

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

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IN THE MATTER OF THE APPLICATION  
FOR REINSTATEMENT OF  
SOUTH DAKOTA MEDICAL  
LICENSURE SUBMITTED BY  
DWIGHT F. KING, MD

FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW

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WHEREAS, the investigative Review Panel of the South Dakota Board of Medical and Osteopathic Examiners having performed due diligence regarding Dr. King's application for reinstatement of his medical license, which he voluntarily surrendered and which was suspended by the Board for unprofessional and dishonorable conduct, and the South Dakota Board of Medical and Osteopathic Examiners, being fully advised of the premises, hereby makes and enters its:

**FINDINGS OF FACT**

1. Dwight F. King, MD, hereinafter called Dr. King, practiced as a licensed psychiatrist in Yankton, South Dakota.
2. For good cause shown, on December 2, 2006, Dr. King voluntarily surrendered his medical license, and on December 18, 2006, the Board Ordered the suspension of his medical license.
3. On March 22, 2007, the Yankton County, South Dakota, Grand Jury Indicted Dr. King for fifteen (15) counts of sexual penetration by a psychotherapist, in violation of SDCL 22-22-29, Class 4 Felonies, which alleged in substance that Dr. King knowingly engaged in acts of sexual penetration accomplished with persons who were not his spouse, who were patients, and who were emotionally dependent upon him at the time of the sexual penetration.
4. On October 5, 2007, after receiving Dr. King's plea to one of the counts of the Indictment, the Court imposed a Suspended Imposition of Sentence and Ordered Dr. King placed on supervised probation for 10 years, which probation included a fine, restitution to his victims, 90 consecutive days to be immediately served at the South Dakota Penitentiary, and 70 days to be served at the Yankton County Jail at the rate of 7 consecutive days per year for 10 consecutive years. That Dr. King's probation is scheduled to expire on October 5, 2017.
5. Dr. King submitted an application for reinstatement of his suspended license and met with members of the Board's Investigative Review Panel, who commenced an investigation of his application.

6. After the meetings and during the course of the investigation , Dr. King submitted a written request to withdraw his application and stated that he will never again seek licensure in South Dakota.
7. The Board finds this withdrawal as a withdrawal while under investigation.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over the application for reinstatement of licensure under the provisions of the South Dakota Medical Practices Act, SDCL Chapter 36-4.
2. The Applicant has the burden of proving that he is qualified, competent and is of good moral character.
3. During the time when his application for reinstatement was being investigated, Applicant requested withdrawal of his application.
4. The reinstatement application of Dr. Dwight F. King is hereby considered withdrawn while under investigation.

IT IS HEREBY ORDERED that the Findings of Fact and Conclusions of Law herein are approved.

Dated this 12<sup>th</sup> day of November, 2009

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Robert L. Ferrell, MD  
President, SDBMOE

**THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS**

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IN THE MATTER OF THE  
REINSTATEMENT APPLICATION  
FOR A SOUTH DAKOTA MEDICAL  
LICENSE SUBMITTED BY  
DWIGHT F. KING, MD

ORDER TO GRANT  
WITHDRAWAL OF MEDICAL  
LICENSE REINSTATEMENT  
APPLICATION WHILE UNDER  
INVESTIGATION

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The above-entitled matter having come before the South Dakota Board of Medical and Osteopathic Examiners, and the Board being fully advised in the premises and having heretofore made and entered its Findings Of Fact And Conclusions Of Law;

IT IS THEREFORE ORDERED that the request from Dwight F. King, MD, to withdraw his reinstatement application while under investigation is granted, and

IT IS FURTHER ORDERED that its Findings of Fact and Conclusions of Law and the Order are public documents and shall be reported as the Board deems necessary.

Dated this 12<sup>th</sup> day of November, 2009

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Robert L. Ferrell, MD  
President, SDBMOE