

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

Minutes of June 2, 2016

Public Board Meeting

1. **Pierre - Public DDN site:** CAP A, 500 E. Capitol Ave., Room B12, Pierre, SD 57105
2. **Rapid City - Public DDN site:** University Center, 4300 Cheyenne Blvd., Room 113, Rapid City, SD 57703
3. **Board Conference Room:** 101 N. Main Ave., Suite 215, Sioux Falls, SD 57104

Thursday, June 2, 2016 - 9:00 am (CDT)

Boards Members:

Present: Kevin Bjordahl, MD; Walter Carlson, MD; Mary Carpenter, MD; Laurie Landeen, MD; Brent Lindbloom, DO; Mr. David Lust; Jeffrey Murray, MD; Elmo Rosario, MD
Absent: Ms. Deb Bowman

Board Staff:

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

Counsel:

Present: Assistant AG Steven Blair (Board), Assistant AG Ellie Bailey (Staff)

Attendees:

Ste. 215: Physician assistant Mr. Clint Perman, Physician assistant Ms. Louise Papka, president South Dakota Physician Assistant Academy (SDAPA); Mr. Mark East, South Dakota State Medical Association (SDSMA)
Public DDN site: Rapid City: Mr. Jason Culberson, Paramedic
Public DDN site: Pierre: Mr. Tim Engel, South Dakota State Medical Association (SDSMA) Attorney

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. Roll was called and a quorum was confirmed.

Motions to approve the following were made and ratified by roll call vote:

- June 2, 2016 agenda (Landeen/unanimous)
- March 3, 2016, Board meeting minutes (Landeen/unanimous)
- March 1, 2016 through May 31, 2016 new licensure list (Landeen/unanimous)
- Financial report (Bjordahl/unanimous)
- Advisory Committee:
 - Physician Assistant new member: Mr. Clint Perman, PA-C (Landeen/unanimous)
 - Genetic Counselor re-appointments: Dr. Maria Palmquist and Mr. Quinn Stein, GC, (Murray/unanimous)
- Yankton County EMT Services AEMTs: Jean Scherschligt, Michael Slowey, and Kimberly Velk petitioned the board for an expansion of scope to include: diphenhydramine and Zofran (ondansetron) (IV), epinephrine 1:10,000 (IV/IO) and adult therapy by intraosseous infusion devices in emergent situations. These AEMTs will first complete education and training, and attend an ACLS and PALS course, and they will be required to complete continuing education in order to maintain competency. (Landeen/unanimous)
- Rapid City Fire Department mobile medic program petition extension of temporary approval order to the September meeting (Carpenter/unanimous)
 - Direct board staff to edit Protocol 9: Assessment to include language for the protocol to follow, and the form to use, when the patient refuses assessment by the mobile medic (Carpenter/unanimous)
- Hearings – assigned board member does not participate in discussion or vote:
 - Public:
 - Paramedic Curt Hasart: adopt administrative law judge's Findings of Fact, Conclusions of Law and recommendation to accept the voluntary surrender of paramedic license (Landeen/unanimous, assigned Board member Erickson no longer on the Board)
 - Paramedic Wade Wells: adopt administrative law judge's Findings of Fact, Conclusions of Law and recommendation to approve the Consent Agreement with Reprimand and 90-Day Suspension (Landeen/unanimous; assigned Board member Dr. Carlson abstained)
 - Certified Nurse Midwife Suzanne Ryan: approve Board of Nursing recommendation to reinstate the CNM license (Bjordahl/unanimous; assigned Board member Dr. Carlson abstained)
 - Closed physician hearings are confidential until final action is taken pursuant to SDCL 36-4-31.5:
 - Grady Reynolds Fort, MD: adopt administrative law judge's Findings of Fact, Conclusions of Law and recommendation: accept the request to withdraw application while under investigation (Landeen/unanimous; assigned Board member Dr. Lindbloom abstained)

- Kip Cardell Newell, DO: adopt administrative law judge's Findings of Fact, Conclusions of Law and recommendation to deny the application (Landeen/unanimous; assigned Board member Deborah Bowman was absent to the meeting)
 - Robert John Gustafson, MD: approve the agreement to accept the medical license as withdrawn under investigation (Landeen/unanimous; no Board member assigned to this case)
 - Stephen Charles Myers, MD: : adopt administrative law judge's Findings of Fact, Conclusions of Law and recommendation: reprimand (Bjordahl/unanimous; assigned Board member Dr. Laurie Landeen abstained)
- Changes to South Dakota statute:
 - SDCL 36-4-20.4: Duration of Locum Tenens Certificate accepted as presented by staff and to move forward with the Department of Health (DOH) legislative process (Carpenter/unanimous)
 - SDCL 36-4: Board staff, with Mr. David Lust, to draft and bring back to the September meeting: a new statute authorizing the Board to use funds for educational opportunities (Landeen/unanimous)
- Changes to South Dakota administrative rules:
 - Supervision of family members: table item and staff was directed to do further research as to how common the situation might be with all the professions affected, draft language for both supervisors (e.g. the physician) and the supervisees (e.g. PA, paramedic, athletic trainer, etc.) bring everything back to the September meeting: (Lust/unanimous)
 - Medical record documentation: SDSMA White Paper on Pain Management and Prescription Drug Abuse will not be put into rule but will be used as a guideline for staff to evaluate complaints. Direct the staff to prepare the language and include chronic pain definition for a rules hearing at the September meeting (Landeen/unanimous)
 - Genetic Counselor continuing education requirements as presented by staff: move forward for an administrative rules hearing (Carpenter/unanimous)
- Annual election of officers:
 - Continue with the current slate for president and vice president: Dr. Walter Carlson and Dr. Kevin Bjordahl respectively (Landeen/unanimous)
 - Dr. Laurie Landeen elected as secretary of Board (Carpenter/unanimous)
- Executive session pursuant to SDCL 1-25-2(3) to consult with legal counsel (Murray/unanimous) entered at 11:45 am and the public meeting resumed at 1:00 p.m.

Reports accepted for information:

- Advisory Committee Business
- Executive Director
- Complaints and investigations docket

The meeting adjourned at 2:00 pm CDT.