

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

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IN THE MATTER OF SOUTH DAKOTA \* ADDENDUM TO  
BOARD OF MEDICAL AND OSTEOPATHIC \* STIPULATION AND  
EXAMINERS LICENSE ISSUED \* AGREEMENT  
TO BRIAN BASCHNAGEL, PA-C \*  
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WHEREAS, Brian Baschnagel, hereinafter referred to as "Mr. Baschnagel" is the holder of a Physician Assistant license issued by the South Dakota Board of Medical and Osteopathic Examiners, hereinafter referred to as "the Board", and

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

WHEREAS, on December 3, 2008, Mr. Baschnagel signed a Stipulation and Agreement due to his abuse of alcohol, and he has participated in the Minnesota Health Professionals Services Program (MN HPSP) and he authorized the release of all compliance information to the South Dakota Health Professionals Assistance Program (SD HPAP), and

WHEREAS, a positive test occurred on June 15, 2009, but this positive test was not reported to the Board until October 6, 2009, and

WHEREAS, Mr. Baschnagel met with members of the Board's Investigative Review Panel, and he stated that he used an herbal product and was not aware that using the product would result in a positive test;

THEREFORE, Mr. Baschnagel understands and agrees that it is necessary have enter an Addendum to the original Stipulation and Agreement to include the following requirements:

He shall take all necessary steps and sign all necessary releases to ensure that his quarterly monitoring and compliance reports are sent from the MN HPSP directly to the Board office.

For as long as he is in the MN HPSP program, he will not miss any of the required daily contacts with the on-line drug monitoring system without prior approval.

Should he fail to make daily contact with the on-line monitoring system he shall notify the Board office within 24 hours.

At his sole expense, he shall submit blood, urine, hair or other specimens whenever required by the Board.

He shall make personal appearance(s) before the Board or its committee as required, and he will be given reasonable notice of the dates, times and locations for his appearance.

If any employer(s), supervising physician(s), law enforcement authority or any other agency or entity, notify him or meet with him regarding any concerns, deficiencies, violations, or other issues, or should they issue a warning, initiate an investigation, or impose any type of corrective action, verbal and/or written, formal and/or informal, he shall provide the Board with the details in writing within 24 hours.

He shall report any positive drug test to the Board immediately, regardless of the reason for the positive test, and he shall refrain from using products or engaging in practices that may induce a positive test.

He understands and agrees that failure to comply with all requirements of MN HPSP, failure to make daily contact with the on-line monitoring system, failure to ~~immediately report a missed daily call to the Board office, failure to immediately~~ report any positive tests, regardless of the cause of the positive test, or failure to notify the Board regarding any other concerns, disruptions in compliance with MN HPSP, unexcused absences from his employment, or any other event that is not consistent with his daily routine may constitute grounds for the immediate suspension of his license, and

FURTHER, Mr. Baschnagel understands that the conditions of the December 3, 2008, Stipulation and Agreement remain in force, and he understands and agrees that this ADDENDUM TO STIPULATION AND AGREEMENT is a matter of public record that will be reported to all agencies as deemed necessary by the Board, and will be posted on the Board's Disciplinary Website for 2009, and

FURTHER, he agrees and understands that he has the right to have an attorney review this addendum; however, if an attorney has not signed this agreement, he agrees and understands that the lack of such signature signifies that he has waived this right.

Dated this 13 day of Oct, 2009



Brian Baschnagel, PA-C

Attorney for Mr. Baschnagel  
(if applicable)



Margaret B. Hansen  
Margaret B. Hansen  
Executive Director

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS  
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IN THE MATTER OF SOUTH DAKOTA  
BOARD OF MEDICAL AND OSTEOPATHIC  
EXAMINERS PHYSICIAN ASSISTANT  
LICENSE ISSUED TO  
BRIAN BASCHNAGEL, PA-C

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ORDER TO APPROVE  
ADDENDUM TO  
STIPULATION AND  
AGREEMENT

\* \* \* \* \*

WHEREAS, Mr. Baschnagel signed a Stipulation and Agreement on December 3, 2008, and it was ratified by the South Dakota Board of Medical and Osteopathic Examiners, and

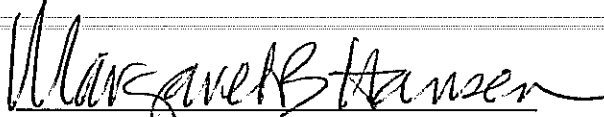
WHEREAS, Mr. Baschnagel agrees and understands that for the purpose of providing clarification of the reporting requirements, it is necessary to enter an Addendum to the Stipulation and Agreement, and

WHEREAS, all the terms and conditions of the Stipulation and Agreement signed on December 3, 2008 still remain in effect;

IT IS HEREBY ORDERED that the ADDENDUM is approved.

Dated this 14<sup>th</sup> day of October, 2009.

South Dakota Board of Medical and Osteopathic Examiners



Margaret B. Hansen  
Executive Director