



# Board of Medical and Osteopathic Examiners

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Executive Director

# Medical Board: a Triad of Functions for Public Protection

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## Licensure

- ▶ Evaluate applicant's fitness to practice
- ▶ Assure that applicant has met basic requirements regarding education, training, and testing

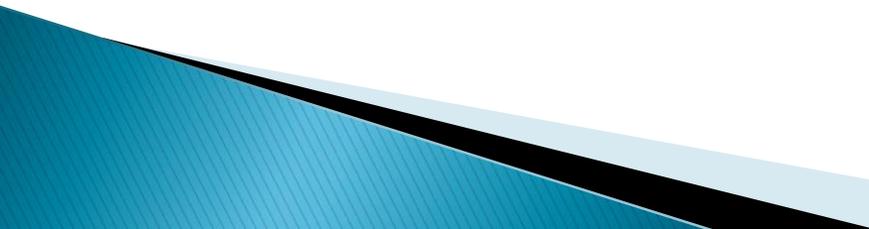
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## Discipline

- ▶ Protect and inform the public of disciplinary action for unprofessional, incompetent or unlawful practice

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## Regulation

- ▶ Establish standards for licensure and practice
  - ▶ Adopt and publicize rulings to strengthen licensee practice
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# Mission

- ▶ **Protect the health and welfare of the state's citizens:**
    - ▶ by ensuring qualified healthcare providers are licensed
    - ▶ inform the public of disciplinary action
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# Responsibilities of the BMOE

The Board's authority is established in South Dakota Codified Law 36-4

The South Dakota Legislature authorizes the Board to make rulings and impose penalties in accordance with various sections of the state law.

**The main purpose of regulating healthcare professions is to protect the public.**



# SD Regulation pre-dates Statehood

Dakota Territory → State of SD

- 1852 1st medical license issued
- 1882 Dakota Medical Society
- *1st official “governing” body*
- *Twofold purpose:*
  - *professional advancement and public service*



# Board Members

- ▶ 9 volunteer members appointed by the Governor
  - 6 allopathic physicians (MD)
  - 1 osteopathic physician (DO)
  - 2 non-physician or lay\* persons
    - *\*Defined in statute as "...users of the services regulated by the board. One lay member may be a nonphysician health care professional licensed by the board."*
- ▶ 3 year terms with limit of 3 reappointments

# Regulated Professions

- ▶ Advanced Life Support Personnel EMT: 1/85, 1/99 AEMT EMTP
  - ▶ Athletic Trainer AT
  - ▶ Medical Corporation Registration MD/DO PA
  - ▶ Dietitian and Nutritionist LN
  - ▶ Genetic Counselor GC
  - ▶ Occupational Therapists and OT Assistant OT OTA
  - ▶ Physical Therapists and PT Assistant PT PTA
  - ▶ Physician Assistant PA
  - ▶ Physician: allopathic and osteopathic MD DO
  - ▶ Respiratory Care Practitioner RCP
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# Professions Co-regulated with the SD Board of Nursing:

- ▶ Medical Assistant Registration MA
- ▶ Advanced Practice Nurses:
  - Certified Nurse Practitioner CNP
  - Certified Nurse Mid-wife CNM

# ALS Advisory Committee to the BMOE

Dr. Donald Kosiak  
Donald Weller EMT I/85  
Paul Schueth EMT I/99  
Tom Price EMT/Paramedic

36-4B-37. Advanced life support personnel advisory committee--Appointment--Terms--Duties. The board shall appoint an advanced life support personnel advisory committee composed of four members as follows:

- (1) One emergency medical technician-intermediate/85;
- (2) One emergency medical technician-intermediate/99;
- (3) One emergency medical technician-paramedic; and
- (4) One emergency room physician.

Each committee member shall serve a term of three years. However, the terms of initial appointees shall be staggered so that no more than two members' terms expire in one year. No committee member may be appointed to more than three consecutive full terms. If a vacancy occurs, the board shall appoint a person to fill the unexpired term. The appointment of a person to an unexpired term is not considered a full term. The committee shall meet at least annually or as deemed necessary to conduct business. The advisory committee shall assist the board in evaluating standards of care for advanced life support personnel and the regulation of advanced life support personnel pursuant to this chapter. The committee shall also make recommendations to the board regarding rules promulgated pursuant to this chapter.

