

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS (BMOE)

March 13, 2025

Unapproved Draft Minutes

9:00 AM (Central Time)

Public Regular Board Meeting

NOTE: This meeting was held via Teams

Unapproved Draft Minutes¹. Board votes by voice call²

Board members present: Brittany Azure Bearstail MD, Maurice Chessmore MD, Christopher Diedrich MD, Cartney Gilkerson GC, Richard Hainje, Natalie Holt MD, Julie Kalahar OTR/L, Kathryn Kassin PA-C, Gary Langerock NRP, Tryg Odney ATC, Clay Pavlis MD, Heather Spies MD, Lisa Stark RD/LN, Rachel Sunne MD, Jennifer Tegethoff MD, Marissa Trosen RRT

Board members absent: Scott Blachard DO

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 Ryan McFall, Jennifer M. Jorgenson

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

President Tegethoff called the meeting to order at 9:02 AM (Central time). Roll was called, and a quorum was confirmed. A motion for approval of the draft agenda was ratified by voice vote (Dietrich/Kassin/unanimous).

A call for public comment pursuant to SDCL 1-25-1 was made and there was no public comment. President Tegethoff 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 voice vote (Kassin/Bearstail/unanimous).

Medical Board Monitoring Program (MBMP) overview and historical data was presented.

Department of Health Secretary Melissa Magstadt discussed the Board's Health Professionals Assistance Program (HPAP). A motion to direct an evaluation of and review best practices of the MBMP and HPAP (Trosen/Chessmore/unanimous) was ratified by voice vote. A motion to appoint a taskforce to determine creation of a Request for Proposal (RFP) and to monitor the progress of this moving forward (Dietrich/Spies/unanimous) was ratified by voice vote.

The South Dakota State Medical Association (SDSMA) gave its Physician Wellbeing Program update and made a funding request.

Executive Director Hansen gave an Interstate Medical Licensure Compact (IMLC) update. Commissioner Clay Pavlis, MD gave an update regarding his participation on the IMLC Communications Committee.

An Advisory Committee Business report was given by Management Analyst Burrows. A motion to approve the reappointment to a second term for Dr. Benjamin Solomon to Genetic Counselor Advisory Council was ratified by voice vote (Kassin/Dietrich/unanimous).

The Board conducted a confidential physician contested case hearing which was closed pursuant to SDCL 36-4-31.5. Members of the public, visitors, and anyone not involved in the confidential physician hearing was excluded from the hearing. A quorum for physician matters of at least six members was established. At the conclusion of the physician hearing, the Board exited the closed physician session, and the public meeting resumed for final Board action. In the matter of Dr. David Matthew Young, a motion to accept his voluntary surrender was ratified by voice vote (Dietrich/Spies/unanimous). With no further business, President Tegethoff called the public meeting ended and adjourned at 11:06 AM Central.

^{1 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)