

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

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IN THE MATTER OF THE REINSTATEMENT  
AND RENEWAL APPLICATION FOR  
SOUTH DAKOTA  
OCCUPATIONAL THERAPY ASSISTANT  
LICENSE SUBMITTED  
BY PAMELA BARSE

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 reinstatement and renewal application for occupational therapy assistant license submitted by Pamela Barse, 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. Pamela Barse, the Applicant, filed an application for reinstatement and renewal of her occupational therapy assistant license on or about October 16, 2009.
2. Applicant failed to submit the required fee which delayed the review of her reinstatement and renewal application.
3. The Reinstatement and Renewal Application, among other things, required the Applicant to disclose whether she ever had been charged by complaint, information, indictment, or otherwise, of any felony or misdemeanor, other than minor traffic violation.
4. Applicant provided an affirmative answer and an explanation regarding an insufficient funds misdemeanor conviction.
5. As a result, the reinstatement and renewal application was placed under investigation by the Board's Investigative Review Panel (IRP), and the Applicant was notified in writing on January 7, 2010, that she was required to personally attend an informal meeting with the Board's IRP on January 13, 2010 at the Board's office.
6. The Reinstatement and Renewal Application, also required the Applicant to disclose whether she ever had her employment terminated by a health-related entity.

7. The Applicant met with members of the IRP and denied having ever been terminated by a health-related entity.
8. The Applicant then sent a letter to the Board office which was received January 28, 2010, admitting she had been terminated by a health-related entity and made material misrepresentations on her reinstatement and renewal application and is aware her license will not be reinstated.
9. As a result, this constitutes a withdrawal of reinstatement and renewal application for occupational therapy assistant license while under investigation or to avoid the results of an investigation.
10. The Applicant was notified in writing on February 10, 2010 that her reinstatement and renewal application was considered withdrawn while under investigation.

#### **CONCLUSIONS OF LAW**

1. The Board has jurisdiction over the reinstatement and renewal application for occupational therapy assistant license under the provisions of SDCL Chapter 36-31.
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 occupational therapy assistant license reinstatement and renewal application, which was under investigation or to avoid the results of an investigation.
4. The reinstatement and renewal application of Pamela Barse for occupational therapy assistant license 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.

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Margaret B. Hansen  
Executive Director

Date: 6/3/2010

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

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IN THE MATTER OF THE  
REINSTATEMENT AND RENEWAL  
APPLICATION FOR  
SOUTH DAKOTA OCCUPATIONAL  
THERAPY ASSISTANT LICENSE  
SUBMITTED BY PAMELA BARSE

ORDER TO GRANT  
WITHDRAWAL OF  
REINSTATEMENT AND  
RENEWAL OCCUPATIONAL  
THERAPY ASSISTANT  
LICENSE 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 having been informed that an investigation was initiated by members of the Board's Investigative Review Panel due to Ms. Barse's unprofessional and dishonorable conduct in making a false statement or misrepresentation in her application for reinstatement and renewal as an occupational therapy assistant, and the applicant subsequently requesting to withdraw her application for reinstatement and renewal, and the Board finding that this constitutes a withdrawal of application for reinstatement and renewal of occupational therapy assistant 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

  
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Margaret E. Hansen  
Executive Director

Date: 6/3/2010