



2025 South Dakota Legislature

House Bill 1097

Introduced by: **Representative Kull**

1 **An Act to establish and modify provisions for the temporary training of nonresident**
 2 **physicians.**

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

4 **Section 1. That a NEW SECTION be added to chapter 36-4:**

5 A physician who holds an unrestricted license to practice medicine or osteopathy
 6 in another state is not required to obtain a license from the State Board of Medical and
 7 Osteopathic Examiners to receive training, for a period of ninety days or less, at a facility
 8 in this state under the direct supervision of a physician licensed in good standing in
 9 accordance with this chapter. Before training at the facility, the nonresident physician
 10 shall:

11 (1) Register with the board, on a form prescribed by the board, indicating the:

12 (a) Physician who shall directly supervise the nonresident physician;

13 (b) Purpose of the training; and

14 (c) Length of time anticipated for the training;

15 (2) Provide evidence to the board that the nonresident physician possesses malpractice
 16 insurance; and

17 (3) Pay to the board a fifty-dollar fee.

18 For the purposes of this section, "direct supervision" means that the supervising
 19 physician is physically present and readily available in the same facility as the nonresident
 20 physician.

21 **Section 2. That § 36-4-40 be AMENDED:**

22 **36-4-40.** Any physician practicing medicine or osteopathy under the
 23 circumstances permitted by § 36-4-39 ~~shall be~~ or section 1 of this Act is subject to
 24 supervision and discipline by the State Board of Medical and Osteopathic Examiners ~~under~~
 25 ~~this chapter~~ in the same manner as any other licensee under this chapter, and practice by

1 a nonresident physician under the terms of § 36-4-39 ~~is considered to constitute~~ or section
2 1 of this Act constitutes submission by ~~such the~~ physician to the board's jurisdiction ~~by~~
3 ~~the board.~~