

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  
KHRISTINE BOTEZAN, 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 with regard to the application for reinstatement of medical license submitted by Kristine Botezan, MD 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. On June 4, 2009, Kristine Botezan, MD, the Applicant, filed an application for reinstatement of her South Dakota medical license which she allowed to forfeit for failure to timely renew.
2. The Application, among other things, required Dr. Botezan to disclose whether she had plead guilty or no contest to any felony of misdemeanor other than a minor traffic violation.
3. Applicant disclosed that she had plead guilty to DUI, but failed to provide a complete explanation of her arrest and conviction.
4. Applicant met with members of the Board's Investigative Review Panel (IRP) on November 17, 2009, and provided the details of her arrest and conviction.
5. The IRP advised Applicant that she would have to submit to an alcohol dependency evaluation.
6. At that time, Applicant notified the IRP in writing that she agreed to withdraw her application while under investigation.
7. That this withdrawal constitutes a withdrawal of application for licensure while under investigation or to avoid the results of an investigation.

**CONCLUSIONS OF LAW**


1. The Board has jurisdiction over the application for licensure under the provisions of SDCL Chapter 36-4.

2. The Applicant has the burden of proving that she is qualified, competent and is of good moral character. Applicant did not meet this burden.
3. The Applicant requested withdrawal of her application for reinstatement, which was under investigation.
4. The reinstatement application of Dr. Khristine Botezan is hereby considered withdrawn while under investigation or to avoid the results of an investigation.

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

Dated on March 17, 2010.

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

  
Margaret B. Hansen  
Executive Director

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  
KHRISTINE BOTEZAN, MD

ORDER

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The above-entitled matter having come before the South Dakota Board of Medical and Osteopathic Examiners, and the Board having been informed that an investigation was initiated by members of the Board's Investigative Review Panel due to Dr. Botezan's arrest and conviction for DUI, and the applicant subsequently requesting to withdraw her application for reinstatement of her South Dakota medical license, and the Board finding that this constitutes a withdrawal of application for medical license while under investigation or to avoid the results of an investigation; 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 Findings of Fact and Conclusions of Law and the Order are approved, and

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

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Date: 7 Apr 10

Robert Ferrell, MD, President, SDBMOE  
SDBMOE