

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

November 13, 2008

Holiday Inn City Centre, Sioux Falls

MINUTES

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

Members Absent: David Erickson, MD

Staff Present: Margaret Hansen
Craig Kennedy
Jane Phalen
Donald Srstka

Advisory Committees Present:

Advanced Life Support (ALSAC):
Robert Harms, MD
Bob Hardwick, EMT I/99
Kurt Klunder, EMT Paramedic

Physician Assistant (PAAC):
Vicki Blake-Nafus, PA-C
Jan Hines, PA-C
Rod King, PA-C

MINUTES

Thursday, November 13, 2008

The meeting was called to order at 10:00 a.m. by Robert Ferrell, MD, President of the Board. The minutes from the September 10, 2008 board meeting were reviewed and approved. MOTION by Mr. Burchill, seconded by Dr. Lindbloom. The vote was unanimous.

A legislative update was presented regarding SDBMOE sponsored bills which concerned resident in training physicians. One bill would require all physicians in residency training programs to register with the SDBMOE for a Resident Training Permit which will allow the Board to conduct due diligence before a resident physician is allowed to practice medicine in this state. The other bill concerns the applicant with a dual degree of MD-PhD. The genetic counselor bill is moving forward as a South Dakota Association of Healthcare Organizations bill.

The Board reviewed the information for the 117 new licenses issued of which 49 were physicians. This information was presented in a new format which was appreciated and approved by the Board. MOTION by Dr. Falk, seconded by Dr. Lindbloom to approve. The vote was unanimous.

Dr. Peter Warhol, an applicant who received a passing score of 75 or greater on all parts of the USMLE examination requested that the Board grant him a license due to his board certified status. MOTION by Mr. Burchill, seconded by Dr. Lindbloom to approve. The vote was unanimous.

Dr. Mark Carlson, an applicant whose initial application was under investigation, requested that the Board allow him to withdraw his application while under investigation. MOTION by Mr. Burchill, seconded by Dr. Carpenter to approve. The vote was unanimous.

The Board reviewed the Stipulation on Agreed Disposition signed by licensee Dr. William Tiemann. MOTION by Dr. Mutch, seconded by Mr. Christenson to approve the Stipulation on Agreed Disposition. The vote was unanimous.

Lyndsi Slusarski, PA-C, requested that the Board grant her request to perform laser procedures. Mr. Burchill abstained from the vote. MOTION by Dr. Reynolds to approve her request and issue a Letter of Concern due to her performance of laser procedures prior to Board approval, seconded by Dr. Falk. The vote was unanimous.

Dr. Denise Crute and her attorney, Edwin Evans, met with the Board regarding the findings of the Administrative Law Judge in her contested case. Dr. Reynolds assumed charge of the meeting as Dr. Ferrell was the investigator on the case. In this contested case, Craig Kennedy presented the Findings of Fact and Conclusions of Law and Proposed Decision from the Administrative Law Judge. Mr. Evans presented an argument on behalf of Dr. Crute, and then Dr. Crute addressed the Board Members. Dr. Ferrell abstained from the vote. MOTION by Mr. Christenson, seconded by Dr. Carpenter, to accept the decision of the Administrative Law Judge which affirmed the Board's decision of the denial of Dr. Crute's application for a South Dakota medical license. The vote was unanimous.

Dr. Ferrell resumed charge of the meeting. The members of the Advanced Life Support Advisory Committee were introduced. Discussion was held regarding LeaAnn Krog Tatro and her request for reinstatement of her EMT I/85 license. MOTION by Mr. Christenson, seconded by Dr. Reynolds that Ms. Krog Tatro meet in person with the members of the ALS advisory committee and, upon completion of a satisfactory meeting, the staff will reinstate her license. The vote was unanimous. The Board staff was directed to assist in arranging the meeting.

Cheyenne River Ambulance Service requested approval for an additional procedure to be performed by EMT Basics. The ALS advisory committee questioned the request. MOTION by Mr. Christenson, seconded by Dr. Reynolds, directing the ALS advisory committee to answer this request. The vote was unanimous.

The Board members were informed that Ms. Jan Hines, PA-C, a long-time member of the Physician Assistant Advisory Committee, has completed her term. The Board members extended their thanks and appreciation to Ms. Hines for her years of dedicated service.

Ms. Hansen presented the executive director's report which included updates on the following items: 1) current license renewal process, 2) status of the new technology, 3) upward trend in new licenses being issued in South Dakota, 4) three (3) additional staff approved by the Department of Health, 5) application processing of uncomplicated applications being processed quickly with 95% or greater being issued within days of a completed file, 6) the current application form is working well and being adapted to other disciplines, 7) the newly developed on-line application status report has been well received by applicants who can now go online to view the status of their process, 8) the noticeable increase in the receipt of problem applications resulting in a significant amount of time for investigation and processing, which has had a negative impact on the review process for complaints, 9) South Dakota Medicine articles, 10) a report compiled for the Board of Regents which reflects the locations where licensees are practicing in South Dakota, 11) the financial statement and 12) the independent audit report. MOTION by Dr. Reynolds, seconded by Mr. Burchill to approve the financial statement and independent audit report, vote. The vote was unanimous. MOTION by Dr. Mutch, seconded by Mr. Christenson, to accept the executive director's report. The vote was unanimous.

The Board reviewed the current mission statement. MOTION by Mr. Christenson, seconded by Dr. Carpenter to appoint a committee to work with Ms. Hansen to update the mission statement. The vote was unanimous. MOTION by Dr. Reynolds, seconded by Mr. Burchill, to appoint Dr. Erickson as chair of the committee. The vote was unanimous.

The Board discussed non-disciplinary letters of warning issued to licensees and applicants who display disruptive behavior, and recommended that there should be a policy to give the applicant notice initially with a visit to the Board office as a way to correct the behavior and potentially alleviate the need for more formal action. The number of disruptive applicants will be tracked. MOTION by Dr. Carpenter, seconded by Dr. Lindbloom to adopt the policy. The vote was unanimous.

The next meeting will be held on April 13, 2009, to coincide with the Rules Hearing to be held at a Joint Board Meeting of both the South Dakota Board of Medical and Osteopathic Examiners and the South Dakota Board of Nursing.

There was no further business and the meeting was adjourned. MOTION by Dr. Mutch, seconded by Dr. Lindbloom. The vote was unanimous.