

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

CONSENT AGREEMENT
WITH
In re: STANLEY C. GALLAGHER, DO REPRIMAND
AND FINE

CONSENT AGREEMENT

IT IS AGREED by the South Dakota Board of Medical and Osteopathic Examiners (the Board, SDBMOE) and Stanley C. Gallagher, DO, (Dr. Gallagher) as follows:

1. Licensure status: Dr. Gallagher does not presently hold a license to practice medicine in South Dakota because he allowed his license to be forfeited for non-renewal. SDCL 36-4-24.2.
2. Admission/Facts: Dr. Gallagher admits to the following facts:
 - a. That Dr. Gallagher was initially licensed by the Board on May 26, 1995, and he timely renewed his license every year, except for the current year.
 - b. That he was required by statutes in the Medical Practices Act to renew his medical license on or before March 1, 2010, and it is the responsibility of the licensee to make certain that the license is renewed in a timely manner.
 - c. That the Board sent all licensees courtesy renewal notifications by U.S. mail and email months before the March 1 deadline.
 - d. That he failed to renew his medical license by the March 1, 2010 deadline and therefore his medical license was forfeited under the provisions of SDCL 36-4-24.2 for non-renewal.
 - e. That he was placed under investigation and he met with members of the Board's Investigative Review Panel on April 1, 2010.
 - f. That during the meeting, he admitted that he was the subject of an investigation by the United States Office of Inspector General (OIG), and that he and the OIG reached a settlement agreement.
 - g. That he failed to report the OIG investigation or settlement on any previous renewal applications, and he failed to report the

investigation or settlement on his application for reinstatement and renewal of his forfeited license.

- h. That he made material misrepresentations on his annual renewal applications beginning in 2005, and on his Reinstatement and Renewal Application.
3. Informal Agreement: It is the intent of the parties to this Consent Agreement with Reprimand to provide for the informal compromise and settlement of all issues which could be raised by a formal contested hearing.
4. Waiver of Rights: Dr. Gallagher understands he has the right to consult with an attorney, and if no attorney signs this agreement, he waives said right. He also has a right to an administrative hearing on the facts in this case. He understands and agrees that by signing this Consent Agreement with Reprimand, he is waiving his rights to a hearing. Dr. Gallagher further understands and agrees that by signing this Consent Agreement with Reprimand he is voluntarily and knowingly giving up his right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against him, and to appeal the Board's decision to Circuit Court.
5. Consent Agreement, Decision and Order: Dr. Gallagher agrees that the Board has the authority to enter into this Consent Agreement with Reprimand and to issue the following Decision and subsequent Order.

REPRIMAND AND FINE

Fine: The license, once reinstated and renewed, shall expire on March 1, 2011.

If Dr. Gallagher desires to extend this expiration date, he shall be required to complete the following steps prior to March 1, 2011:

- 1) submit payment of a fine in the amount of \$5,000.00
- 2) submit a timely and sufficient renewal application
- 3) provide true and correct answers to the disclosure questions
- 4) submit the \$200 renewal fee

Reprimand: The following reprimand shall be placed in Dr. Gallagher's permanent file:

*The Board hereby reprimands you, Stanley C. Gallagher,
DO, for unprofessional or dishonorable conduct in violation*

of the Medical Practices Act. Therefore, take note and govern yourself accordingly.

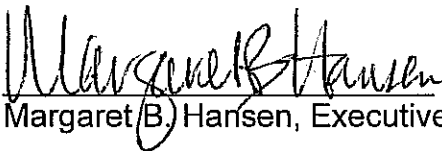
IT IS FURTHER AGREED that this Consent Agreement with Reprimand shall take effect immediately. This is a disciplinary action and as such, it is a public record of the Board and the State of South Dakota. The Board may provide a copy of it to any person or entity, professional licensing board, federal, state, or local government, or other entity making a relevant inquiry. The action taken by the Board in this Consent Agreement with Reprimand will be published on the Board's Web site, and reported to the Federation of State Medical Boards, the National Practitioner Data Bank, and any other entity deemed appropriate by the Board and in compliance with state and federal law.

WHEREAS, Dr. Gallagher has unconditionally accepted this Consent Agreement with Reprimand by affixing his signature to this document.

 Date: 6-7-, 2010
Stanley C. Gallagher, DO

_____, Date: _____, 2010
Attorney for Dr. Gallagher (optional)

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

By:  Date: 6-15-, 2010
Margaret B. Hansen, Executive Director

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

IN THE MATTER OF THE SOUTH *
DAKOTA BOARD OF MEDICAL * ORDER
AND OSTEOPATHIC EXAMINERS LICENSE *
LICENSE #3948 ISSUED TO *
STANLEY C. GALLAGHER, DO *

Stanley C. Gallagher, MD, is the holder of medical license #3948 of the South Dakota Board of Medical and Osteopathic Examiners (the Board), and the Board has jurisdiction of the parties and subject matter herein.

That on June 7, 2010, Dr. Gallagher signed a Consent Agreement with Reprimand and Fine.

IT IS HEREBY ORDERED that said document is approved and the medical license is reinstated and renewed.

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

By Margaret B. Hansen Date: 7/1/2010
Margaret B. Hansen
Executive Director, SDBMOE