



2025 South Dakota Legislature  
**House Bill 1097**  
**ENROLLED**

AN ACT

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

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

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

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

- (1) Register with the board, on a form prescribed by the board, indicating the:
  - (a) Physician who shall directly supervise the nonresident physician;
  - (b) Purpose of the training; and
  - (c) Length of time anticipated for the training;
- (2) Provide evidence to the board that the nonresident physician possesses malpractice insurance; and
- (3) Pay to the board a fifty-dollar fee.

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

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

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

under the terms of § 36-4-39 or section 1 of this Act constitutes submission by the physician to the board's jurisdiction.

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

I certify that the attached Act originated in the:  
House as Bill No. 1097

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_ for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2025

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1097  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State