

# SOUTH DAKOTA STATE MEDICAL ASSOCIATION

*Values. Ethics. Advocacy.*

## **Doctor of the Day Handbook Program Guidelines**

### **Responsibilities**

The primary responsibility of the Doctor of the Day (DOD) is to provide a service to state legislators and legislative staff and attend to any emergency situation that may occur. Most of the legislators are from out of town and are without the services of their family physician while in Pierre. Be knowledgeable in CPR and AED operation, should this be needed.

Legislative rules prohibit you from going on the floor to visit with legislators during their deliberations. You should only enter a legislative chamber if summoned by the Sergeant-at-Arms to respond to an emergency.

### **Licensure**

All physicians participating in the Doctor of the Day program must hold a current, valid license to practice medicine in the state of South Dakota.

### **Insurance**

Neither the South Dakota State Medical Association (SDSMA) nor the State of South Dakota provides malpractice or other liability insurance for the Doctor of the Day, nor do they have any responsibility to indemnify or defend participating physicians.

South Dakota's volunteer immunity statutes will provide immunity from civil liability in most circumstances (not in cases of gross negligence or willful and wanton misconduct), but a person is not immune from suit. Without insurance, defense costs could be the responsibility of a volunteer.

Accordingly, and in the interest of maintaining a good relationship between the Legislature and the SDSMA, physicians participating in the Doctor of the Day program must maintain medical malpractice coverage with limits of liability of not less than \$1 million per occurrence or acknowledge the possibility of incurring the costs of defense. Physicians are encouraged to contact their legal counsel or insurer to determine whether their existing malpractice policy will provide coverage for the duties as Doctor of the Day, or to answer any questions concerning the possibility of defense costs.

### **Hours**

The State Legislature generally conducts its business from 8:00 am to 5:00 pm. Legislators are in committee meetings during the morning and the floor session usually convenes at 2:00 pm. You are encouraged to stay near your office or be available by LRC cellular phone or iPad until both chambers have adjourned for the day.

## Arrival

A parking spot will be available for your use and is located in the area reserved for legislators – in the back row of the first section of the lot behind the Capitol. There will be a sign that reads Doctor of the Day. On arrival, go to the Legislative Research Council (LRC) office on the third floor, north wing, to check in and to get your name badge, office key, medicine cabinet key, file cabinet key, cellular phone, and iPad. It is very important that you arrive shortly before 8:00 am to familiarize yourself with the office. Office hours generally are from 8:00 am to 5:00 pm. Volunteers are asked to stay until both chambers have adjourned for the day.

## Doctor's Office

The Doctor of the Day office is in Room 408, which is located on the 4th floor in the Capitol building. This room contains certain medications, equipment and supplies. The drug cabinet is locked each night, so it is your responsibility to get both keys – for the office and medicine cabinet – from the LRC. The Doctor of the Day is also responsible for locking the medicine cabinet in the evening and returning the keys to the LRC before leaving the Capitol. You are not required to remain in the DOD office, you should feel free to explore the Capitol and observe the legislature in action, but you should carry the LRC cellular phone and/or iPad when outside of the DOD office.

## Record Keeping

Instructions outlining the procedures for medical record keeping are located in the DOD Handbook. Please review the procedures for documentation. A medical record for each legislator is also located in an appropriate binder in alphabetical order. Blank *Consent to Treat, Health History and Progress Note* forms are available if non-legislators seek care. Please follow the same procedure and label the form according to the procedures outlined in the handbook.

## Legislative Pages

Each legislative page has a signed release (release forms for pages who are minors have been signed by a parent/guardian) and are located in a binder in the DOD office. If a page comes to you for services and it's their first time using the DOD services, please locate their signed release form and start *Consent to Treat, Health History and Progress Note* form using one of the blank forms prepared for the session.

## Supplies

The Department of Health (DOH) will provide basic supplies for the DOD program and will stock those supplies in the DOD office. [\(A list of supplies provided by DOH is found in Exhibit A.\)](#) Replacement supplies will be purchased weekly, so all requests must be received by DOH on Mondays at 12:00pm (CT). Any request to add additional supplies to the basic inventory should be directed to SDSMA staff member Justin Ohleen (605.336.1965).

