

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS
BOARD MEETING
April 7, 2010
Minutes

Board Members Present: Mr. Patrick Burchill
Mr. Bernie Christenson
Mary Carpenter, MD
David Erickson, MD
Alex Falk, MD
Robert Ferrell, MD
Brent Lindbloom, DO
Milton Mutch, MD
James Reynolds, MD

Staff Present: Margaret Hansen
Jane Phalen
James Slattery

Consultants Present: Donald Srstka
H. Adrian Mohr

Advisory Committees Present:
PA Advisory Committee (PAAC):
Vickie Blake-Nafus, PA-C
Dan Palmer, PA-C
Rod King, PA-C

MINUTES

Wednesday, April 7, 2010

The meeting was called to order at 9:00 a.m. by Dr. Ferrell, President of the Board. The minutes from the November 12, 2009, board meeting were reviewed. A motion by Dr. Lindbloom to approve the minutes was seconded by Mr. Burchill. The vote was unanimous.

In the contested case of Michael Neyens and his application for registration as a medical assistant, the proposed decision of the Administrative Law Judge to deny his registration as a medical assistant was reviewed by the Board. A motion by Dr. Falk to ratify the judge's decision to deny the registration was seconded by Mr. Burchill. Dr. Carpenter abstained. The vote was unanimous.

Applicant, Dr. Ravishandra Konchada, petitioned the board on the basis of his current ABMS board certification. A motion by Dr. Lindbloom to approve the request was seconded by Mr. Christenson. The vote was unanimous.

Melissa Riedel, PA-C, and Khalil Yousef, MD, requested approval of a training protocol. A motion by Dr. Carpenter to approve the training protocol was seconded by Dr. Mutch. The vote was unanimous.

Between November 1, 2009 and March 31, 2010: 142 new licenses, registrations, 60 day certificates, and permits were issued. Of these, 114 were physicians. A motion by Dr. Erickson to approve the new licenses was seconded by Dr. Mutch. The vote was unanimous.

Mr. Tom Cahill was nominated to serve as a member on the Respiratory Care Practitioners Advisory Committee. A motion by Dr. Reynolds to approve the nomination was seconded by Dr. Carpenter. The vote was unanimous.

Ms. Audra Evans was nominated to serve as a member on the Advanced Life Support Advisory Committee. A motion by Dr. Mutch to approve the nomination was seconded by Dr. Reynolds. The vote was unanimous.

The business and financial manager presented the financial report. A motion by Mr. Burchill to accept the financial report was seconded by Mr. Christenson. The vote was unanimous.

The business and financial manager presented the audit. A motion by Dr. Erickson to accept the audit was seconded by Dr. Mutch. The vote was unanimous.

The following applicants requested that their initial applications for South Dakota licensure or registration be withdrawn while under investigation or to avoid the results of an investigation. The votes were unanimous with motions/seconds as follows: Kristine Botezan, MD – Reynolds/Burchill; Paul Nelson, MD – Lindbloom/Erickson; Samir Jain, MD – Burchill/Reynolds; Mark Swaim, MD – Christenson/Carpenter; Eric Wait, MD – Falk/Burchill; and Shirley Ramirez – Erickson/Mutch.

The following licensees failed to renew their medical licenses by March 1, 2010, and acknowledged that they continued to practice in South Dakota without a valid license. They entered into consent agreements with reprimands and fines for engaging in unlicensed practice. Their licenses were then reinstated and the investigations were closed. The votes were unanimous with motions/seconds as follows: Charles J. Hinton, MD – Falk/Lindbloom; Luther Hegland, MD – Christenson/Carpenter; Gregory D. Naden, MD – Reynolds/Burchill; and Elliott W. Filler, MD – Mutch/Carpenter.

The following licensees voluntarily cancelled their medical licenses while under investigation. The votes were unanimous with motions/seconds as follows: Glenn H. Carlson, MD – Christenson/Mutch; Arthur J. Raymond, MD – Burchill/Lindbloom.

Licensee, Jerome K. Howe, MD, was placed under investigation and entered into a Stipulation and Agreement. The Board directed the staff to clarify and confirm his follow up appointments with Acumen Assessments. A motion by Dr. Falk to approve the stipulation and order was seconded by Dr. Reynolds. Dr. Erickson abstained. The vote was unanimous.

The executive director's report was presented as follows:

- Update on renewals and the on-line renewal process
- Update on the recent legislative session
 - Acupuncture
 - Prescription Drug Monitoring Program
 - Birth Centers
 - Midwives
 - Revising limitations on malpractice damages
 - Certified Nurse Midwives – the sunset clause was removed. A motion by Dr. Carpenter to review the statistical data regarding out of hospital births annually at the joint meeting with the South Dakota Board of Nursing was seconded by Dr. Mutch. The vote was unanimous.
- Board staff outreach visits to hospitals and healthcare systems
- Criminal Background checks – A motion by Mr. Christenson to draft language for upcoming legislative session was seconded by Dr. Falk. The vote was unanimous.
- A request for a declaratory ruling was dismissed
- Upcoming annual meeting of the Federation of State Medical Boards
- Update that the case regarding Dr. Denise Crute was finalized
- Advisory Committee member training opportunities are being scheduled with initial meeting to follow the next board meeting.

A motion by Mr. Christenson to accept the executive director's report was seconded by Dr. Erickson. The vote was unanimous.

The Federation of State Medical Boards (FSMB) requested comments and opinions on the topic of Maintenance of Licensure. After discussion, the Board members developed a list of opinions, comments and concerns. A motion by Dr. Carpenter for the staff to draft a response letter to the FSMB prior to the annual meeting in April was seconded by Dr. Erickson. The vote was unanimous.

The next meeting of the Board will be held on Tuesday, June 22, 2010.

There being no further business, the meeting was adjourned.