

THE SOUTH DAKOTA BOARD
OF
MEDICAL AND OSTEOPATHIC EXAMINERS

IN THE MATTER OF THE REINSTATEMENT *
OF SOUTH DAKOTA BOARD OF MEDICAL * STIPULATION
AND OSTEOPATHIC EXAMINERS LICENSE * AND
#0405 TO BRIAN BASCHNAGEL * AGREEMENT
PHYSICIAN ASSISTANT *

WHEREAS, Brian Baschnagel, PA-C, herein referred to as "Mr. Baschnagel", was the holder of Physician Assistant license #0405 issued by the South Dakota Board of Medical and Osteopathic Examiners, hereinafter referred to as "the Board", and the license was suspended by statute due to non renewal in July 2008, and

WHEREAS, the Board has jurisdiction of the parties and subject matter herein, and

WHEREAS, when Mr. Baschnagel submitted a request for reinstatement and renewal of his suspended license he reported that he recently suffered from depression, that he had abused alcohol, that he voluntarily sought professional medical help for his depression, that he voluntarily entered Minnesota Health Professionals Services Program (MHPSP) on March 17, 2008, and that he authorized the release of his progress and monitoring reports from the MHPSP to the SDHPAP, and

WHEREAS, the SDHPAP informed the Board staff that progress and monitoring reports have been received from MNHPSP, and Mr. Baschnagel has maintained sobriety and been subject to testing and monitoring since April 16, 2008 which represents six (6) months of sobriety, and that Mr. Baschnagel has applied to enroll in SDHPAP but he must be the holder of a South Dakota physician assistant license prior to being accepted into the SDHPAP, and

WHEREAS, Mr. Baschnagel met with the Investigative Review Panel on November 20, 2008, and he understands that the Board has discretion to approve, modify or reject this Stipulation and Agreement, and

WHEREAS, the Board member appointed to the Investigative Review Panel in this case recommended that Mr. Baschnagel's license be reinstated and renewed with the following conditions:

1. He shall request that confirmation be provided to the Board that he has been accepted and officially enrolled in SDHPAP, and he will provide his authorization

to require the MHPSP to provide quarterly reports of his testing and progress to SDHPAP, and additionally he will provide his authorization to require the SDHPAP to provide quarterly reports of his testing and progress to the Board.

2. He shall maintain complete and permanent abstinence from alcohol, and he shall refrain from taking any mind-altering substances unless prescribed by a licensed healthcare provider for legitimate medical purposes.
3. He shall attend at least three (3) AA meetings per week and provide a quarterly log of the attendance dates to the Board.
4. He shall provide authorization to his healthcare provider to submit bi-annual progress reports regarding his treatment for depression to the SDHPAP and the Board, and he will notify SDHPAP and the Board regarding any changes in healthcare providers.
5. He understands that if he violates any conditions of this agreement, his license shall be immediately suspended for at least one year without the necessity of a hearing.
6. He understands that he is on probation for five (5) years after which time he may petition the Board for an unrestricted license. He further understands that the Board has the authority to approve, modify or refuse such request.
7. He agrees that his practice is restricted to forty (40) hours per week.
8. He agrees that any physicians listed on his practice agreements shall not prescribe any type of medication for him or serve as his healthcare providers.
9. He agrees to provide written notification to the Board should he leave the state, and he understands that time spent outside the state of South Dakota does not apply to length of time outlined in this Stipulation and Agreement. He further understands that should he desire to again practice in South Dakota, he shall notify the Board and he shall enter into a new Stipulation and Agreement prior to engaging in practice.

WHEREAS, Mr. Baschnagel agrees to the conditions contained herein, and he understands that this STIPULATION AND AGREEMENT is a public record that will be reported to all agencies as deemed necessary by the Board, and

WHEREAS, Mr. Baschnagel agrees that the Stipulation and Agreement is valid and enforceable pending final review at the next Board meeting, and

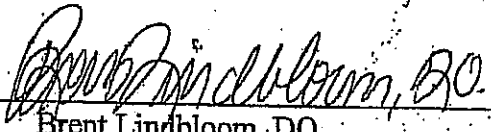
WHEREAS, the Board has the authority to approve, modify, or reject this agreement,
and if this agreement is modified or rejected by the Board, Mr. Baschnagel agrees that a new Stipulation and Agreement shall be required to be approved in order to maintain his licensure and practice, and

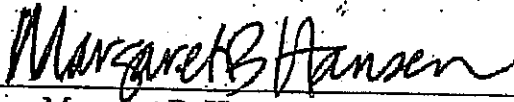
WHEREAS, Mr. Baschnagel understands that he has the right to have an attorney review this document; however, if no attorney signs this document, Mr. Baschnagel understands that he waives this right.

Dated this 3 day of Dec., 2008.

By: 
Brian Baschnagel

By: _____
Attorney for Mr. Baschnagel (if applicable)

Signed By: 
Brent Lindbloom, DO
Board Member Investigator

Signed By: 
Margaret B. Hansen
Executive Director

STATE OF SOUTH DAKOTA } S.S.
MINNEHAHA COUNTY

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears on the record in my office.

Executive Secretary

By MBH by JTD

Date 5-16-09


THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS
 * * * * *
 IN THE MATTER OF SOUTH DAKOTA *
 BOARD OF MEDICAL AND OSTEOPATHIC * ORDER TO APPROVE
 EXAMINERS PHYSICIAN ASSISTANT *
 LICENSE #0405 RE-ISSUED TO * STIPULATION AND AGREEMENT
 BRIAN BASCHNÄGEL *
 * * * * *

This matter came before the South Dakota Board of Medical and Osteopathic Examiners, and the Board reviewed the Proposed Stipulation and Agreement.

IT IS HEREBY ORDERED that said STIPULATION AND AGREEMENT dated December 3, 2008, is approved and the licensee shall comply with all necessary requirements contained therein.

Dated this 8th day of April, 2009

South Dakota Board of Medical and Osteopathic Examiners


 Robert L. Ferrell, MD, President

STATE OF SOUTH DAKOTA } S.S.
 MINNEHAHA COUNTY
 I hereby certify that the foregoing
 instrument is a true and correct copy
 of the original as the same appears
 on the record in my office.

Executive Secretary
 By MBH bjt JTD
 Date 5-16-09