

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS
September 16, 2010
Board Room, Sioux Falls
MINUTES

Board Members Present: Mr. Patrick Burchill
Mr. Bernie Christenson
Mary Carpenter, MD
David Erickson, MD
Alex Falk, MD
Robert Ferrell, MD
Brent Lindbloom, DO
Milton Mutch, MD
James Reynolds, MD

Staff Present: Margaret Hansen
Jane Phalen
James Slattery

Guests: Doneen Hollingsworth, South Dakota Secretary of Health
Lynne Valenti, South Dakota Bureau of Personnel
Roxanne Giedd, Deputy Attorney General
William Golden, Assistant Attorney General

Advisory Committee Members Present:
Gail Johannsen-Bridge – Licensed Nutritionists Advisory Committee
Mary Reinesch, RCP – Respiratory Care Advisory Committee
Rod King, PA-C – Physician Assistant Advisory Committee

MINUTES

Thursday, September 16, 2010

The meeting was called to order at 10:15 a.m. by Dr. Ferrell, President of the Board. The roll was called and all Board members were present. A motion by Mr. Christenson to enter into executive session was seconded by Dr. Lindbloom. The vote was unanimous. The Board reconvened at 2:45 p.m. A motion by Mr. Christenson to approve the management contract between the Board and Sandra Jorgenson was seconded by Dr. Reynolds. The vote was unanimous. A motion by Dr. Erickson to ratify the contract with the Attorney General's office for the provision of legal services was seconded by Dr. Mutch. The vote was unanimous. A motion by Mr. Burchill to endorse the Department of Health's request to the Department of Legislative Audit for an audit of the Board was seconded by Dr. Lindbloom. The vote was unanimous.

The minutes of the June 22, 2010, board meeting were reviewed. A motion by Mr. Christenson to approve the minutes was seconded by Dr. Lindbloom. The vote was unanimous.

New Licenses: Between June 1, 2010, and August 31, 2010: 236 new licenses, registrations, 60 day certificates, and permits were issued. Of these, 136 were physicians. A motion by Dr. Lindbloom to approve the new licenses was seconded by Dr. Mutch. The vote was unanimous.

A motion by Dr. Lindbloom to table the Board's consideration of Board actions until the next meeting was seconded by Mr. Christenson. The vote was unanimous.

The Board members reviewed the proposed legislation for criminal background checks, and a letter received from the U.S. Department of Justice, Federal Bureau of Investigation stating that the proposed legislation, if enacted as drafted, would qualify under criteria set forth by PUB. 92-544. A motion by Mr. Christenson to accept for information was seconded by Dr. Falk. The vote was unanimous.

Discussion was held regarding the question of whether "spinal manipulation" is within the scope of practice for physical therapists. The Physical Therapy Advisory Committee (PTAC) supportive academic documentation from United States physical therapy training programs and its opinion that this is within physical therapy scope of practice. The committee further recommended that the word "mobilization" be substituted for the word "manipulation". A motion by Dr. Lindbloom was seconded by Dr. Carpenter to ratify the opinion of the PTAC. The vote was unanimous.

In July, members of the board staff and the board's Physical Therapy Advisory Committee (PTAC) met with two physical therapists who requested perform dry needling procedures. A demonstration of dry needling was video taped and background information was provided. The Board reviewed the video and the background information. A motion by Dr. Carpenter to deny the request was seconded by Dr. Mutch. The vote was unanimous.

The South Dakota Occupational Therapy Association (SDOTA) nominated Barb Tarbox, OT, as the new member of the Occupational Therapy Advisory Committee. A motion by Dr. Reynolds to approve Ms. Tarbox was seconded by Dr. Erickson. The vote was unanimous.

The Board was informed that two (2) training sessions for the Board's advisory committee members were held in June and July, and that all but four (4) members were able to attend the training. A motion by Dr. Carpenter to accept for information was seconded by Dr. Erickson. The vote was unanimous.

The executive director's report was presented and included the following information:

- The medical journal "South Dakota MD" included pieces on two (2) Board members: Dr. Mary Carpenter was recognized as the first woman to serve as president of the South Dakota State Medical Association, and Dr. James

Reynolds was recognized when a former student established a scholarship in his honor.

- Board members Dr. Mary Carpenter, Dr. James Reynolds, and Mr. Patrick Burchill have been reappointed to the Board to serve until June 30, 2013.
- The status regarding Maintenance of Licensure (MOL) was presented, and an article written by the executive director and published in the South Dakota Journal explains the recent developments on this topic.
- Two surveys, one for the renewal process and one for new licensees, were provided to the Board members for information and consideration.
- Dr. Steven Frost from Rapid City was appointed by Dr. Ferrell to be the Board's representative for the Prescription Drug Monitoring Program (PDMP) advisory council.
- An update on Dr. Richard Plummer was provided. The Board was informed that a court order was issued to permit the Board to obtain his patient records. These records are now stored in a secure location, and are available to his patients.
- The executive director spoke to 3rd year medical students, and the students were enthusiastic and interactive.

The business and financial manager presented the financial report. A motion by Mr. Burchill to approve the report was seconded by Dr. Reynolds. The vote was unanimous.

An update on the Board's technology was presented and accepted for information.

The date of the next Board meeting was changed to Wednesday, December 8, 2010.

There being no further business, the meeting was adjourned.