



**SOUTH DAKOTA BOARD OF NURSING &
BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS
JOINT BOARD MEETING**

BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS CONFERENCE ROOM

SEPTEMBER 15, 2009

MINUTES

CALL TO ORDER by President Bernie Christenson at 9:00 a.m.

Members Representing the Board of Medical and Osteopathic Examiners Present:

Patrick J. Burchill, Mary Carpenter, Bernie Christenson, David Erickson, Alex Falk,
Robert L. Ferrell, Brent Lindbloom, Milton Mutch, James Reynolds

Members Representing the Board of Nursing Present:

Diana Berkland, Linda Bunkers, Dori Dufault, John Jones, June Larson,
Adrian Mohr, Deborah Soholt, Patricia Wagner, Robin York

Also Present Representing the Board of Medical and Osteopathic Examiners:

Margaret Hansen, Executive Director; Donald Srstka, Attorney,
Jane Phalen, Board Operations Coordinator

Also Present Representing the Board of Nursing:

Gloria Damgaard, Executive Director; Nancy Bohr, Nursing Program Specialist;
Kathleen Rausch, Nursing Program Specialist; Linda Young, Nursing Program Specialist;
Kristine Kreiter O'Connell, Attorney; Erin Matthies, Licensure Operations Manager,
Winora Robles, Program Assistant

Guests: Mary Reinesch, Respiratory Care Committee

Lori Salonen, Respiratory Care Committee

Dawn Creech, Respiratory Care Committee

Craig Price, Division of Criminal Investigation

Lisa Robin, Federation of State Medical Boards

Ron Huether, South Dakota Board of Pharmacy

Leslie Gallant, Federation of State Medical Boards

Jeff Nielsen, South Dakota Board of Pharmacy

MINUTES of the September 10, 2008 Joint Board meeting were approved in a unanimous voice vote.

MINUTES of the November 13, 2008 Public Hearing were approved in a unanimous voice vote.

MINUTES of the April 8, 2009 Public Hearing were approved in a unanimous voice vote.

AGENDA for today's meeting was approved in a unanimous voice vote.

PRESCRIPTION DRUG MONITORING PROGRAM (PDMP): Addressing prescription drug abuse, addiction, and diversion, the program is already in use in several surrounding states. Patient safety and decreased diversion are goals. The Office of the Attorney General initiated efforts in South Dakota. Craig Price outlined how the program results in benefits to law enforcement, patients, and the healthcare industry. Funding in the amount of \$50,000 has been provided by Harold Rogers Program for efforts to explore the prospect of implementation in this state; Gloria Damgaard, Margaret Hansen, and Ron Huether are part of the task force. Federal funds as well as grant money from the Harold Rogers Program are expected to be available to help with the start-up process. The issue of personal privacy was discussed; Craig Price said that the task force would ensure that measures are in place to protect privacy of individuals. It is anticipated that the program would be

overseen by the Board of Pharmacy, as is the case in several other states, since it is the Board that legally oversees prescription medications; also, at meetings of state Boards of Pharmacy, there is the opportunity to coordinate and share efforts efficiently. No state funds are being used for PDMP; the task force will explore ongoing funding methods.

MOTION: Deborah Soholt moved that the Joint Boards endorse going forward with efforts leading to the development of the Prescription Drug Monitoring Program with the South Dakota Board of Pharmacy as lead agency.

Motion seconded by Robert Ferrell and carried in a unanimous voice vote.

FINANCIAL REPORT of Activity FY 2008-2009 was presented by Gloria Damgaard.

MOTION to approve the Financial Report carried in a unanimous voice vote.

OUT-OF-HOSPITAL BIRTHS PERFORMED BY CNMS: Gloria Damgaard and Linda Young reported on out-of-hospital births performed by Certified Nurse Midwives July 2008 – June 2009. The statistical data, which was distributed in a written report, was obtained from the South Dakota Department of Health. In future reports, more clinical information will be included. Dr. Lindbloom will furnish a list of data elements to be monitored and reported.

MOTION to approve the Report of Out-of-Hospital Births Performed by CNMs carried in a unanimous voice vote.

RULE CHANGES FOR COLLABORATION REQUIREMENTS: Gloria Damgaard reported that issues have arisen as a result of changes to language in Administrative Rule 20:62:03:05 Separate Practice Locations. A letter from Behavioral Management Systems CEO Alan Solano regarding access to care concerns was discussed.

MOTION to form an Ad Hoc Committee to draft a Joint Board Resolution interpreting the language of ARSD 20:62:03:05 carried in a unanimous voice vote.

MEMORANDUM OF UNDERSTANDING of November 2004 regarding joint control and regulation of CNPs and CNMs was distributed and reviewed by the Joint Boards.

MOTION to accept the report carried in a unanimous voice vote.

HEALTH PROFESSIONALS ASSISTANCE PROGRAM: Gloria Damgaard reported that Maria Eining, Director of HPAP, is recovering nicely from health problems, and is expected to be back to work within a couple of weeks; the Service Committee will meet soon thereafter.

ELECTION OF OFFICERS: Diana Berkland was elected Presiding Officer; David Erickson was elected Secretary for 2010. Outgoing Presiding Officer Bernie Christenson said that it has been an honor to serve with such a great group of professionals on both sides.

NEXT JOINT BOARD MEETING: September 14, 2010.

The Joint Board Meeting was recessed; the Ad Hoc Committee met. The Joint Board Meeting reconvened; the Committee returned with this suggestion for the Joint Board interpretation of ARSD 20:62:03:05 and ARSD 20:52:01:03.02:

“For the purpose of ARSD 20:62:03:05 and ARSD 20:52:01:03.02, the 90 day onsite requirement applies to the practice site(s) where the CNP/CNM/PA is in practice and does not have a collaborating/supervising physician physically present at any other site where collaboration/supervision can occur.”

MOTION to accept the suggested language and Joint Board interpretation of ARSD 20:62:03:05/ARSD 20:52:01:03.02 carried in a unanimous voice vote.

ADJOURNMENT: 10:26 a.m.

These Minutes were approved by South Dakota Board of Medical and Osteopathic Examiners and by South Dakota Board of Nursing in separate votes in November 2009.