

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

825B0073

SENATE BILL NO. 78

Introduced by: Senators Curd, Heinert, Otten (Ernie), and Sohlt and Representatives Hansen and Johns

1 FOR AN ACT ENTITLED, An Act to exempt certain medical providers from licensure.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 36-4-39 be amended to read:

4 36-4-39. Notwithstanding anything in this chapter to the contrary, ~~any a~~ a physician who is
5 ~~the holder of~~ holds a permanent, unrestricted license to practice medicine or osteopathy in any
6 other state or, in a territory of the United States, in the District of Columbia, or in a Province
7 of Canada ~~may practice medicine or osteopathy in this state without first obtaining~~ is not
8 required to obtain a license from the Board of ~~Medical and Osteopathic~~ Examiners ~~under one~~
9 ~~or more of the following circumstances~~ prior to:

- 10 (1) ~~As~~ Participating as a member of ~~an organ harvesting a team engaged in the harvesting~~
11 of an organ;
- 12 (2) ~~On~~ Providing services on board an air ambulance ~~and~~ as a part of ~~its~~ a treatment
13 team;
- 14 (3) ~~To provide~~ Providing one time consultation or teaching assistance for ~~a period of not~~
15 no more than twenty-four hours; ~~or~~



1 (4) ~~To provide~~ Providing consultation or teaching assistance previously approved by the
2 Board of ~~Medical and Osteopathic~~ Examiners, for charitable organizations; or

3 (5) Providing, subject to the terms of an employment contract or verbal agreement,
4 medical care to an individual athlete, to members of an athletic team, or to any person
5 authorized to accompany an athlete or an athletic team for the purposes of providing
6 services related to the athletic activity. The exception authorized in this subdivision
7 does not extend to the provision of medical services by the physician at a health care
8 facility.