOE was ratified by roll call vote (Shives/Meyer/unanimous).

Public Hearing on South Dakota Administrative Rule (ARSD) 20:47:03:03 Physicians and Surgeons: General application requirements. President Dr. Murray turned the hearing over to Assistant AG Steve Blair. Written proponent testimony was provided by Dr. Robert Summerer, Ms. Maria Klamm, Mr. Paul Scheuth, and the Legislative Research Council (LRC) revised draft with updates for style and form. Oral proponent testimony was presented by Dr. Clarissa Barnes and Dr. Dan Heinemann. Other supporters present at the meeting were Ms. Mary Wolf and Mr. Mark East. There were no opposing written comments or opposing testimony. A motion for the approval of the administrative rule as revised by the LRC for style and form was ratified by roll call vote (Bjordahl/Shives/unanimous).

Confidential physician hearings (closed session pursuant to SDCL 36-4-31.5)

- Dr. Stanley Gallagher – A motion to approve his petition to return his South Dakota medical license to an unrestricted status was ratified by roll call vote (Bjordahl/Veenis/unanimous).
- Dr. Adam Smith – A motion to accept the voluntary surrender of Dr. Smith's South Dakota medical license was ratified by roll call vote (Bjordahl/Meyers/unanimous/Murray abstained).

The Board accepted the executive director report for information.

A motion to enter Executive Session pursuant to SDCL 1-25-2 (3) to consult with legal counsel and then adjourn the meeting was ratified by roll call vote. (Shives/Bjordahl/unanimous).

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<sup>1</sup> 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)