## Medications

A fax machine will be available in the Capitol Post Office (on 3rd Floor) to electronically send prescriptions directly to one of the pharmacies in Pierre or Ft. Pierre.

- Please attached the completed fax prescription form to the patient's medical record.
- Make sure your DEA number is available on any controlled substance prescriptions you write.
- If you have samples you think might be used in this office, please bring those along – no controlled substances please.

## AED Unit

An AED unit is located in the DOD office. There are also three publicly accessible AEDs in the Capital. Two are located on third floor outside of the House and Senate chambers, and one is located on fourth floor just outside of Room 414. If you are not trained in the operation of an AED, there will be DOH staff available to train you.

## **Consultants**

A list of clinics and pharmacies in the Pierre area is located in the DOD Handbook in the doctor's office. You may reference these lists if you have a problem you feel needs more evaluation and/or hospitalization. The clinics can take over the care of a patient who needs to be hospitalized and can also help refer you to the appropriate consultants.

## **Name Tags**

Please wear a name tag while you are in the Capitol. The SDSMA has prepared name tags and sent them to the LRC office. The tag lists your name and city.

## **Introductions**

DOD volunteers are encouraged to appear in the gallery of each legislative chamber to be introduced during the opening comments of the floor sessions, which usually convene at 2:00 pm.

## **Lobbying**

Lobbying is not permitted while providing medical care. You have the right to discuss any issue you consider important with your legislators, but from the standpoint of the program, you should speak with the legislator separate from your Doctor of the Day responsibilities.

You will not be permitted to go onto the floor of the legislative chambers while the chambers are in session. If you do intrude onto the floor of either chamber, or if you engage in lobbying activities in the chambers, you may be asked by the appropriate authority to stop lobbying and/or leave the floor.

However, given your profession, legislators may ask you questions about bills or medical policy. If you are asked a question by a legislator, you should be prepared to provide an appropriate response. If you are uncomfortable doing so, please connect the legislator with the SDSMA Chief Lobbyist or Director of Advocacy and Policy.

## **Meals/Room Expenses**

The DOD is a voluntary program and the expense of meals and travel to and from Pierre are the responsibility of the participating physician. The SDSMA will be providing a room at the AmericInn Hotel at no cost to physicians who need to spend the night prior to the day they serve as Doctor of the Day. When checking in, identify yourself as the Doctor of the Day with the South Dakota State Medical Association. Please note that check-out time at the AmericInn is 11:00 am (CT). Requests for a later check-out time should be directed to the front desk.

## **Scheduling**

All scheduling for the Doctor of the Day program is done by the SDSMA. If you have a question or schedule change, please contact Justin Ohleen, Director of Advocacy and Policy, at 605.336.1965 or [johleen@sdsma.org](mailto:johleen@sdsma.org). For emergencies causing you to have to cancel last minute, also call the LRC office at 605.773.3251.

## EXHIBIT A

The Department of Health will provide the following supplies in the DOD office:

- Gloves
- Sani wipes
- Liquid glucose
- Epi pen
- Acid reducer
- Aleve
- Tylenol cold & flu
- Rubbing alcohol
- Hydrogen peroxide
- Blood sugar test strips
- Oxygen
- Garbage bags
- Ibuprofen
- Tylenol
- Imodium
- Mucus relief
- Low dose aspirin
- Nitroglycerin
- Mucinex
- Benadryl tablets
- Tums
- Narcan
- Cough drops
- Alcohol prep pads
- Triple antibiotic cream
- Lotion
- Kleenex

\*\*COVID-19 tests are not included among the supplies; all lab tests, including COVID-19 tests, should be referred to a local clinic.

Replacement supplies will be purchased weekly, so all requests must be received by DOH on Mondays at 12:00pm CT. Any request to add additional supplies to the basic inventory should be directed to SDSMA staff member Justin Ohleen (605.336.1965).