

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

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IN THE MATTER OF THE INITIAL  
APPLICATION FOR SOUTH  
DAKOTA MEDICAL LICENSURE  
SUBMITTED BY PAUL W. NELSON, 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 medical license submitted by Paul W. Nelson, 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. Paul W. Nelson, MD, the Applicant, filed an application for a medical license on or about October 26, 2009.
2. The Application, among other things, required Dr. Nelson to disclose his prior employment.
3. During the process of primary source verification of Applicant's prior employment, the Board's staff was advised that the prior employer had Applicant evaluated for possible existence of any physical or psychological abnormalities.
4. As a result of this employment verification, the Applicant was required to meet with the Board's Investigative Review Panel on January 12, 2010 for an informal meeting at the Board's office.
5. Applicant met with members of the Board's Investigative Review Panel on January 12, 2010, and after some discussion the Applicant signed a statement wherein he voluntarily withdrew his initial application for a physician license while under investigation.
6. 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 he is qualified, competent and is of good moral character. Applicant did not meet this burden.
3. The Applicant requested withdrawal of his initial application for medical licensure, which was under investigation or to avoid the results of an investigation.
4. The initial application of Dr. Paul Nelson is hereby considered withdrawn while under investigation or to avoid the results of an investigation.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

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

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IN THE MATTER OF THE INITIAL  
APPLICATION FOR A SOUTH DAKOTA  
MEDICAL LICENSE SUBMITTED BY  
PAUL W. NELSON, 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, and the applicant subsequently requesting in writing to withdraw his initial application for licensure while under investigation, 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



Robert Ferrell, MD, President, SDBMOE

Date: 7 Apr 10