

# SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

## Unapproved Draft Minutes: September 14, 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:** SD School of Mines & Technology Public Room, 501 E. St. Joseph St, EEP Building Room 144, Rapid City SD
3. **Board Conference Room:** 101 N. Main Ave., Suite 215, Sioux Falls, SD 57104

Thursday, September 14, 2017 – 9:00 am (CDT)

Unapproved Draft Minutes<sup>1</sup>

Boards Members:

Present: Kevin Bjordahl, MD; Mr. Corey Brown; Walter Carlson, MD, MBA; Mr. Richard Hainje; Laurie Landeen, MD; Brent Lindbloom, DO; Jennifer May, MD; Jeffrey Murray, MD; Elmo Rosario, MD

Board Staff:

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

Counsel:

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

Attendees providing testimony:

Ste. 215: Patrick Hauer, PT: President of the South Dakota Physical Therapy Association

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

Dr. Walter Carlson, president of the Board, called the meeting to order at 9:00 am (CDT). Roll was called and a quorum was confirmed.

Mr. Tyler Klatt introduced Mr. Lanny Baker, Jr., RCP: nominee to the Respiratory Care Practitioner Advisory Committee

Consent Agenda:

- September 14, 2017 agenda
- June 8, 2017 Board meeting minutes
- May 15, 2017 through August 15, 2017 new licensure list
- Advisory Committee Business, Nomination and Re-appointments
- Financial report
- Docket review

A motion for unanimous approval of the consent agenda was ratified by roll call vote. (Lindbloom/unanimous)

- 9:00 am (CDT) - Closed physician hearings — 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.
  - Richard Lee Plummer, MD: A motion to approve the Stipulation and Agreement was ratified by roll call vote. (Murray/unanimous). Dr. Landeen and Mr. Hainje were recused from discussion and voting.
  - Kerry Alan Blackham, DO: A motion to discharge Dr. Blackham from the Medical Board Monitoring Program (MBMP) and return his South Dakota medical license to a full and unrestricted status was ratified by roll call vote (Bjordahl/unanimous)
- 9:15 am - A motion to enter into Executive Session to consult with legal counsel was ratified by roll call vote (Bjordahl/unanimous)
- 10:25 am - A motion to exit Executive Session was ratified by roll call vote (Hainje/unanimous)
- 10:30 am - Public Hearings:
  - Michael Whirlwind Soldier: A motion to approve the issuance of the Advanced Life Support Student Status was ratified by roll call vote (Rosario/8 yes, 1 no)

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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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- Donald James Lucas: A motion to adopt the Findings of Fact, Conclusions of Law and approve the Final Order of Denial of application submitted by Mr. Lucas for a paramedic license. (May/unanimous) ). Dr. Murray was recused from discussion and voting.
  - Public Hearing to Adopt Proposed Administrative Rules:
    - Article 20:66; Chapter 20:66:03; Section 20:66:03:01,02,03,04  
Physical Therapists and Physical Therapist Assistants: Continuing education  
A motion to amend the rule with the Legislative Research Council (LRC) changes for form and style, and then approve the amended rule was ratified by roll call vote. (Hainje/unanimous)
    - Article 20:78; Chapter 20:78:04; Section 20:78:04:04:01  
Physicians and Surgeons: Disciplinary action in another state  
A motion to amend the rule with the Legislative Research Council (LRC) changes for form and style, and then approve the amended rule was ratified by roll call vote. (Brown/unanimous)
    - Article 20:47; Chapter 20:47:03; Section 20:47:03:13  
Physicians and Surgeons: Renewal of licensure – Interstate medical licensure compact  
A motion to amend the rule with the Legislative Research Council (LRC) changes for form and style, and then approve the amended rule was ratified by roll call vote. (Landeen/unanimous)
  - Public Hearings on Declaratory Rulings:
    - Physician delegation for licensed nutritionists in long term care facilities
    - Physician delegation for physical therapists in long term care facilities
    - Physician delegation for occupational therapists in long term care facilities
    - Physician delegation for respiratory care practitioners in long term care facilitiesA motion to continue the declaratory rules hearing to December 14, 2017 Board Meeting was ratified by roll call vote. (May/unanimous)
  - Executive Director Report was accepted for information.
  - Medical Board Monitoring Program: information, comparison research results, expense research, educational outreach report, and discussion accepted for information.

The meeting adjourned at 1:15 pm (CDT)

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