

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS (BMOE)

September 8, 2022

[Unapproved Draft Minutes](#)

9:00 am (Central Time)

Public Board Meeting

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

Unapproved Draft Minutes¹. Votes are roll call voice vote.

Board members present in the Board Conference Room: 101 N. Main Ave., Suite 306 Sioux Falls: Christopher Dietrich MD, Mr. Richard Hainje, Laurie Landeen MD, Philip Meyer DO, Aaron Shives MD, Jennifer Tegethoff MD, Gary Timmerman MD

Board member absent: Jeffrey Murray MD, Mrs. Suzanne Veenis

Board staff present: Ms. Margaret Hansen, Ms. Randi Sterling, Ms. Brooke Blaaid, Mr. Justin Reinfeld

Counsel present: General Counsel to the Board: Assistant AG Steven Blair, Counsel to the Staff and Prosecutor: Assistant AG Caroline Srstka,

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

President Meyer then called the meeting to order at 9:01 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 (Timmerman/Landeen/unanimous). A call for public comment pursuant to SDCL 1-25-1 was made and there was no public comment. President Meyer 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 (Landeen/Hainje/unanimous) ²

Dr. Robert J Summerer introduced the South Dakota State Medical Association's Well -Being Program and its Lead Physician Dr. Elizabeth Jensen. Dr. Summerer also discussed the South Dakota State Medical Association's thoughts on rules for the Board Health Professionals Assistance Program. The Board accepted his reports for information.

Executive Director Hansen presented the Board's alternative to discipline monitoring program-the Health Professionals Assistance Program - also known as the Medical Board Monitoring Program.

A motion to go into executive session under SDCL 1-25-2(3) to consult with legal counsel was ratified by roll call vote (Landeen/Timmerman/unanimous).

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

- Dr. Ryan – Motion to accept 17 August 2022 Stipulation and Agreement Suspension of License and Temporary Order was ratified by roll call vote (Shives/Tegethoff/ Six Ayes/ Abstained: Landeen).
- Dr. Griffith – Motion to accept 27 May 2022 Stipulation and Agreement with Reprimand and Temporary Order was ratified by roll call vote (Timmerman/ Dietrich/Unanimous).
- Dr. Duran – Motion to accept 8 July 2022 Stipulation and Agreement and Temporary Order was ratified by roll call vote (Landeen/ Hainje/ Six Ayes/Abstained: Timmerman).
- Dr. Asfora – Motion to accept 26 July 2022 Stipulation and Agreement with Reprimand and Temporary Order was ratified by roll call vote (Tegethoff /Shives/Five Ayes/ Abstained: Timmerman, Landeen).

American Heart Association (AHA) requested to withdraw petition to allow discussion with an intent to bring a petition in the future.

Staff is writing rules for board approval of critical care endorsement for EMP-Paramedics programs other than those specified in statute and will bring to the next board meeting.

President Meyer mentioned future board meeting dates and called the public meeting closed at 10:20 AM Central time zone.

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)