

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

IN THE MATTER OF THE INITIAL
APPLICATION FOR SOUTH DAKOTA
MEDICAL ASSISTANT REGISTRATION
SUBMITTED BY SHIRLEY RAMIREZ

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

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 assistant registration submitted by Shirley Ramirez, 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. Shirley Ramirez, the Applicant, filed an application for medical assistant registration on or about September 25, 2009.
2. The Application, among other things, required the Applicant to disclose whether she ever had her employment terminated by a health-related entity.
3. Applicant failed to disclose that she had in fact been terminated from a health-related entity.
4. As a result, the application was placed under investigation by the Board's Investigative Review Panel (IRP), and the Applicant was notified in writing on December 23, 2009, that she was required to personally attend an informal meeting with the Board's IRP on January 19, 2010 at the Board's office.
5. The Applicant met with members of the IRP and at that time admitted that her employment had been terminated and that she failed to disclose the termination on her application.
6. The IRP produced for her review the application Affidavit she signed which states in part that she agrees that any derogatory information regarding her personal background that was not disclosed when completing the application shall disqualify her for registration in South Dakota.

7. At that time, Applicant notified the IRP in writing that she agreed to withdraw her application while under investigation.
8. That this constitutes a withdrawal of application for medical assistant registration while under investigation or to avoid the results of an investigation.


CONCLUSIONS OF LAW

1. The Board has jurisdiction over the application for medical assistant registration under the provisions of SDCL Chapter 36-9B.
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 medical assistant registration application, which was under investigation or to avoid the results of an investigation.
4. The application of Shirley Ramirez for medical assistant registration 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

IN THE MATTER OF THE
APPLICATION FOR A SOUTH
DAKOTA MEDICAL ASSISTANT
REGISTRATION SUBMITTED BY
SHIRLEY RAMIREZ

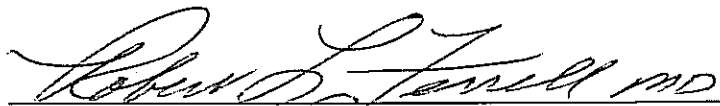
ORDER TO GRANT
WITHDRAWAL OF
APPLICATION WHILE UNDER
INVESTIGATION

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 (IRP) due to the material misrepresentations made by Shirley Ramirez on her application for registration as a medical assistant, and the applicant having met with members of the IRP and subsequently requesting that she be allowed to withdraw the initial application for registration;

IT IS THEREFORE ORDERED that the request from Shirley Ramirez to withdraw her application while under investigation is granted, and

IT IS FURTHER ORDERED that this Order is a public document and shall be reported as the Board deems necessary.

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

 Date: 7 Apr 10
Robert Ferrell, MD, President, SDBMOE