**Source:** SL 2005, ch 199, § 7.

# Total Counts

- ▶ **>9,000 total -> 30 different licensure types**
- ▶ ALS (EMT: I/85, I/99 AEMT EMTP) 838
- ▶ Athletic Trainer 211
- ▶ Medical & PA Corporation Registration 166
- ▶ Dietitian and Nutritionist 306
- ▶ Genetic Counselor 33
- ▶ Medical Assistant 654
- ▶ Occupational Therapists and OT Assistant 636
- ▶ Physical Therapists and PT Assistant 1251
- ▶ Physician Assistant 567
- ▶ Physician: allopathic and osteopathic 4054
- ▶ Respiratory Care Practitioner 490

# Breakdown of ALS Counts

▶ Advanced EMT License	60
▶ EMT Student Status	100
▶ EMT-I/85 License	122
▶ EMT-I/99 License	10
▶ Paramedic License	<u>546</u>
◦ Total	838

# All Professions Issued in FY15:

- ▶ Total Issued = 1128
  - 466 in 30 days or less = 41.31%
  - Average time (+ “complex” and contested cases)
    - 49 days
  - Average time (“standard” only)
    - 48 days

# ALS Issued in FY15:

- ▶ Total Issued = 228
  - 141 in 30 days or less = 61.84%
  - Average time (+ “complex” and contested cases)
    - 33 days
  - Average time (“standard” only)
    - 30 days

# Accessing Information

- ▶ How to:
  - Apply & Renew licensure
  - Find laws and rules
  - Find required forms
- ▶ <http://www.sdbmoe.gov/>

# <http://www.sdbmoe.gov/>



SOUTH DAKOTA  
**BOARD OF MEDICAL & OSTEOPATHIC EXAMINERS**

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### Quick Links

- o [Home](#)
- o [Account Login](#)
- o [Licensee Look-Up](#)

### Feedback

[Provide Feedback](#)

### Search

[Search](#)

### Mission

The mission of the South Dakota Board of Medical and Osteopathic Examiners is to protect the health and welfare of the state's citizens by assuring that only qualified doctors of medicine, doctors of osteopathy, physical therapists, advanced life support personnel, physician assistants, athletic trainers, occupational therapists, respiratory therapists, nurse practitioners, nurse midwives, and dietitians are licensed to practice in South Dakota.

### Press Release

### Administrative Rule Changes

The Interim Rules Review Committee recently approved new rules related to licensees. To view the new rules, click on Laws and Rules, which can be found on the right hand side of the screen.

### New Applicants

Thu, 02/06/2014

Thank you for considering licensure in South Dakota. The application process is conducted in accordance with South Dakota codified law and administration rule. This is a link to the administrative rules related to the application process: <http://legis.sd.gov/rules/DisplayRule.aspx?Rule=20-78-03> Practice Acts with SD profession specific requirements can be found by using the Laws and Rules tab on the right menu.

For specific questions of eligibility and formal review an application must be submitted online to evaluate qualifications and determine eligibility. An online account must be created prior to submitting an online application, to complete the online account request form click here [\(OAR\)](#). Please review the Board's [General Guidelines for Criminal History](#).

Requirements for licensure that must be met include but are not limited to primary source verifications of training, all licenses held (current or expired), employment and hospital privileges, exam results, and any other verification that is deemed necessary by the Board. Several of the provider professions must also undergo a background check that includes fingerprinting.

[Read more](#)

### Primary Source Verification - NCQA

Tue, 07/26/2011

The SDBMOE requires **primary verification directly from the source** (not a public website) to make application for any type of licensure in South Dakota. This meets the National Committee for Quality Assurance (NCQA) standard -surveys are unnecessary.

[Read more](#)

### Board Action Note

Tue, 07/26/2011

Please note that all recent disciplinary action documents are available online, but some older action documents may not be available online at this time. We will be adding the older documents as time

