

## SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

### Unapproved Draft Minutes: June 8, 2017

#### Public Board Meeting

1. **Pierre - Public DDN site:** CAP A, 500 E. Capitol Ave., Room B12, Pierre, SD 57501
2. **Rapid City - Public DDN site:** Rapid City Dept. of Transportation (DOT), 2300 Eglin St., Rapid City, SD 57703
3. **Board Conference Room:** 101 N. Main Ave., Suite 215, Sioux Falls, SD 57104

Thursday, June 8, 2017 – 9:00 am (CT)

Unapproved Draft Minutes<sup>1</sup>

Boards Members:

Present: Kevin Bjordahl, MD; Mr. Richard Hainje; Laurie Landeen, MD; Brent Lindbloom, DO; Elmo Rosario, MD, Jeffrey Murray, MD

Absent: Walter Carlson, MD; Mr. Corey Brown; Jennifer May, MD

Board Staff:

Present: Margaret Hansen, PA-C; Mr. Tyler Klatt; Ms. Randi Sterling; Ms. Misty Rallis

Counsel:

Present: Assistant AG Steven Blair (Board), Assistant AG William Golden (Staff)

Attendees providing testimony:

Ste. 215: Mr. Tim Engel – SDSMA – via DDN

Dr. Matthew Owens – via phone

The meeting was a public meeting and other individuals may have been present.

Dr. Kevin Bjordahl, vice president of the Board, called the meeting to order at 9:10 am (CT). Roll was called and a quorum was confirmed.

Consent Agenda:

- June 8, 2017 agenda
- March 9, 2017 Board meeting minutes
- February 15, 2017 through May 15, 2017 new licensure list
- Advisory Committee Business
- Financial report
- Docket review

Dr. Landeen requested the financial report removed from the consent agenda. A motion for unanimous approval of the consent agenda was ratified by roll call vote (Landeen/unanimous). The financial report was discussed and a motion for unanimous approval of the financial report was ratified by roll call vote (Landeen/unanimous).

- Closed physician hearings – 9:00 am (CT) – Physician hearings are confidential until final action is taken pursuant to SDCL 36-4-31.5. The assigned board member does not participate in discussion or vote.
  - Danielle Davida Prince Rosenkrans, MD: A motion to approve the Consent Agreement with Reprimand was ratified by roll call vote (Landeen/unanimous). Dr. Lindbloom was recused from the vote.
  - Vijil Rahulan, MD: A motion to approve the Consent Agreement with Reprimand was ratified by roll call vote (Landeen/unanimous). Dr. Murray was recused from the vote.
  - Kerry Blackham, DO: A motion to approve the Order to Amend Decision of the Board was ratified by roll call vote (Rosario/unanimous).
  - Ramon Morales, DO: A motion to approve the Order to Amend the Stipulation and Agreement was ratified by roll call vote (Landeen/unanimous). Dr. Murray was recused from the vote.
  - Sudhir Finch, MD: A motion to approve the Order to Amend the Stipulation and Agreement was ratified by roll call vote (Rosario/unanimous). Dr. Landeen was recused from the vote.

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1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.

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- Public hearings – 9:30 am (CT)
    - Melissa Adolph: A motion to approve the Consent Agreement was ratified by roll call vote (Landeem/unanimous).
    - Benjamin Estes: A motion to approve the Consent Agreement was ratified by roll call vote (Murray/unanimous). Dr. Landeen was recused from the vote.
    - Bruce James Ferrell: A motion to approve the Final Order to return license to unrestricted status was ratified by roll call vote (Lindbloom/unanimous).
  - Public Hearing – Microblading - 10:30 am (CT):
    - No written or public comments were received and no testimony was offered. Findings of Fact and Conclusions of Law presented to the Board were ratified by roll call vote (Murray/unanimous).
  - Public Hearing on physician delegation to licensed nutritionists in long term care facilities - 10:30 am (CT):
    - Testimony was provided by Mr. Tim Engel and Dr. Matthew Owens. Continued to the September 14, 2017 Board meeting in order to prepare Findings of Fact and Conclusions of Law to be presented to the Board.
  - Public Hearing on physician delegation to physical therapists in long term care facilities - 10:30 am (CT):
    - Testimony was provided by Mr. Tim Engel and Dr. Matthew Owens. Continued to the September 14, 2017 Board meeting in order to prepare Findings of Fact and Conclusions of Law to be presented to the Board.
  - Public Hearing on physician delegation to occupational therapists in long term care facilities - 10:30 am (CT):
    - Testimony was provided by Mr. Tim Engel and Dr. Matthew Owens. Continued to the September 14, 2017 Board meeting in order to prepare Findings of Fact and Conclusions of Law to be presented to the Board.
  - Public Hearing on physician delegation to respiratory care practitioners in long term care facilities - 10:30 am (CT):
    - Testimony was provided by Mr. Tim Engel and Dr. Matthew Owens. Continued to the September 14, 2017 Board meeting in order to prepare Findings of Fact and Conclusions of Law to be presented to the Board.
  - The Medical Board Monitoring Program was discussed.
  - The Executive Director Report was accepted for information.
  - Annual Election of Officers. A motion was made for the current slate of officers to remain the same and was ratified by roll call vote (Murray/unanimous).
  - 12:40 pm (CT) Executive session: a motion to enter executive session pursuant to SDCL 1-25-2(1) (3) (4) {personnel issues, consult with legal counsel, address contracts and negotiations} was ratified by roll call vote (Lindbloom/unanimous)

The meeting adjourned at 1:15 pm (CT).

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