Board of Medical and Osteopathic Examiners

Margaret B. Hansen, PA–C, MPAS, CMBE
Executive Director
Medical Board: a Triad of Functions for Public Protection

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

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

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

- Protect the health and welfare of the state's citizens:
  - by ensuring qualified healthcare providers are licensed
  - inform the public of disciplinary action
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.
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: I/85, I/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
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.

## 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**: 546
  - **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/

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, 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 licenses.

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, 02/05/2014
Thank you for considering licensure in South Dakota. The application process is conducted in accordance with South Dakota codified law and administrative rule. This is a link to the administrative rules related to the application process: http://sdcoweb.com/sdcoweb/forms/Rule-267503

Practice Acts with SI 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 (DACH). 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 licensure 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
Thu, 02/05/2014
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
Thu, 02/05/2014
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 we have time.

Read more
Complaint Process:

- Complaint received/reviewed
  - Dismissal
  - Response requested/received
    - Dismissal
    - Investigation
      - Review Panel Recommendation
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.
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](http://www.mwhms.com/hpap.html)