### Board of Medicine Home

### Forms and Helpful Links

### Laws and Rules

### Licensee Look-Up

### Online Verifications

### Board Actions

### Board Information

### Statements

### Complaints

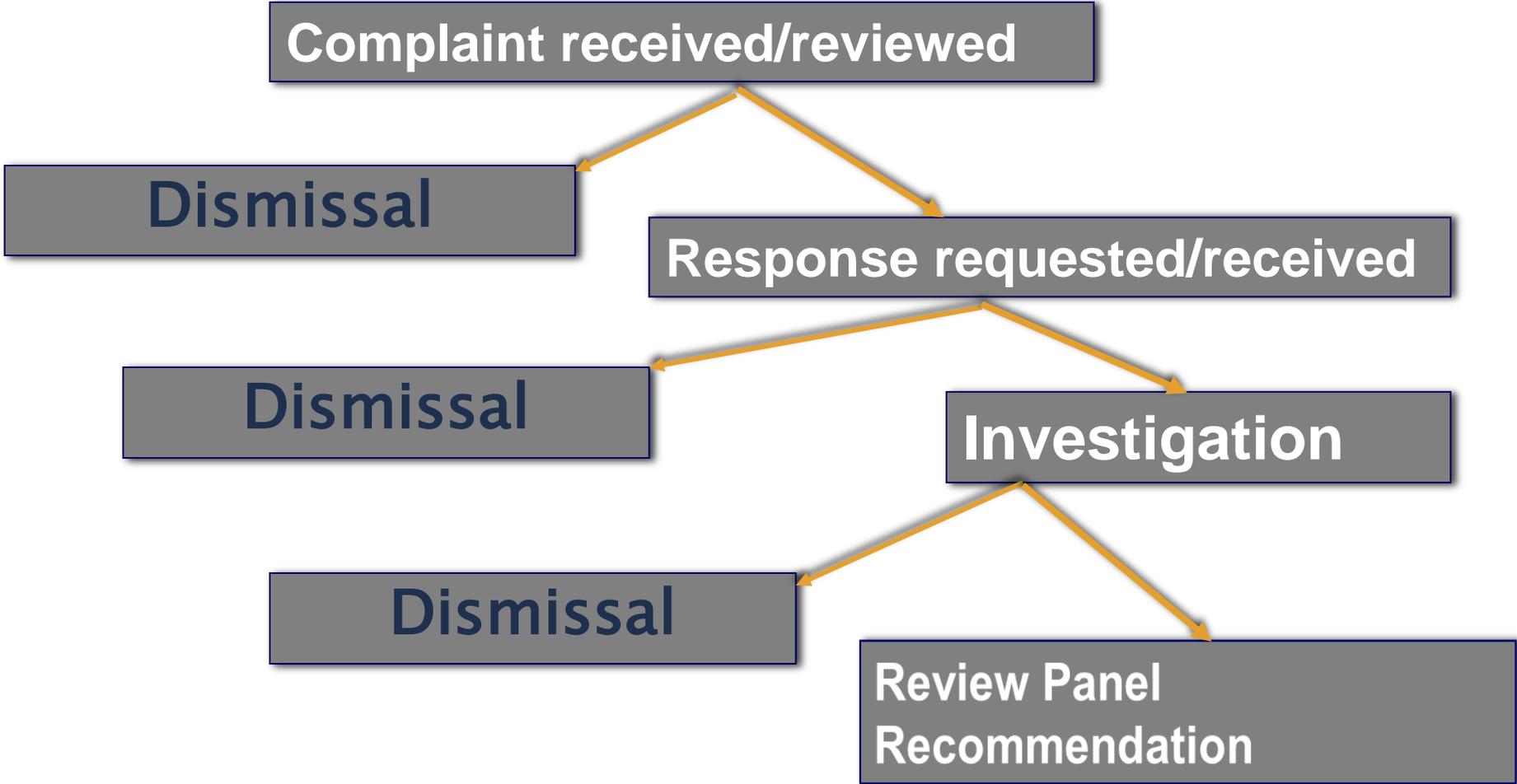
### Professions

### CONTACT US

questions? we've got answers

Please note that an application fee only extends an initial license to the next renewal date. Initial licenses do vary in duration. It is the responsibility of all licensees to renew their license before expiration. Failure to renew shall result in automatic forfeiture or suspension of the license by statute. Licenses which have forfeited are not automatically entitled to renew.

# Complaint Process:



# Complaint Process:

Is an investigation always opened?

Not Always, for example,

- ▶ Fee disputes
  - ▶ Wrong agency (e.g. chiropractors, podiatrist, etc.)
  - ▶ No provider–patient relationship established
  - ▶ No clear allegation in the complaint
  - ▶ Provider was rude
  - ▶ Claims of abandonment but relationship was properly terminated
  - ▶ Etc.
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# Complaint process: Final Action

- ▶ **Not Public:**
  - Complaint dismissal
  - Letter of concern
- ▶ **Public**
  - Reprimand
  - Limit, condition, probation etc.
  - Suspend or revoke

# Health Professionals Assistance Program (HPAP)

- ▶ A multidisciplinary program for health professionals
  - ▶ Facilitates the early intervention, treatment, continued care, and monitoring of the safe return to practice for professionals who may be unable to practice with reasonable skill and safety if their mental health or substance use illness symptoms are not adequately managed
  - ▶ <http://www.mwhms.com/hpap.html>
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