

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

400H0219

## SENATE BILL NO. 45

Introduced by: The Committee on State Affairs at the request of the Department of Health

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions related to the practice of  
2 medicine or osteopathy in South Dakota while located outside of the state.

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

4 Section 1. That § 36-4-41 be repealed.

5 ~~— 36-4-41. Any nonresident physician or osteopath who, while located outside this state,~~  
6 ~~provides diagnostic or treatment services through electronic means to a person located in this~~  
7 ~~state under a contract with a health care provider licensed under Title 36, a clinic located in this~~  
8 ~~state that provides health services, or a health care facility licensed under chapter 34-12, is~~  
9 ~~engaged in the practice of medicine or osteopathy in this state. No nonresident physician or~~  
10 ~~osteopath who, while located outside this state, consults on an irregular basis with a licensee~~  
11 ~~under this chapter who is located in this state, is engaged in the practice of medicine or~~  
12 ~~osteopathy in this state.~~

